

# JOURNAL OF THE HOUSE.

OF THE

## TWENTY-NINTH GENERAL ASSEMBLY

OF THE

### STATE OF IOWA

WHICH CONVENEED AT THE CAPITOL AT DES MOINES  
JANUARY 13, 1902.

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DES MOINES:  
B. MURPHY, STATE PRINTER  
1902.

## OFFICERS OF THE HOUSE.

*Speaker:*

WILLARD L. EATON, OSAGE.

*Speaker pro tempore:*

N. E. KENDALL, ALBIA.

*Chief Clerk:*

C. R. BENEDICT, SHELBY.

*First Assistant Clerk* - - - JOHN C. CROCKETT, Hardin county.  
*Second Assistant Clerk* - - - JOHN COOK, Franklin county.  
*Engrossing Clerk* - - - MRS. MOLLIE HEIST, Wapello county.  
*Enrolling Clerk* - - - EMMA WHEELER, Cerro Gordo county.  
*Journal Clerk* - - - HARRY E. GRIFFIN, Jackson county.  
*Sergeant-at-Arms* - - - C. W. REYNOLDS, Grundy county.  
*Chief Doorkeeper* - - - J. B. LEWIS, Clay county.

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Aug. 21. 1700  
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THE HOUSE OF THE TWENTY-NINTH GENERAL  
ASSEMBLY.

Districts.	NAME.	P. O. ADDRESS.	COUNTIES IN DISTRICT.
27	Anderson, J. M.....	Indianola.....	Warren.
7	Bailey, M. Z.....	Diagonal.....	Ringgold.
89	Barker, W. K.....	Cresco.....	Howard.
53	Barkley, Alonzo J.....	Boone.....	Boone.
48	Bealer, E. J. C.....	Cedar Rapids..	Linn.
11	Black, Charles W.....	Malvern.....	Mills.
8	Blakemore, W. D.....	Bedford.....	Taylor.
34	Boysen, Asmus.....	Gray.....	Audubon.
18	Buchanan, A. W.....	Ottumwa.....	Wapello.
43	Calderwood, M. H.....	Elbridge.....	Scott.
10	Campbell, R. C.....	Hamburg.....	Fremont.
20	Carden, William.....	Winfield.....	Henry.
79	Carter, Charles W.....	Rock Valley....	Sioux.
19	Cassel, Andrew F.....	Four Corners..	Jefferson.
82	Cheney, A. H.....	Spencer.....	Clay, Palo Alto.
63	Christianson, Geo. P..	Randall.....	Hamilton.
36	Clark, Geo. W.....	Adel.....	Dallas.
59	Coburn George F.....	Fielding.....	Cherokee.
55	Colclo, C. C.....	Carroll.....	Carroll.
83	Cowles, Gardner.....	Algona.....	Kossuth.
13	Crouse, Clinton S.....	Prescott.....	Adams.
1	Cruikshank, J. P.....	Fort Madison..	Lee.
51	Cummings, B. F.....	Marshalltown..	Marshall.
14	Davenport, D.....	Creston.....	Union.
21	Dodds, William D.....	Danville.....	Des Moines.
80	Donohue, Timothy.....	Sheldon.....	Lyon, O'Brien.
68	Dunham, Geo. W.....	Manchester.....	Delaware.
90	Eaton, Willard Lee....	Osage.....	Mitchell.
73	Edwards, M. F.....	Parkersburg....	Butler.
6	Eiker, B. L.....	Decatur.....	Decatur.
37	English, Emory H.....	Valley Junction	Polk.
78	Fields, E. A.....	Akron.....	Plymouth.
70	Flenniken J. C.....	Strawb'ry Point	Clayton.
31	Freeman, W. H.....	Oakland.....	Pottawattamie.
69	Frudden, A. F.....	Dubuque.....	Dubuque.
64	Furry, Mark J.....	Alden.....	Hardin.
76	Gilchrist, F. C.....	Laurens.....	Humboldt, Pocahontas.
9	Graff, Valentine.....	Clarinda.....	Page.
52	Greeley, W. M.....	Ames.....	Story.
28	Greene, Robert A.....	East Peru.....	Madison.
43	Hamann, Albert W.....	Davenport.....	Scott.
16	Hasselquist, R. A.....	Chariton.....	Lucas.
38	Hawk, Wm. W.....	Colfax.....	Jasper.
54	Head, Mahlon.....	Jefferson.....	Greene.
33	Hertert, E. M.....	Harlan.....	Shelby.
46	Hilsinger, Geo. E.....	Sabula.....	Jackson.
87	Hufschmidt, Robert....	Lansing.....	Allamakee.
40	Hughes, Jr., John.....	Williamsburg..	Iowa.
84	Hurn, David W.....	Clear Lake.....	Cerro Gordo.

District.	NAME.	P O. ADDRESS	COUNTIES IN DISTRICT.
21	Jager, Lewis M. ....	Burlington. ....	Des Moines
31	Jenks, John H. ....	Avoca. ....	Pottawattamie.
25	Jones, Wm. G. ....	Oskaloosa. ....	Mahaska.
69	Keagy, H. R. ....	Epworth. ....	Dubuque.
17	Kendall, N. E. ....	Albia. ....	Monroe.
65	Kerr, Wm. G. ....	Grundy Center. ....	Grundy.
32	Kling, H. B. ....	Woodbine. ....	Harrison.
86	Kolthoff, John H. ....	Dresden. ....	Chickasaw.
41	Koontz, Geo. W. ....	Iowa City. ....	Johnson.
56	Langan, Hugh. ....	West Side. ....	Crawford.
45	Langan, Raymond C. ....	Clinton. ....	Clinton.
71	Larrabee, Jr., Wm. ....	Clermont. ....	Fayette.
44	Leech, Louis J. ....	West Branch. ....	Cedar.
39	Lyman, J. P. ....	Grinnell. ....	Poweshiek.
29	McClure, W. H. ....	Fontanelle. ....	Adair.
22	McClurkin, E. L. ....	Morning Sun. ....	Louisa.
49	McNie, Malcolm. ....	Vinton. ....	Benton.
1	Marshall, Sabret T. ....	Keokuk. ....	Lee.
60	Mattes, Joseph. ....	Odebolt. ....	Sac.
62	Meservey, S. T. ....	Fort Dodge. ....	Webster
3	Moore, Samuel A. ....	Bloomfield. ....	Davis.
45	Mordhorst, Chas. ....	Wheatland. ....	Clinton.
2	Nagle, Lee. ....	Milton. ....	Van Buren.
42	Nichols, J. I. ....	West Liberty. ....	Muscatine.
74	Patton, D. J. ....	Hampton. ....	Franklin.
4	Payne, Frank S. ....	Centerville. ....	Appanoose.
30	Pipher, John. ....	Griswold. ....	Cass.
85	Powers, P. H. ....	Powersville. ....	Floyd.
75	Pritchard, J. S. ....	Belmont. ....	Hancock, Wright.
81	Robinson, B. F. ....	Armstrong. ....	Osceola, Emmet, Dickinson.
88	Rome, John S. ....	Caluar. ....	Winneshiak.
91	Secor, Eugene. ....	Forest City. ....	Worth, Winnebago.
47	Sokol, F. J. ....	Onslow. ....	Jones.
67	Springer, L. F. ....	Independence. ....	Buchanan.
12	Stratton, Cyrus L. ....	Red Oak. ....	Montgomery.
48	Stuckslager, W. C. ....	Lisbon. ....	Linn.
58	Sweeley, Marlin J. ....	Sioux City. ....	Woodbury.
72	Sweet, Burton E. ....	Waverly. ....	Bremer.
37	Teachout, H. E. ....	Des Moines. ....	Polk.
15	Temple, M. L. ....	Osceola. ....	Clarke.
61	Townsend, D. J. ....	Lohrville. ....	Lohoun.
24	Utterback, A. M. ....	Hedrick. ....	Keokuk.
5	Walden, T. P. ....	Allerton. ....	Wayne.
50	Walters, Chas E. ....	Toledo. ....	Tama.
26	Warren, J. L. ....	Pella. ....	Marion.
57	Whiting, Will C. ....	Whiting. ....	Ida, Monona.
58	Willett, John T. ....	Oto. ....	Woodbury.
77	Wilson, A. J. ....	Marathon. ....	Buena Vista.
23	Wilson, Charles J. ....	Washington. ....	Washington.
66	Wise, Charles A. ....	Cedar Falls. ....	Cedar Hawk.
35	Wright, Nate. ....	Stuart. ....	Guthrie.

## SCHEDULE.

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251. Providing for the appointment of an expert accountant and an assistant, and appropriating money to pay the same, and granting to the executive council power to determine systems of records and accounts to be kept by state officers under certain conditions. Approved April 8, 1902..	9
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S. F. 217. Relating to the construction of street railways upon the state fair grounds. Approved April 2, 1902.....	166
122. Relating to savings banks. Approved March 14, 1902....	167
220. Relating to the inspection and use of the products of petroleum. Approved April 7, 1902.....	168
303. Relating to pension money of members of the Iowa soldiers' home at Marshalltown, Iowa. Approved April 10, 1902.	169
291. Relating to the practice of veterinary medicine, surgery and dentistry. Approved April 4, 1902.....	170
10. Providing for the levy of a special tax of one-fifth (1-5) of a mill on the dollar upon the assessed valuation of the taxable property of the state for the erection, repair, [and] improvement of buildings for the state university of Iowa. Approved April 7, 1902.....	171
153. Providing for the levy of a special tax of one-fifth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the Iowa state college of agriculture and mechanic arts. Approved April 7, 1902.	172

Engrossed Bill.	Chapter.
H. F. 263. Defining the duties of the Iowa library commission, transferring the associate and traveling libraries from the state library board to the Iowa library commission, and providing for an appropriation for the extension of the work of the Iowa library commission. Approved April 11, 1902.....	173
275. To provide for the erection of monuments to mark the positions occupied by the Iowa volunteers at the battle of Shiloh, Tennessee, and to make an appropriation to pay the expenses of the commissioners. Approved April 1, 1902.....	174
42. Incorporating the Aspen Grove Cemetery association, of Burlington, Iowa, conferring upon said association all of the rights, powers and privileges now possessed, or hereafter conferred by the statutes of Iowa upon corporations not for pecuniary profit. Approved February 21, 1902.....	175
H. F. 18. An act to provide a water supply for military reservations of the United States. Approved February 17, 1902.....	207
H. F. 194. An act for the relief of the grantees of John Carsner, and for the purpose of having a patent issued in his name for a certain tract of land. Approved March 7, 1902.....	208
H. F. 179. An act for the relief of the grantees of John Noble and W. A. Noble, and for the purpose of having a patent issued in their names for a certain tract of land. Approved March 7, 1902.....	209
S. F. 234. An act to authorize the improvement of the channels of meandered streams dividing the territory within the corporate limits of certain cities and to authorize the reclaiming of lands between the meandered lines of said streams within said corporate limits and to create a commission therefor and defining its powers and prescribing its duties. Approved March 14, 1902.....	210
S. F. 296. An act to provide for the publication of an edition of seven thousand and five hundred (7500) copies of the code. Approved March 22, 1902.....	211
S. F. 304. An act to authorize the granting to the Chicago, Burlington and Quincy Railroad company, its successors or assigns, a right of way through lands owned by the state, and used by the institution for feeble minded children at Glenwood, Iowa. Approved March 22, 1902.....	212
H. F. 409. An act ceding to the United States exclusive jurisdiction over certain lands or lots acquired by the United States for public purposes within this state, and authorizing the acquisition thereof. Approved March 27, 1902.....	213

Engrossed Bill.	Chapter.
H. F. 425. An act authorizing the executive council to sell and convey two islands newly formed by accretion in the Mississippi river, and located in sections three and four; in township seventy-seven, north of range three, east of the fifth P. M., in Scott county, Iowa, the same being west of the main channel of said Mississippi river and adjacent to the Iowa shore. Approved April 9, 1902.....	214
S. F. 251. An act to authorize the improvement and to regulate the use of the Governor's Square in the city of Des Moines for park purposes. Approved April 10, 1902.....	215
S. F. 264. An act fixing the number of senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the state into senatorial districts. Approved April 12, 1902.....	216
H. F. 419. An act to apportion the state into representative districts and declare the ratio of representation. Approved April 12, 1902.....	217
H. F. 23. An act to legalize the acts of the board or supervisors of Jefferson county, Iowa, relating to the levying of a tax for the support of the poor, and legalizing the tax so levied. Approved February 17, 1902.....	218
26. An act to legalize and confirm the official acts of George C. McMurtry and Herbert J. McMurtrie, notaries of the state of Iowa. Approved February 21, 1902.....	219
34. An act to legalize the ordinances of the town of Conway, Taylor county, Iowa. Approved February 21, 1902.....	220
74. An act to legalize the official acts of W. E. Haskins, a notary public of Howard county, Iowa. Approved February 21, 1902.....	221
103. An act to legalize the election held in the county of Dallas and state of Iowa, on the sixth day of November, 1900, and the proposition submitted at said election for the purpose of building a court house at Adel, in said county, and borrowing money and issuing bonds therefor; and the manner of submitting said propositions, and the manner of the payment of bonds issued for said purpose, and all of the proceedings of the board of supervisors of said county with reference to said matters, and to authorize said county to issue bonds voted at said election, and to levy taxes to pay the same. Approved February 21, 1902.....	222
119. An act to legalize the acts of the independent school district of Allerton, Wayne county, Iowa, in voting bonds at an election held March 12th, 1900, for the rebuilding of a schoolhouse in said independent district and to enable such district to issue such bonds. Approved February 21, 1902.....	223

Engrossed Bill.	Chapter.
H. F. 187. An act to legalize certain proceedings, ordinances and resolutions passed by the councils of cities and towns by less than the required number of votes. Approved February 27, 1902.....	221
198. An act to legalize the official acts of the town council of the incorporated town of Sumner, in Bremer county, Iowa. Approved March 4, 1902.....	225
S. F. 40. An act to legalize the incorporation of certain corporations incorporated under the laws of the state of Iowa. Approved March 10, 1902.....	226
H. F. 9. An act legalizing the organization of the independent school district of Ralston, located in Greene and Carroll counties, Iowa. Approved March 14, 1902.....	227
S. F. 215. An act to legalize the action of the town council of the incorporated town of Orleans, in Dickinson county, Iowa. Approved March 17, 1902.....	228
294. An act to legalize the incorporation of the town of Minden, Pottawattamie county, Iowa, the election of its officers, the passage and record of its ordinances and resolutions, and all acts done by the council of said town. Approved March 19, 1902.....	229
H. F. 227. An act to legalize the ordinances and the official acts of the town of Schaller, Sac county, Iowa. Approved March 22, 1902.....	230
368. An act to legalize the ordinances and resolutions passed by the incorporated town of Cresco, Howard county, Iowa, and also of the city of Cresco, in said county and state. Approved March 22, 1902.....	231
S. F. 272. An act to legalize the election held in the county of Osceola and state of Iowa on the 5th day of November, 1901, and the proposition submitted at said election for the purpose of building a court house and jail at Sibley in said county, and borrowing money and issuing bonds therefor and the manner of payment of said bonds issued for said purpose, and all of the proceedings of the board of supervisors of said county with reference to said matter. Approved March 25, 1902.....	232
H. F. 378. An act legalizing acts of the county auditor and of the board of supervisors of Lyon county. Approved March 25, 1902.....	233
S. F. 286. An act to legalize the acts of boards of water works trustees in cities of the first class and cities acting under special charters under appointment made by the district courts of Iowa. Approved March 27, 1902.....	234
H. F. 349. An act to legalize the incorporation of the town of Rudd, Floyd county, Iowa, and the ordinances thereof. Approved March 27, 1902.....	235

Engrossed Bill	Chapter.
H. F. 326. An act to legalize the acts of the independent school district of Stanwood, Cedar county, Iowa, in voting bonds at a special election held September 16, 1901, for the rebuilding of a schoolhouse in said independent school district and to enable such district to issue such bonds and to validate all the official acts and proceedings of the board of directors of said school district relative thereto. Approved March 27, 1902.....	236
S. F. 157. An act to validate certain conveyances of real estate in which the husband or wife conveyed the inchoate right of dower of the other spouse. Approved March 31, 1902	237
H. F. 407. An act to legalize the contract made by the incorporated town of Spirit Lake, Iowa, for the construction of a sewer therein and for the levy of a tax of five mills made by said town in payment therefor. Approved March 3, 1902.....	238
328. An act to legalize the ordinances of the town of Shannon City, situated in Union and Ringgold counties, Iowa. Approved April 4, 1902.....	239
283. An act to legalize copy of certified record of the supreme court of the United States in case of the Burlington and Missouri River Railroad company, plaintiff in error v. Fremont county, Iowa. In error to the supreme court of Iowa. Approved April 5, 1902.....	240
H. F. 293. An act to legalize the conveyance of certain real estate to the township trustees of Fox River township, Davis county, Iowa, for graveyard and church purposes. Approved April 5, 1902.....	241
367. An act to legalize the ordinances of the town of Swan, Marion county, Iowa, and the official acts of the mayor and recorder thereof, in the publication of said ordinances. Approved April 5, 1902.....	242
408. An act to legalize the extension of the corporate limits of the town of Laurens, Iowa, and its ordinances and resolutions and the acts of officers and persons had in pursuance thereof; and to fix the limits of said town. Approved April 5, 1902.....	243
424. An act to legalize the incorporation of the town of Kinross, in the county of Keokuk and state of Iowa, and the official acts of the officers of said town, and all ordinances and resolutions adopted by the council of said town. Approved April 7, 1902.....	244
451. An act legalizing the election of the city of Clinton in favor of establishing a free public library in said city. Approved April 10, 1902.....	245
444. An act to legalize all acts done and ordinances passed by the town council of the incorporated town of Bondurant, Polk county, Iowa. Approved April 10, 1902..	246
S. F. 271 An act to legalize the publication of notice and vote, for the incorporation of the town of Gravity, Iowa. Approved April 10, 1902.....	247

Engrossed iBl.	Chapter.
H. F. 449. An act to legalize the official acts of the town council of the incorporated town of Denver, in Bremer county, Iowa, and the acts of F. C. Richmann acting as clerk of said town. Approved April 11, 1902.....	248
S. F. 188. An act to legalize certain instruments in writing which were defectively acknowledged. Approved April 12, 1902.....	249
H. F. 423. An act to legalize the election held in the town of Hillsdale, Mills county, Iowa, on the eighteenth day of March, 1901, and to legalize all ordinances, acts and proceedings of the officers elected at said election. Approved April 12, 1902.....	250

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### SENATE JOINT RESOLUTIONS.

#### JOINT RESOLUTION NO. 1.

[By Smith of Mitchell.]

Relating to the selection of additional employes of the Twenty-ninth General Assembly and fixing their compensation and manner of payment thereof.

Read first and second time, 38. Passed, 39, 40. Passed House, 45, Enrolled, 193.

#### NO. 2.

[By Harriman.]

For an amendment to the constitution of the state of Iowa, proposing the repeal of sections thirty-four (34), thirty-five (35) and thirty-six (36) of article three (3) of said constitution, and proposing to adopt the following in lieu thereof and as a substitute therefor.

Read first and second time and referred, 118. Reported, 232. Amended, 263. Passed, 265. Passed House amended, 785. Concurred in and passed, 913, 914. Enrolled, 977.

#### NO. 3.

[By Allyn.]

Proposing amendments to the constitution of Iowa, relative to suffrage, and to provide for its reference and publication.

Read first and second time and referred, 134, 135. Reported, 269. Passed, 403, 404. House indefinitely postponed, 610. Passed on file, 616. Reported, 1030.

#### NO. 4.

[By Smith of Mitchell.]

Recommending changes as to additional employes.

Read first and second time, 144. Passed, 145. Passed House, 197. Passed on file, 199. Enrolled, 238.



NO. 5.

[By Harper.]

Proposing to amend the constitution of the state of Iowa, so as to provide for biennial elections.

Read first and second time and referred, 147. Reported, 233. Re-referred, 278. Reported, 400. Made a special order, 401. Passed, 415, 416. Passed House, 674. Passed on file, 686. Enrolled, 750.

NO. 6.

[By Harriman.]

For the appointment of a joint committee to purchase a chair for the governor, president of the senate, and speaker of the house.

Read first and second time and passed, 165. House amended and passed, 197. Senate concurs, 199. Passed, 199. Enrolled, 238.

NO. 7.

[By Brooks.]

Relating to the interstate shipment of intoxicating liquors, and memorializing congress with reference thereto.

Read first and second time and referred, 322. Indefinitely postponed, 653.

NO. 8.

[By Blanchard.]

A joint resolution making an appropriation for the relief of the widows and orphans created by the Lost Creek mine disaster.

Read first and second time and referred, 920. Indefinitely postponed, 1037.

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HOUSE JOINT RESOLUTIONS.

NO. 1.

[By Temple.]

For an amendment to the constitution of the state of Iowa, proposing the repeal of section thirty-four (34), thirty-five (35), and thirty-six (36) of article three (3) of said constitution, and proposing to adopt the following in lieu thereof and as a substitute therefor,

Read first and second time and referred, 110, 111.

NO. 2.

[By Wise, by request.]

Proposing to amend the constitution of the state of Iowa, so as to provide for biennial elections.

Read first and second time and referred, 206. Passed, 905.

NO. 3.

Joint resolution for an application to the congress of the United States of America, in behalf of the state of Iowa, for the calling of a convention for

proposing amendments to the constitution of the United States of America, as provided in article five (5) of said constitution.

Read first and second time and referred, 791.

## NO. 4.

[By Larrabee.]

To amend the constitution of the state of Iowa by striking out a portion of section 8 of article 11.

Read first and second time and referred, 723.

## NO. 5.

[By committee on Retrenchment and Reform.]

Fixing the number and compensation of employes in the departments of state at the seat of government.

Read first and second time, 1341. Report of committee adopted, 1341. Amended, 1341, 1342. Passed, 1343. Senate amended and passed, 1350. Concurred in, 1350. Enrolled, 1356.

## SENATE CONCURRENT RESOLUTIONS.

As to suitable arrangements for inauguration of governor and lieutenant-governor. Adopted, 14. House concurred in, 15.

As to joint convention for the purpose of canvassing vote for governor and lieutenant-governor. Adopted, 14. House concurred in, 15.

As to selection of mail carrier. Adopted, 13. House concurred in, 15.

As to adjournment. Adopted, 18. House concurred in, 37. Senate amended, 38. House concurred in, 40.

Giving Senator Fred N. Smith a code of 1897. Adopted, 125. House concurs, 125.

As to U. S. Senate file 1118 (U. S. Senator Hoar). Referred, 149. Reported, 310, 337. Moved to indefinitely postpone; lost, 338. Substitute offered, 338. Adopted, 339. Passed, 416, 429. Conference committee appointed, 511. Substitute reported, 602, 603. House refused to concur, 738. Passed on file, 742.

Relative to the publication of 5,000 additional copies of the Iowa official register for 1902. Adopted, 18. House concurred, 37.

Authorizing the mounting of lithographic plats in land office, and rebind-  
ing the field notes.

Authorizing five thousand copies of the rules of the senate and house to be printed. Adopted, 363. House concurs, 405. Placed on file, 410.

As to certain state officers, commissions and departments neglecting to comply with chapter 6 of the acts of the Twenty-eighth General Assembly, 275. Passed, 308. House concurred, 333. Passed on file, 334.

Authorizing the executive council to distribute the hand-book of the Iowa soldiers' and sailors' monument.

Relative to furnishing the code and certain session laws to certain officers of the house and senate. Adopted, 1078. House adopted, 1122.

In relation to the interstate commerce law, 469. Adopted, 500, 501. House concurs, 1133.

Relative to printing 5,000 additional copies of the official register for the year 1903, and the binding of 1,000 copies in cloth. Adopted, 1070.

Relative to the transfer of the Iowa buildings at the Louisiana Purchase exposition to the board of control. Adopted, 1154. House adopted, 1197.

As to photographic plats of congressional townships, 198. Referred, 199. Reported, 251. Passed. House concurred, 387. Passed on file, 389.

As to copies of the calendar of each house printed, 153. House concurred in, 229. Passed, 641.

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#### HOUSE CONCURRENT RESOLUTIONS.

As to holding joint convention. Adopted, 69. Senate concurs, 71.

Relative to the printing of the inaugural address of Governor A. B. Cummins. Adopted, 69. Senate concurs, 71.

As to Hon. P. M. Cassidy, adopted, 76. Senate concurred in, 75.

Relative to furnishing the code and certain session laws to the first assistant clerk of the house and to the first assistant clerk of the senate. Adopted, 90. Senate concurs, 122.

Relative to the printing in pamphlet form of 15,000 copies of the report of the Vicksburg Park commission, and 2,000 copies of the governor's report on pardons. Adopted, 89. Senate amended, 90. House concurs, 129.

As to observing the birthday of the late President McKinley, 130. Senate concurred in, 130.

As to furnishing certain session laws to the members of the General Assembly. Adopted, 134. Senate amended, 137. House concurs, 158. Placed on file, 161.

As to appointing committee to prepare resolutions relating to the life and character of the late Hon. John H. Gear, 134. Senate concurred in, 137, 138.

As to meeting in joint convention to elect regents and trustees of state educational institutions, 139. Senate concurred, 140.

As to creating a commission to investigate the cause of explosions in coal mines, etc. Reported, 197. Senate concurred in, 191.

Relative to the printing of the report of the commission appointed to investigate the matter of explosions in coal mines. Adopted, 464. Senate concurs in, 484.

Relative to the free distribution to certain persons of the code supplement of 1902. Adopted, 829. Senate concurs, 886½.

Relative to the free distribution of certain copies of the session laws.



# HOUSE BILLS.

## RECEPTION AND ACTION.

H. F.	Page	H. F.	Page
1—By Black. A bill for an act to amend sections four hundred and seventeen (417) and four hundred and eighteen (418) of the Code, relating to the supervisor districts and the election of members thereof.		Senate indefinitely postponed.....	1011
Read first and second time and referred.....	70	7—By Brudden. A bill for an act for the better protection of life and property against injury or damage resulting from the operation of steam engines and boilers by incompetent engineers and others.	
Reported substitute.....	457	Read first and second time and referred.....	71
Adopted.....	674	Reported substitute.....	651, 654
Amended.....	674	Adopted.....	806
Passed.....	675	Amended.....	806
Title amended.....	675	Re-referred.....	806
Senate indefinitely postponed.....	1325	Reported amended.....	918, 919
2—By Blakemore. A bill for an act to amend section 4740 of the Code, relative to the execution of persons under sentence of death.		Amended.....	1065
Read first and second time and referred.....	70	Passed.....	1065, 1066
Reported.....	128	8—By Greene. A bill for an act providing for the nomination of officers and the election of delegates to conventions of political parties or organizations by a primary election.	
Recommitted.....	164	Read first and second time and referred.....	71
3—By Buchanan. A bill for an act relative to the use of streets and highways by automobiles or motor vehicles.		Reported substitute.....	586, 591
Read first and second time and referred.....	70	Adopted.....	808, 809
Reported amended.....	235	Amended.....	809, 810, 811, 812
Amended.....	297, 298, 299	Lost on passage.....	813
Passed.....	300	Motion to reconsider filed.....	813
Senate amended and passed.....	1130	9—By Head. A bill for an act to legalize the formation of the independent school district of Ralston, part of which is in Carroll and part in Greene counties.	
4—By Dodds. A bill for an act to amend section 1532, chapter 1 of the Code, relating to public roads.		Read first and second time and referred.....	71
Read first and second time and referred.....	70	Amended.....	82
Withdrawn from further consideration.....	860	Passed.....	82
5—By English. A bill for an act to repeal sections 2566 and 2567 of the Code, and to enact substitutes therefor, relating to vital statistics.		Senate amends, House concurs.....	672
Read first and second time and referred.....	71	Enrolled.....	719
Reported.....	161	10—By Jenks. A bill for an act to authorize the appointment of state and savings banks, and loan and trust companies, organized under the laws of Iowa, as administrators, executors, guardians, trustees, receivers and assignees.	
Indefinitely postponed.....	223	Read first and second time and referred.....	72
6—By English. A bill for an act relating to assessment and collection of the collateral inheritance tax and repealing chapter 4, title 7 of the Code, and chapter 37 of the acts of the Twenty-seventh General Assembly and chapter 51 of the acts of the Twenty-eighth General Assembly.		Reported.....	182
Read first and second time and referred.....	71	Re-referred.....	242
Reported amended.....	326, 327	Reported.....	387
Made special order.....	494, 526	Indefinitely postponed.....	433, 434
Amended.....	546, 557	11—By Jones (by request). A bill for an act to repeal section 458 and amend section 459 of the Code, relating to the disposition of the fund derived from the taxation of dogs.	
Passed.....	558, 559	Read first and second time and referred.....	7
		Reported.....	21
		Indefinitely postponed.....	24

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12—By Kendall. A bill for an act to amend chapter 9, title 12 of the Code, relating to mines and mining.	
Read first and second time and referred	72
Reported	197
Passed	264, 265
Passed Senate	772
Enrolled	836
13—By Kendall. A bill for an act to amend section 2489 of the Code, relating to mines and mining.	
Read first and second time and referred	72
Reported	101
Amended and adopted	155
Reconsidered	156
Amended and passed	156
Re-referred	773
Senate amended and passed	766
House concurs	874
Enrolled	836
14—By Kendall. A bill for an act to add to and amend section 2489 of the Code, relating to mines and mining.	
Read first and second time and referred	72
Reported amended	818
Passed	820
Title amended	821
15—By Koontz. A bill for an act to repeal chapter 97 of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor.	
Read first and second time and referred	72
Reported	327
Amended	529, 530
Lost on passage	531
Motion to reconsider filed	535
16—By Secor. A bill for an act to repeal sections 111, 112, 113 and 114 of the Code, and authorizing the establishment of a depository or depositories for state funds.	
Read first and second time and referred	72
Reported	612
Indefinitely postponed	643
17—By Sweet. A bill for an act to reimburse Louis Case for money paid by him for clothing to equip a portion of the Ninth regiment, Iowa volunteers, in the war of the rebellion.	
Read first and second time and referred	73
Reported	304
Indefinitely postponed	1142
18—By Teachout. A bill for an act to provide a water supply for military reservations of the United States in this state.	
Read first and second time and referred	73
Reported amended	97
Passed Senate	247
Enrolled	281
19—By Teachout. A bill for an act to authorize the loaning of funds accumulated under chapter 1 of the acts of the Twenty-sixth General Assembly, or under section 742 of the Code.	
Read first and second time and referred	73
Reported amended	118, 119
Amended	167
Passed	167, 168
Motion filed to reconsider	177
Reconsidered	189

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Amended	189
Passed	190
Passed Senate	247
Enrolled	282
20—By Warrec. A bill for an act to create an additional State Normal School in the state institution formerly occupied as the Industrial Home for the Blind at Knoxville, in Marion county, and to convert said property to said uses and purposes, and provide for the maintenance, equipment and improvement thereof.	
Read first and second time and referred	73
Reported, re-referred	144
Reported amended	362
Made special order	540
Lost on passage	560
Motion filed to reconsider	560
21—By Warren. A bill for an act to amend chapter 102 of the acts of the Twenty-eighth General Assembly, relating to the Iowa Industrial Reformatory for Females, and to make appropriation therefor.	
Read first and second time and referred	73
Reported	183
22—By Wilson. A bill for an act to amend section 132 of the Code, relating to taxation of telegraph lines.	
Read first and second time and referred	73
Reported amended	179
23—By Wise. A bill for an act making an appropriation for the State Normal School.	
Read first and second time and referred	73
Withdrawn	177
Referred	208
Indefinitely postponed	1138
24—By Greeley. A bill for an act making an appropriation for the Iowa State Agricultural College and Mechanic Arts.	
Read first and second time and referred	74
Indefinitely postponed	1338
25—By Cassel. A bill for an act to legalize the acts of the board of supervisors of Jefferson county, Iowa, relating to the levying of a tax.	
Read first and second time and referred	74
Reported	100
Passed	154
Senate concurs	230
Enrolled	281
26—By Anderson. A bill for an act to legalize and confirm the acts of Geo. C. McMurtry and Herbert J. McMurtrie, notaries public of the state of Iowa.	
Read first and second time and referred	74
Reported	127
Passed	158
Passed Senate	354
Enrolled	404
27—By Anderson. A bill for an act to amend sections 118 and 119 of the Code, defining the duties of state printer and state binder.	
Read first and second time and referred	74
Reported with substitute	418
Passed	418

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Senate indefinitely postponed....	1184
28—By Anderson. A bill for an act to amend section 1272 of the Code relating to the appointment of city officers to fill vacancies.	
Read first and second time and referred.....	74
Reported substitute.....	198
Passed.....	256
Senate indefinitely postponed.....	8.6
29—By Campbell. A bill for an act to amend section twenty-seven hundred ninety-nine (2799), chapter fourteen (14), title thirteen (13) of the Code of 1897, relating to uniting independent districts.	
Read first and second time and referred.....	74
Reported substitute.....	214, 215
Amended.....	294
Made special order.....	294
Substitute adopted.....	413
30—By Koontz. A bill for an act making appropriations to the State University of Iowa.	
Read first and second time and referred.....	74
Indefinitely postponed.....	1338
31—By Buchanan. A bill for an act relating to the sale of cocaine and providing punishment for the illegal sale thereof.	
Read first and second time and referred.....	75
Reported amended.....	199
Passed.....	265, 266
Passed Senate.....	254
Enrolled.....	857, 1311
32—By Anderson. A bill for an act to prevent any white person from marrying any person having one-eighth part or more of negro blood, and to prevent any person having one-eighth part or more of negro blood from marrying any white person, and amending section 3141 of the Code.	
Read first and second time and referred.....	89
Reported.....	150
Indefinitely postponed.....	223
33—By Bealer. A bill for an act to amend section 1850, chapter 10, title 9, paragraph 4 of the Code, relating to investment of funds of savings banks.	
Read first and second time and referred.....	89
Reported.....	183
Passed.....	254, 255
Title amended.....	255
Senate rejects.....	340
34—By Blakemore. A bill for an act to legalize the ordinances of the town of Conway, Taylor county, Iowa.	
Read first and second time and referred.....	90
Reported.....	129
Passed.....	156
Passed Senate.....	356
Enrolled.....	403
35—By Cummings. A bill for an act to amend section 254 of the Code, relating to compensation of shorthand reporters.	
Read first and second time and referred.....	90
Reported amended.....	398
Amended.....	598
Passed.....	598
Titles amended.....	599

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Passed Senate.....	1015
Enrolled.....	1105
36—By Davenport. A bill for an act to amend section 4295 of the Code relating to releasing real estate mortgages on the county records.	
Read first and second time and referred.....	90
37—By Hamann. A bill for an act making appropriations for the Iowa Soldiers' Orphans' Home at Davenport.	
Read first and second time and referred.....	90
Re-referred.....	216
38—By Hamann. A bill for an act to amend section 2764 of the Code, relating to the taking of school census.	
Read first and second time and referred.....	90
Reported amended.....	216
Passed.....	269
Senate indefinitely postponed.....	757
39—By Hamann. A bill for an act to amend section 1, of chapter 141, of the laws of the Twenty-eight General Assembly, relating to the salary of the chief executive officer of the Iowa Soldiers' Orphans' Home.	
Read first and second time and referred.....	90
Reported.....	489
Indefinitely postponed.....	646
40—By Hasselquist. A bill for an act to amend section fifteen hundred thirty (1530) of the Code, relating to the working of highways.	
Read first and second time and referred.....	90
Reported.....	400
Amended.....	603, 604
Passed.....	604
Passed Senate.....	1174
Enrolled.....	1192
41—By Jaeger. A bill for an act to amend sections eight hundred fifty-one (851) and eight hundred fifty-two (852) of the Code, as amended by chapter thirty (30) of the acts of the Twenty-eighth General Assembly, relating to park commissioners in certain cities.	
Read first and second time and referred.....	91
Recommitted.....	250
Reported substitute.....	325
Passed.....	353
Passed Senate.....	753
Enrolled.....	857
42—By Jaeger. A bill for an act to amend chapter 44 of the laws of the session of the legislature of the territory of Iowa, approved December 18, 1843, incorporating the Aspen Grove Cemetery association of Burlington, Iowa, conferring upon the said association all the rights, powers and privileges now possessed, or hereafter conferred by the statutes of Iowa upon corporations not for pecuniary profit.	
Read first and second time and referred.....	91
Reported amended.....	180, 245
Passed.....	246
Passed Senate.....	355
Enrolled.....	403
43—By Jones. A bill for an act to	

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amend section 1304 of the Code, in reference to exemption from taxes	
Read first and second time and referred.....	91
Reported.....	276
Indefinitely postponed.....	433
44—By Powers. A bill for an act to amend section 1272 of the Code, relating to the appointment to fill vacancies in city councils.	
Read first and second time and referred.....	91
Withdrawn from committee.....	461
45—By Powers. A bill for an act providing for the transportation of children and giving state aid to rural schools.	
Read first and second time and referred.....	91
Reported substitute.....	459
Recommended.....	562
Reported substitute.....	545
Made special order.....	644
Amended.....	738
Lost on passage.....	739
46—By Sweeley. A bill for an act to amend sections 720, 724 and 725 of the Code, relating to the powers of cities and towns and to authorize cities and towns to manage and sell telephone plants or systems, and to fix and regulate telephone rates and service	
Read first and second time and referred.....	91
Withdrawn.....	316
47—By Hilsinger. A bill for an act to amend section 3439, chapter 11, and section 3447 of chapter 2, of title 18 of the Code of 1897, in relation to the limitation of actions or judgments	
Read first and second time and referred.....	96
Reported with substitute.....	150
Passed.....	252
Passed Senate.....	757
Enrolled.....	1077
48—By Hilsinger. A bill for an act to fix the compensation of appraisers of property	
Read first and second time and referred.....	96
Reported.....	302
Passed.....	447
Passed Senate.....	1008
49—By Powers. A bill for an act relating to the appointment of assessor, city clerk, city treasurer or member of the council in case of vacancies.	
Read first and second time and referred.....	96
Withdrawn from committee.....	461
50—By Wilson of Washington. A bill for an act to repeal chapter 109 of the acts of the Twenty-eighth General Assembly, relative to the teaching of vocal music in the public schools.	
Read first and second time and referred.....	97
Reported.....	182
Minority report.....	216, 217
Made special order.....	407
Minority report failed.....	445
Indefinitely postponed.....	446
51—By Mordhorst. A bill for an act to amend section 1326, chapter 1, title 7, of the Code of Iowa of 1897, relating to stock of building and loan associations.	

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Read first and second time and referred.....	97
52—By Campbell. A bill for an act making it a crime to advise, counsel or employ another to commit murder, and fixing the punishment therefor.	
Read first and second time and referred.....	97
Reported substitute.....	233, 234
Amended.....	358
Passed.....	359
Senate amended and passed.....	1096
House concurs.....	1132, 1133
Enrolled.....	1144
53—By Barker. A bill for an act to amend section eleven hundred and six (1106) of the Code by striking out the party circle opposite the name of each political party on the official ballot, and to repeal all acts or parts of acts in conflict therewith.	
Read first and second time and referred.....	101
Reported.....	284
Engrossed.....	550
Lost on passage.....	667, 668
Motion to reconsider filed.....	675
54—By Boysen. A bill for an act making appropriations for the industrial school for girls at Mitchellville.	
Read first and second time and referred.....	101
55—By Boysen. A bill for an act to amend sections 2708, 2709 and 2711, title 13, chapter 8 of the Code, and to repeal sections 12, 13 and 14, chapter 100, laws of the Twenty-eighth General Assembly, in relation to discharge of boys and girls from industrial schools.	
Read first and second time and referred.....	101
Reported.....	184
Passed.....	295
Passed Senate.....	754
Enrolled.....	857
56—By Boysen. A bill for an act making appropriations for the Industrial School for Boys at Eldora.	
Read first and second time and referred.....	101
57—By Cheney. A bill for an act legalizing the establishment of drainage ditch and drainage, district No. 1 of Palo Alto county, Iowa, and the issuance of drainage bonds of Palo Alto county, Iowa, and the assessment and levy of taxes therefor, and all the proceedings of the board of supervisors of Palo Alto county in reference thereto.	
Read first and second time and referred.....	102
Reported amended.....	181
Recommended.....	251
Reported.....	333
Indefinitely postponed.....	334
58—By English. A bill for an act making an appropriation for the Benedict Home at Des Moines, Iowa.	
Read first and second time and referred.....	102
Reported amended.....	853
Passed.....	1221, 1222
Passed Senate.....	1298
Enrolled.....	1322
59—By Hawk. A bill for an act to	



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authorize the registration of land titles to simplify the transfer of real estate.	
Read first and second time and referred	102
Referred to special committee	518
Reported	742
63—By Hertert. A bill for an act for the keeping by the county treasurer of a monthly apportionment record book of all taxes collected.	
Read first and second time and referred	102
64—By Hufschmidt. A bill for an act to amend section 2906 of the Code, relating to the incumbrance of personal property exempt to the head of a family.	
Read first and second time and referred	102
Re-referred	104
Reported	197
Indefinitely postponed	
62—By Hufschmidt. A bill for an act to amend section four hundred forty-one (441) of the Code, relating to compensation of official papers.	
Read first and second time and referred	102
Re-referred	376
Reported	401
Amended	596
Lost on passage	596
Motion to reconsider filed	602
Reconsidered	830
Passed	830
Enrolled	1309
63—By Jenks. A bill for an act making an appropriation for the Iowa School for the Deaf at Council Bluffs, Iowa.	
Read first and second time and referred	103
64—By Kendall. A bill for an act to add to and amend chapter eighty-two (82) acts of the Twenty-eighth General Assembly, relating to mines and mining.	
Read first and second time and referred	103
Reported amended	802
Adopted	823
Passed	823
65—By Langan of Clinton. A bill for an act to retire district judges.	
Read first and second time and referred	103
66—By Larrabee. A bill for an act to amend section 1483 of the Code and to reduce the width of roads.	
Read first and second time and referred	103
Reported	183
Indefinitely postponed	251, 252
67—By Mordhorst. A bill for an act to amend section 3497, chapter 4, title 18, of the Code of Iowa of 1897, relating to place of bringing actions.	
Read first and second time and referred	103
Reported substitute	213
Passed	265, 267
Reconsidered	268
Amended and passed	268, 269
Passed Senate	442
Enrolled	501
68—By Mordhorst. A bill for an act to amend section 3529, chapter 6, title 18, of the Code of 1897, relating to the manner of commencing actions.	

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Read first and second time and referred	103
Reported substitute	214
Amended	267
Passed	267, 268
Enrolled	443
69—By Nagle. A bill for an act to amend section five thousand forty (5040) of the Code of 1897, relating to the desecration of the Sabbath.	
Read first and second time and referred	103
Reported	490
Amended	826
Passed	827
70—By Pipher. A bill for an act to amend section 2394 of the Code, relating to the sale of intoxicating liquors by permit holders.	
Read first and second time and referred	104
Reported substitute	456
Adopted	700
Re-referred	701
Reported	854
Indefinitely postponed	913
71—By Secor. A bill for an act to amend section sixteen hundred seventy-two ( 672) and sixteen hundred seventy-three (1673) chapter three (3), title nine (9) of the Code.	
Read first and second time and referred	104
Reported	283
Re-referred	283
Reported	742
Amended	893
Passed	893
Title amended	894
Senate amended and passed	997
House concurs	1132
Enrolled	1143
72—By Secor. A bill for an act to amend chapter 53, acts of the Twenty-eighth General Assembly.	
Read first and second time and referred	104
Reported amended	236
Passed	1132
Reported	1281
Indefinitely postponed	1281
73—By Wise. A bill for an act to amend section 2524 of the Code, in relation to the powers of dairy commissioner.	
Read first and second time and referred	104
Reported amended	302
Passed	417
74—By Barker. A bill for an act to legalize the official acts of W. E. Haskins, a notary public of Howard county, Iowa.	
Read first and second time and referred	107
Reported	161
Passed	168, 169
Passed Senate	355
Enrolled	403
75—By Calderwood. A bill for an act to repeal sections 3050, 3051 and 3052 of the Code, relating to days of grace.	
Read first and second time and referred	108
Reported	183
Amended	226
Lost on passage	226
76—By Coburn. A bill for an act to appropriate money to aid in completing and furnishing the hospital for the insane at Cherokee, for the	

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purchase of land and for the contingent and repair fund.	
Read first and second time and referred	108
Reported	216
Indefinitely postponed	246
77—By Donahue. A bill for an act to amend chapter one (1), title seven (7) of the Code, and for the repeal of section thirteen hundred four (1304), chapter one (1), title seven (7) of the Code, relating to exemption of property from assessment and taxation.	
Read first and second time and referred	108
Reported with substitute	277
Amended	431
Senate amended and passed	1088
House concurs	1090
Enrolled	1128
78—By Dunham. A bill for an act to amend section 1726 of the Code in relation to notes taken for policies of insurance.	
Read first and second time and referred	108
Amended	244
Passed	244, 245
Senate passes substitute	1082
House refuses to concur	1093
Senate refuses to recede and appoints conference committee	1108
Conference committee report	1166
Adopted	1166
Passed	1167
Enrolled	1265
79—By Greeley. A bill for an act to reorganize the congressional districts of the state.	
Read first and second time and referred	108
80—By Hamann. A bill for an act to amend sections 2561 and 2551 of the Code, relating to the protection of birds and game.	
Read first and second time and referred	108
Reported amended	684
Indefinitely postponed	1147
81—By Hamann. A bill for an act to amend section 1113 of the Code, relating to polling places.	
Read first and second time and referred	108
Reported amended	283
Passed	430, 431, 432
82—By Hamann. A bill for an act to amend section 1080 of the Code, relating to the correction of registry of voters.	
Read first and second time and referred	109
Reported amended	284
Passed	429, 430
Title amended	430
83—By Hurn. A bill for an act repealing section 3570 of the Code, in relation to quarantine and expense thereof, and enacting a substitute therefor.	
Read first and second time and referred	109
Reported substitute	335
Amended	492, 493
Passed	493, 494
Senate amended and passed	1278
Passed	1285, 1286
Enrolled	1333
84—By Jones. A bill for an act to amend section 1, chapter 110 of the laws of the Twenty-eighth General	

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Assembly relating to the establishment of public libraries.	
Read first and second time and referred	109
Reported	912
Dropped from calendar	1346
85—By McNie. A bill for an act making an appropriation for the college for the blind at Vinton.	
Read first and second time and referred	109
86—By McNie. A bill for an act to repeal section 2718 of the Code, and chapter 82 of the laws of the Twenty-seventh General Assembly amendatory thereto and to enact a substitute therefor, relating to the support of the college for the blind at Vinton.	
Read first and second time and referred	109
Reported with substitute	278
Passed	391, 392
Passed Senate	699
Enrolled	760
87—By Powers. A bill for an act to amend section 659 of the Code, relating to clerks of cities and their duties.	
Read first and second time and referred	109
Reported	199
Indefinitely postponed	244
88—By Secor. A bill for an act amending section 2366 of the Code of Iowa, relating to the sale of intoxicating liquors.	
Read first and second time and referred	109
Reported	280
Passed	444, 415
Passed Senate	624
89—By Sokol. A bill for an act making appropriations for salaries, machinery, supplies, freight and transportation, for a contingent and repair fund, and for a warden's house fund for the penitentiary at Anamosa.	
Read first and second time and referred	110
90—By Temple. A bill for an act to limit and define the jurisdiction of the supreme court of Iowa, and create an appellate court, to define its jurisdiction, and to provide for the compensation of the judges and officers thereof.	
Read first and second time and referred	110
Reported	665
Dropped from calendar	1142
91—By Wilson of Washington. A bill for an act to amend sections 3496 and 3501 of the Code, relative to the place of bringing action.	
Read first and second time and referred	110
Reported	180
Indefinitely postponed	242
92—By Colclo. A bill for an act defining the crime of the commission of crime as an occupation, and providing the penalty therefor.	
Read first and second time and referred	110
Reported with substitute	362
Passed	538
Passed Senate	1173
Enrolled	1228
93—By Dunham. A bill for an act to repeal section 2814 of the Code, and	

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to enact a substitute therefor, relating to schoolhouse sites.	
Read first and second time and referred .....	110
Reported amended .....	216
Passed .....	271, 272
Indefinitely postponed .....	1015
94—By Bealer. A bill for an act to amend sections 260 and 268 of the the Code, relating to the jurisdiction of the superior court and the providing of jurors there; to repeal sections 268, 270 and 271 of the Code, relating to right to jury on demand, jury of six unless twelve demanded, and challenges to jurors in the superior court, and to repeal section 273 of the Code, relating to judgment of the superior court, and to enact a substitute therefor.	
Read first and second time and referred .....	120
95—By Bealer. A bill for an act to provide for the election of a police judge, and the establishment of a police court in cities where superior courts now are or may hereafter be established, and defining the jurisdiction and powers of said courts and the judges thereof.	
Read first and second time and referred .....	121
96—By Bealer. A bill for an act to repeal chapter 10 of the acts of the Twenty-eighth General Assembly, amendatory to section 261 of the Code, relating to superior courts and changes of venue therefrom.	
Read first and second time and referred .....	121
97—By Blakemore. A bill for an act relating to the assignment of mortgages and other securities and the listing of the same for taxation.	
Read first and second time and referred .....	121
Reported .....	213
Indefinitely postponed .....	243
98—By Buchanan. A bill for an act to amend chapter 5, sections 745, 746, 747 and 748 of the Code, relating to the letting of contracts for the purchase or erection of waterworks in cities of the first class.	
Read first and second time and referred .....	121
Reported amended .....	199
Passed .....	257
Passed Senate .....	772
Senate recalls .....	803
Passed Senate .....	816
Enrolled .....	918
99—By Calderwood. A bill for an act to protect deserving wives and minor children against non-support by husbands.	
Read first and second time and referred .....	121
Reported .....	233
Indefinitely postponed .....	440, 441
100—By Campbell. A bill for an act to amend section 492 of the Code, relating to the punishment for keeping a gambling house.	
Read first and second time and referred .....	121
Reported .....	190
Indefinitely postponed .....	242
101—By Carden. A bill for an act making an appropriation for the construction, repair, support and contingent fund for the state hospital at Mt. Pleasant, Iowa.	

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Read first and second time and referred .....	122
102—By Cassel. A bill for an act in relation to the cancellation of mortgages on real estate and deeds of trust.	
Read first and second time and referred .....	122
Reported .....	196
Indefinitely postponed .....	242
103—By Clarke. A bill for an act to legalize the election held in the county of Dallas, state of Iowa, on the 6th day of November, 1900, and the propositions submitted at said election for the purpose of building a court house at Adel, in said county, and borrowing money and issuing bonds therefor, and the manner of submitting said proposition, and the manner of payment of bonds issued for said purpose, and all proceedings of the board of supervisors with reference to said matter.	
Read first and second time and referred .....	122
Reported .....	180
Passed .....	253, 254
Passed Senate .....	354
Enrolled .....	404
104—By Colclo. A bill for an act relating to the investment of bonds of insurance companies.	
Read first and second time and referred .....	122
Reported .....	488
Indefinitely postponed .....	522
105—By Cummings. A bill for an act to amend section 454 of the Code, relating to garnishment proceedings.	
Read first and second time and referred .....	122
Reported .....	181
Passed .....	226, 227
Passed Senate .....	409
Enrolled .....	428
Enrolled .....	459
106—By Cummings. A bill for an act making an appropriation for the Iowa Soldiers' Home at Marshalltown, Iowa.	
Read first and second time and referred .....	123
107—By Cummings. A bill for an act to amend section 2608 of the Code, providing additional support for the Soldiers' Home at Marshalltown, Iowa.	
Read first and second time and referred .....	123
Reported .....	1000
Amended .....	1124
Passed .....	1124
Title amended .....	1125
Senate amended and passed .....	1279
Concurred in .....	1283
Enrolled .....	1321
108—By Dunham. A bill for an act requiring the attendance at school of persons of the age of 7 to 14 years inclusive, and prohibiting their habitual frequenting or loitering about public places without lawful occupation, and providing a remedy and penalty therefor.	
Read first and second time and referred .....	123
109—By Greeley. A bill for an act to amend section 136 of the Code, and section 1, chapter 5, of the Twenty-eighth General Assembly, relating	

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to the publication of the reports of the Iowa Academy of Sciences.	
Read first and second time and referred.....	123
Reported.....	196
Recommitted.....	251
Reported.....	401
110—By Hughes. A bill for an act prohibiting any common carrier within this state from issuing, giving or offering to give any free pass, ticket, mileage or frank, or permitting the same to be used on or over its lines by certain officers and persons, and prohibiting such officers and persons from soliciting, receiving or using the same, and providing penalties for the violation thereof.	
Read first and second time and referred.....	123
Reported.....	258
Made special order.....	324
Laid on table.....	374
111—By Larrabee. A bill for an act to amend section 255 of the Code, relating to superior courts.	
Read first and second time and referred.....	123
Reported.....	609
Passed.....	775, 776
Passed Senate.....	804
Enrolled.....	836
112—By Meservey. A bill for an act relating to the time in which actions or proceedings may be brought for recovery of taxes alleged to be due on personal property omitted, not listed or withheld.	
Read first and second time and referred.....	124
Reported.....	135
Re-referred.....	729
Reported substitute.....	743
Amended.....	949
Adopted.....	949
Passed.....	953
113—By Nichols. A bill for an act to repeal section 953 of the Code, and section 2 of chapter 28 of the acts of the Twenty-seventh General Assembly, and amend subdivision 6 of section 1005 of the Code relating to the subject of assessment of taxes for library purposes in cities acting under special charter.	
Read first and second time and referred.....	124
Amended.....	952
114—By Secor. A bill for an act to encourage the planting of forest and fruit trees.	
Read first and second time and referred.....	124
Reported amended.....	132, 133, 134
Passed.....	967
Senate amended and passed.....	1317
115—By Stratton. A bill for an act to amend section 2695 and section 2696 of chapter 7, title 13, of the Code of Iowa, relating to the Institution for Feeble-Minded Children.	
Read first and second time and referred.....	124
Withdrawn.....	250
116—By Sweeley. A bill for an act making an appropriation for the Woman's and Baby's Home of Sioux City, Iowa.	
Read first and second time and referred.....	124
Reported amended.....	852
Adopted.....	1221
Passed.....	1221

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Passed Senate.....	1298
Enrolled.....	1322
117—By Sweeley. A bill for an act to amend section 4807 of the Code, relating to malicious mischief and trespass.	
Read first and second time and referred.....	124
Reported.....	196
Amended.....	262
Passed.....	263
Passed Senate.....	442
Enrolled.....	501
118—By Townsend. A bill for an act to amend chapter 6, title 12 of the Code, by providing for a bond where an action is commenced for the violation of the provisions of this chapter.	
Read first and second time and referred.....	125
Reported.....	195
Indefinitely postponed.....	243
119—By Walden. A bill for an act to legalize the acts of the independent school district of Allerton, Wayne county, Iowa, in voting bonds at an election held March 12, 1900, for the rebuilding of a schoolhouse in said independent district and to enable such district to issue such bonds.	
Read first and second time and referred.....	125
Reported amended.....	181
Passed.....	222, 223
Passed Senate.....	355
Enrolled.....	403
120—By Willett. A bill for an act to amend section 524 of the Code, providing for the finding and presentment of indictments without the intervention of a grand jury.	
Read first and second time and referred.....	125
Reported.....	195
Indefinitely postponed.....	142
121—By Wilson of Buena Vista. A bill for an act to amend section 1610, and section 1618, as amended by chapter 40 of the acts of the Twenty-seventh General Assembly, and chapter 56 of the acts of the Twenty-eighth General Assembly, relating to corporations for pecuniary profit.	
Read first and second time and referred.....	125
Reported.....	284
Amended and passed.....	345
Title amended.....	346
Passed Senate.....	442
Enrolled.....	502
122—By Black. A bill for an act for buildings and other improvements for machinery, boiler repairs, contingent expenses and land for the Institution for Feeble-Minded at Glenwood, Iowa.	
Read first and second time and referred.....	137
Reported.....	399
123—By Buchanan. A bill for an act to amend section 1441 of the Code, relating to service of notice of expiration of right of redemption from tax sales.	
Read first and second time and referred.....	137
Reported.....	259
Re-referred.....	296
Reported amended.....	364, 365
Passed.....	534

HOUSE BILLS.

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Senate indefinitely postpones.....	816
124—By Clarke. A bill for an act to repeal section 1374 of the Code, relating to property withheld or omitted from assessment. Read first and second time and referred.....	137
Reported.....	303
Recommitted.....	613
125—By Coburn. A bill for an act making it a crime to sell property upon which there is a landlord's lien for rent, without the written consent of the landlord, and fixing the penalty therefor. Read first and second time and referred.....	138
Reported.....	259
Amended and passed.....	400
Senate amended and passed.....	1159
House concurs.....	1161
Enrolled.....	1192
126—By Cruikshank. A bill for an act to amend section 5716 of the Code, in relation to the compensation of officers and employes of the penitentiaries of the state. Read first and second time and referred.....	138
Reported.....	302
Indefinitely postponed.....	512
127—By Cruikshank. A bill for an act making appropriations for the penitentiary at Fort Madison. Read first and second time and referred.....	138
128—By Cummings. A bill for an act amendatory of chapter 1, title 3 of the Code of Iowa, relating to the organization of the supreme court. Read first and second time and referred.....	138
Reported amended.....	231, 232
Re-referred.....	352
Reported substitute.....	397, 398
Passed.....	440
Substitute passed by Senate.....	928
Made special order.....	1114
House concurs.....	1135
Enrolled.....	1144
129—By Cummings. A bill for an act to amend section 253, title 3, chapter 2 of the Code of Iowa (1897) changing the salaries of district judges. Read first and second time and referred.....	138
Reported substitute.....	329
Passed.....	1098
Passed Senate.....	1321
Enrolled.....	1321
130—By Fields. A bill for an act to amend section 2547 of the Code of 1897, and to prohibit the taking of fish from certain waters of the state except with hook and line. Read first and second time and referred.....	138
Reported with substitute.....	282
Passed.....	344
Passed Senate.....	753
Enrolled.....	857
131—By Green. A bill for an act to amend section 1523, chapter 2, title 8 of the Code, in relation to the powers and duties of trustees, and for the repeal of sections 1530 and 1531, chapter 2, title 8 of the Code, relating to county road fund and expenditures. Read first and second time and referred.....	138
Reported.....	234

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Indefinitely postponed.....	308
132—By Hasselquist. A bill for an act to amend section 1304 of the Code, relating to the exemption of property of union soldiers and sailors. Read first and second time and referred.....	138
Reported.....	276
Indefinitely postponed.....	433
133—By Hertert. A bill for an act to amend section 308 of chapter 10, title 3 of the Code in relation to the time of compensation of county attorneys. Read first and second time and referred.....	139
Reported.....	301
Indefinitely postponed.....	408
134—By Jenks. A bill for an act providing for free text-books and supplies to be furnished pupils in the public schools of the state, regulating the contract therefor and providing for payment thereof. Read first and second time and referred.....	139
Indefinitely postponed.....	583
135—By Keagy. A bill for an act in regard to supervisors' districts. Read first and second time and referred.....	139
Reported.....	397
Amended.....	576
Passed.....	576
Enrolled.....	1310
136—By Meservey. A bill for an act to amend section 1304 of the Code, relating to classes of property exempt from taxation. Read first and second time and referred.....	139
Reported.....	212
Indefinitely postponed.....	244
137—By Moore. A bill for an act to legalize the Iowa State Poul tryassociation, to define certain duties of said association, to make an annual appropriation therefor, and to fix a penalty for misappropriation of any money hereby granted. Read first and second time and referred.....	139
Reported.....	457
Re-referred.....	457
Reported.....	758
Passed.....	906, 907
Senate indefinitely postpones.....	1083
138—By Stratton. A bill for an act to amend section 104, title 2, chapter 4, and section 483, title 4, chapter 4, of the Code of Iowa, relating to rate of interest on state and county warrants. Read first and second time and referred.....	139
Reported.....	213
Indefinitely postponed.....	243
139—By Teachout. A bill for an act to amend section 1806 of the Code of Iowa, relating to the investment of funds of life insurance companies and associations. Read first and second time and referred.....	139
Reported.....	488
Indefinitely postponed.....	522
140—By Teachout. A bill for an act to relinquish to the public, certain real property for street purposes. Read first and second time and referred.....	140
Reported.....	161

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Passed .....	223, 224
141—By Boysen. A bill for an act to repeal section 510 of the Code, in reference to the compensation of deputy sheriffs and the enactment of the following in lieu thereof.	
Read first and second time and referred .....	140
Reported substitute .....	328, 329
Passed .....	375
Senate amends, House concurs .....	865
Amended .....	910
Passed .....	911
Enrolled .....	919
142—By Black. A bill for an act to reimburse F. M. Powell for money paid by him to secure the vacation of a public road for the benefit of the Institution for Feeble-Minded Children, at Glenwood.	
Read first and second time and referred .....	140
Reported .....	656
Passed .....	944, 945
Passed Senate .....	1279
Enrolled .....	1322
143—By Anderson. A bill for an act to amend section 458 of the Code, relating to the levy and collection of a tax on dogs, and to repeal section 459 of the Code, and enact a new section in lieu thereof, relating to payment of damages for the killing or injury of sheep or other domestic animals by dogs.	
Read first and second time and referred .....	146
Reported .....	212
Indefinitely postponed .....	243
144—By Pipher. A bill for an act to establish and equip a school for special instruction and training of teachers for the common schools of this state, and to provide for the location of such school.	
Read first and second time and referred .....	147
145—By Secor. A bill for an act to repeal chapter 8, of title 16 of the Code, and enact a substitute therefor, in relation to the care of friendless children, and the establishment, regulation and visitation of homes for friendless children.	
Read first and second time and referred .....	147
Reported amended .....	333
Amended .....	527
Passed .....	527, 630
Omission corrected .....	630
Senate amended and passed .....	1158
House concurs .....	1197
Enrolled .....	1264
146—By Secor. A bill for an act to prevent cheating by the sale of adulterated and misbranded foods; to create the office of state food and dairy commissioner and define his duties, and for other purposes.	
Read first and second time and referred .....	147
Reported .....	562, 853
147—By Stuckslager. A bill for an act creating the Twenty-first judicial district of the state of Iowa and providing for the election of two judges therein, and also providing for the election of one judge in the Eighteenth judicial district of Iowa, and defining the jurisdiction of said courts therein and provid-	

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ing for holding terms of court in said district.	
Read first and second time and referred .....	147
148—By Dunham. A bill for an act to amend section 423 of the Code, relating to the powers of boards of supervisors.	
Read first and second time and referred .....	151
Reported amended .....	195
Amended .....	263
Passed .....	264
Passed Senate .....	773
Enrolled .....	856
149—By Freeman. A bill for an act to amend sections 1487 and 2023 of the Code, relating to the establishment of roads and highways.	
Read first and second time and referred .....	151
Reported .....	367
Re-referred .....	494
Reported amended .....	656
Amended .....	688, 689
Lost on passage .....	689
150—By Payne. A bill for an act to amend section 69 of the Code, relative to the jurisdiction of a mayor of a city or town.	
Read first and second time and referred .....	151
Reported .....	283
Lost on passage .....	410
Amended .....	415
Passed .....	419
Title amended .....	416
151—By Payne. A bill for an act to amend section 561 of the Code, relative to the bail required in appeals from a justice of the peace in criminal cases.	
Read first and second time and referred .....	151
152—By Sokol. A bill for an act to legalize the acts of John Hardaman and Joseph Garrity, trustees of Washington township, Jones county, Iowa, in the purchase of a road grader for the use of said township, and the issuance of an order in payment thereof.	
Read first and second time and referred .....	151
Reported .....	386
Indefinitely postponed .....	433
153—By Wilson of Washington. A bill for an act making appropriations for the erection of a state arsenal and adjutant-general's building.	
Read first and second time and referred .....	152
Reported .....	386
Re-referred .....	386
Reported amended .....	758
Passed .....	895
Senate indefinitely postponed .....	1293
154—By Cassel. A bill for an act in relation to the destruction of the English sparrow and the protection of American birds.	
Read first and second time and referred .....	152
Reported .....	501
Indefinitely postponed .....	602
155—By Bealer. A bill for an act to provide for the erection of monuments and tablets on the Vicksburg National Military Park to mark the positions occupied by Iowa brigades, regiments and batteries to commemorate the valor and services of Iowa soldiers in the cam-	

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paign and siege of Vicksburg, and to make an appropriation therefor.	
Read first and second time and referred	162
Reported amended	714
Made special order	748
Passed	787
Senate amended and passed	
House concurs	945, 946
Enrolled	1024
156—By Edwards. A bill for an act concerning and defining kidnaping for the purpose of ransom, and prescribing punishment therefor.	
Read first and second time and referred	162
Reported amended	231
Passed	306
Passed Senate	754
Enrolled	857
157—By English. A bill for an act making an appropriation for the completion of the State Historical building, and to provide for the completion of the same.	
Read first and second time and referred	162
Reported substitute	453
Re-referred	
Reported	851
Amended	1225
Passed	1225
Title amended	1226
Senate indefinitely postponed	1293
158—By Furry. A bill for an act to amend section 5071 of the Code, in relation to unlawfully wearing badges.	
Read first and second time and referred	162
159—By Graff. A bill for an act making appropriations for the hospital for the insane at Clarinda.	
Read first and second time and referred	162
Indefinitely postponed	959
160—By Graff. A bill for an act providing for the assignment of mortgages.	
Read first and second time and referred	162
Reported	231
Indefinitely postponed	274
161—By Graff. A bill for an act to legalize certain assignments of mortgages.	
Read first and second time and referred	163
Reported	232
Indefinitely postponed	274
162—By Hertert. A bill for an act to amend section 2571 of the Code, relating to time of meetings for local boards of health.	
Read first and second time and referred	163
Reported amended	235
Passed	
Passed Senate	1016
Enrolled	1105
163—By Jones. A bill for an act to amend section 2, chapter 64 of the laws of the Twenty-seventh General Assembly, relating to the care and propagation of fish and game.	
Read first and second time and referred	163
Reported	684
Passed	822
164—By Marshall. A bill for an act to amend section 5314 of the Code, relative to the compensation of attorneys.	

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Read first and second time and referred	163
Reported amended	264
Passed	305
Passed Senate	305
165—By Sokol. A bill for an act to amend section 5070 of the Code, relative to the sale of flour, meal or other mill products by the sack or package.	
Read first and second time and referred	163
Reported	232
Indefinitely postponed	274
166—By Stuckslager. A bill for an act to amend section 1869, chapter 12, title 9 of the Code, relating to directors of state and savings banks.	
Read first and second time and referred	163
Reported	183
Passed	227, 228
Title amended	228
167—By Teachout. A bill for an act to amend sections 2224 and 2025 of the Code of Iowa relating to the condemnation of real estate by the state and the payment of damages in compensation therefor.	
Read first and second time and referred	163
Reported substitute	361
Passed	419
Passed Senate	1008
Enrolled	1077
168—By Townsend. A bill for an act to enable the owners of lands to drain them when the same cannot be done without affecting the lands of others, prescribing the powers and duties of county supervisors and other officers in the premises, and to provide for the repair and enlargement of such drains, and repealing certain acts therein specified and declaring emergency.	
Read first and second time and referred	164
Reported amended	385
Reported amended	580, 581
Amended	168, 169
Passed	169, 170
Error corrected	671, 672
Senate amended and passed	12, 6
Senate recalls	1263
169—By Dodds. A bill for an act to prohibit gift enterprises and doing business with trading stamps.	
Read first and second time and referred	186
Reported	387
Indefinitely postponed	434
170—By Dunham. A bill for an act for compulsory education.	
Read first and second time and referred	186
Reported amended	230
Made special order	352
Amended	392, 393
Passed	394
Senate amended and passed	668
Enrolled	1024
171—By Dunham. A bill for an act to amend section 468 of the Code, relating to supplies for county officers.	
Read first and second time and referred	186
Reported	579
Passed	643, 644
172—By English. A bill for an act relating to reports to be made by rail-	

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		judge for the Third judicial district	
		Read first and second time and referred	204
		Indefinitely postponed	347
		181—By Calderwood. A bill for an act to amend section 498 of the Code, relating to fees for county recorders.	
		Read first and second time and referred	204
		Reported	276
		Indefinitely postponed	378
		182—By Hassequist. A bill for an act to amend section 2028 of the Code, relating to the taking of private property for works of internal improvement.	
		Read first and second time and referred	204
		Reported	366
		Passed	539
		Passed senate	888
		Enrolled	985
		Enrolled	1024
		183—By Head. A bill for an act to amend section 2905, and amend section 2906, of chapter 4, of title 14 of the Code.	
		Read first and second time and referred	204
		Reported	335
		Indefinitely postponed	408
		184—By Head. A bill for an act to amend section 4011, chapter 3, title 19 of the Code of 1897, relative to personal earnings.	
		Read first and second time and referred	204
		Reported amended	367
		Minority report	368
		Reported	582
		Indefinitely postponed	609
		185—By Head. A bill for an act making appropriation for the department of agriculture, for the purpose of erecting a permanent fire-proof building for live stock.	
		Read first and second time and referred	205
		Reported	744
		Passed	807, 808
		Passed	1263
		Enrolled	1347
		186—By Hughes. A bill for an act appropriating money to pay express, freight and cartage.	
		Read first and second time and referred	205
		Reported	361
		187—By Hurn. A bill for an act to legalize the adoption of ordinances of cities, towns and incorporated towns, adopted under attempted suspension of the rule requiring the reading thereof on three different days, the vote for such suspension having been by less than three-fourths of the whole members elected to the council, including the mayor.	
		Read first and second time and referred	205
		Passed	273, 274
		Senate passed substitute	355
		Read first and second time and passed on file	390
		Passed	422, 424
		Enrolled	440
		188—By Jenks. A bill for an act to repeal section 2727 of the Code, and chapter 83 of the acts of the Twenty-seventh General Assembly, amendatory thereto, and to enact a substitute therefor, relating to the	
		way companies to the executive council to aid in the assessment of railway property for taxation, and providing for a uniform system of making the said reports.	
		Read first and second time and referred	186
		Reported	277
		Passed	375, 376
		Passed	1318
		Enrolled	1352
		173—By Furry. A bill for an act to amend section 4872 of the Code, in relation to perjury.	
		Read first and second time and referred	186
		Passed	469
		174—By Graff. A bill for an act to prohibit gift enterprises and doing business with trading stamps, etc.	
		Read first and second time and referred	186
		Reported	386
		Indefinitely postponed	433
		175—By Greene. A bill for an act to amend section 2551, chapter 13, title 12 of the Code, relating to protection of game.	
		Read first and second time and referred	186
		Reported	282
		Indefinitely postponed	329, 330
		176—By Head. A bill for an act to provide a department in one of the hospitals for the insane for the detention and treatment of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics.	
		Read first and second time and referred	187
		Reported	856
		Made special order	910
		Amended	947, 948
		Passed	948
		Passed Senate	1317
		Enrolled	1354
		177—By Stuckslager. A bill for an act to authorize the payment of the cost of corporate suretyship upon official bonds	
		Read first and second time and referred	187
		Reported	367, 385
		Indefinitely postponed	768
		178—By Utterback (by request). A bill for an act for the protection of owners of breeding stock.	
		Read first and second time and referred	187
		Reported	367
		Amended	553, 554
		Passed	554
		Title amended	554
		Senate failed to pass	1213
		179—By Anderson. A bill for an act for the relief of the grantees of John Noble and W. A. Noble, and for the purpose of having the patent issued in their names for a certain tract of land.	
		Read first and second time and referred	204
		Reported amended	230
		Passed	319
		Reconsidered and recommitted	322
		Reported amended	334
		Passed	343, 344
		Passed senate	463
		Enrolled	608
		180—By Blakemore. A bill for an act to amend section number 227 of the Code, and to provide an additional	



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support of the Iowa School for the Deaf at Council Bluffs, Iowa.	
Read first and second time and referred .....	205
Reported with substitute .....	278
Made special order .....	420
Passed .....	446
Title amended .....	447
Passed Senate .....	699
Senate returns .....	700
Enrolled .....	760
189—By Langan. A bill for an act making an appropriation and providing for the erection of monuments in memory of the Iowa troops on Lookout Mountain and Missionary Ridge (the battles of Chattanooga).	
Read first and second time and referred .....	205
Reported amended .....	950
Made special order .....	1114
190—By Langan. A bill for an act to amend section 1743 of chapter 4, title 9 of the Code, relating to insurance other than life.	
Read first and second time and referred .....	205
Reported .....	259, 260
Amended .....	324
Lost on passage .....	325
Motion filed to reconsider .....	330
191—By Powers. A bill for an act providing for compulsory education.	
Read first and second time and referred .....	206
192—By Stuckslager. A bill for an act to provide that any fiduciary required by law to give a bond may include the expense thereof as part of the lawful expense of executing his trust, etc.	
Read first and second time and referred .....	206
Indefinitely postponed .....	767
193—By Teachout. A bill for an act appropriating money to defray the expenses of the inauguration ceremonies.	
Read first and second time and referred .....	206
Reported .....	362
194—By Warren. A bill for an act for the relief of the grantees of John Carnner, and for the purpose of having a patent issued in his name for a certain tract of land.	
Read first and second time and referred .....	206
Reported .....	232
Passed Senate .....	463
Enrolled .....	608
195—By Wright. A bill for an act to amend section 106 of the Code, relative to the time of settlement of the auditor of state with the treasurer of state.	
Read first and second time and referred .....	206
Reported .....	304
Passed .....	346
Passed Senate .....	443
Enrolled .....	501
196—By Wright. A bill for an act to establish an industrial reformatory for females, to make appropriations therefor, and to provide for the transfer of inmates to and from the industrial school for girls.	
Read first and second time and referred .....	206
Indefinitely postponed .....	713, 714
197—By Anderson. A bill for an act providing for the purchase of engrav-	

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ings, plates or cuts for state publications, and fixing the manner of paying the cost of the same.	
Read first and second time and referred .....	217
Reported .....	281
Indefinitely postponed .....	522
198—By Sweet. A bill for an act to legalize the official acts of the town council of the incorporated town of Sumner, in Bremer county, Iowa.	
Read first and second time and referred .....	217
Reported .....	234
Passed .....	322
Passed Senate .....	442
Enrolled .....	501
199—By Sokol. A bill for an act to amend section 2146 of the Code, relating to discrimination in railway freight rates.	
Read first and second time and referred .....	217
Reported .....	679
Indefinitely postponed .....	680
200—By Teachout. A bill for an act to amend section 560, of title 4, chapter 10 of the Code of Iowa, abolishing the office of township clerk, and trustees in certain civil townships.	
Read first and second time and referred .....	217
Reported substitute .....	455
Amended .....	574
Passed .....	574, 575
201—By Stuckslager. A bill for an act to provide security to the public against errors, omissions and defects in abstracts of title to real estate.	
Read first and second time and referred .....	218
202—By Head (by request). A bill for an act relating to mutual companies, defined by division 7 of section 1709, as amended.	
Read first and second time and referred .....	218
Reported .....	420
Indefinitely postponed .....	433
203—By Stratton. A bill for an act to amend section 328 of the Code, relating to the recording of wills.	
Read first and second time and referred .....	218
Reported .....	334
204—By Leech (by request). A bill for an act to amend section 468 of the Code of 1897, relating to supplies for county officers.	
Read first and second time and referred .....	218
Reported .....	304
Indefinitely postponed .....	347
205—By Greeley. A bill for an act to repeal chapter 99 of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor providing for a levy of a special tax of one-fifth of a mill on the dollar upon the assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the Iowa State College of Agriculture and Mechanic Arts.	
Read first and second time and referred .....	218
Reported .....	402
Indefinitely postponed .....	1126
206—By Furry. A bill for an act provid-	

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ing for the appointment of public examiners, defining the duties and fixing the compensation thereof, and providing for a uniform system of keeping the books of county treasurers.		money to county or agricultural societies	
Read first and second time and referred.....	218	Read first and second time and referred.....	240
Reported.....	259	Indefinitely postponed.....	1146
Made special order.....	324	214—By Buchanan. A bill for an act to amend section 3016 of the Code, relating to bushel weight.	
Amended.....	356, 357	Read first and second time and referred.....	241
Passed.....	358	Reported amended.....	544, 543
Title amended.....	1009	Passed.....	543
Senate indefinitely postponed.....	1009	Passed Senate.....	757
207—By Sweeley. A bill for an act to amend section 389 of the Code, relating to mechanics' liens.		Enrolled.....	857
Read first and second time and referred.....	218	215—By Buchanan. A bill for an act to amend section 2581 of the Code, relating to itinerant physicians.	
Reported.....	303	Read first and second time and referred.....	241
Passed.....	470, 471	Reported.....	303
Senate failed to pass.....	1243	Indefinitely postponed.....	408
208—By Hughes. A bill for an act to de-lay the cost of inspecting county and private institutions in which insane persons are kept.		216—By Calderwood. A bill for an act to amend section 493 of the code, relating to the compensation of county recorders.	
Read first and second time and referred.....	219	Read first and second time and referred.....	241
Reported.....	656	Reported.....	301
Passed.....	1146	Indefinitely postponed.....	408
Title amended.....	1146	217—By Lyman (by request). A bill for an act to amend section 3379 of the Code in relation to descent of intestate property.	
209—By Hughes. A bill for an act to appropriate money in aid of the quarterly conferences of the board of control and executive officers of state institutions.		Read first and second time and referred.....	241
Read first and second time and referred.....	219	218—By Sweeley. A bill for an act to amend section 2905 of the Code, relating to conditional sales of personal property.	
Passed.....	1139	Read first and second time and referred.....	241
210—By Teachout. A bill for an act to amend section 469 of the Code, relative to the compensation of supervisors.		219—By Keagy. A bill for an act making an appropriation for the Dubuque Rescue Home, of Dubuque, Iowa.	
Read first and second time and referred.....	240	Read first and second time and referred.....	241
Reported.....	301	Reported amended.....	852
Indefinitely postponed.....	408	Adopted.....	1224
211—By Warren. A bill for an act to amend chapter 102 of the acts of the Twenty-eighth General Assembly, relating to the Iowa Industrial Reformatory for Women.		Passed.....	1223
Read first and second time and referred.....	240	Passed Senate.....	1297
Re-referred.....	279	Enrolled.....	1322
Reported.....	452, 517	220—By Moore. A bill for an act to amend the military code of Iowa.	
Substitute offered.....	838	Read first and second time and referred.....	241
Lost on passage.....	844	Reported.....	333
Motion filed to reconsider.....	872	Amended.....	509, 510
Reconsidered.....	1044	Passed.....	510
Made special order.....	1044	Title amended.....	211
Amended.....	1008	Passed Senate.....	1217
Passed.....	1009	221—By Moore. A bill for an act to amend sections twenty-two hundred four (2204) and twenty-two hundred fourteen (2214) of the Code.	
Senate indefinitely postponed.....	1281	Read first and second time and referred.....	241
212—By Langan (by request). A bill for an act to establish a barbers' examining board to regulate the practice of barbering, the licensing of persons to carry on such practice, to insure better education, skill and proficiency of such practitioners, and to provide penalties for the violation thereof.		Reported.....	74
Read first and second time and referred.....	240	Re-referred.....	333
Reported.....	414	Reported.....	827
Amended.....	702	Amended.....	828
Passed.....	703	Passed.....	1309
213—By Kolthoff. A bill for an act to amend chapter 43 of the acts of the Twenty-seventh General Assembly, relative to the distribution of		Enrolled.....	820
		Title amended.....	1278
		Senate amended and passed.....	1285
		Concurred in.....	1285
		222—By Anderson. A bill for an act to amend sections 1075, 1130, 1533, 1542, 1545, 1550 and 1551, and to repeal sections 1532 and 1540, and enact substitutes therefor, and to repeal sections 1541, 1546, 1553,	

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1554 and 1567 of the Code, relative to the duties of township trustees; the duties of township clerks; the election, qualification, duties, compensation and payment of road supervisors; appointment and compensation of road superintendents; the consolidation of road districts; the levy and collection of road tax and the exemption of certain officers from payment of road poll tax. Also repealing divisions and subsections three, four, five and six of section 1554 of the Code, relative to reports of supervisors.	
Read first and second time and referred .....	249
Withdrawn from further consideration .....	788
223—By Barkley. A bill for an act to repeal chapter 50 of the acts of the Twenty-eighth General Assembly.	
Read first and second time and referred .....	249
224—By Carter. A bill for an act to amend section 4597 of the Code, relative to fees to be charged by justices of the peace.	
Read first and second time and referred .....	249
Reported .....	1058, 1059
225—By Fields (by request). A bill for an act to amend section 308 of the Code, relative to compensation of county attorney.	
Read first and second time and referred .....	249
Reported substitute .....	650
Amended .....	929
Passed .....	930
Senate amended and passed .....	1087
House refuses to concur .....	1112
Senate refuses to recede and appoints a conference committee .....	1158
Report of .....	1226, 1227
Senate adopts .....	1240
Concurred in .....	1247
Enrolled .....	1309
226—By Hughes (by request). A bill for an act providing for paying Mrs. Mary Sullivan and Mrs. Maggie J. Edwards damages for personal injuries suffered by them at the State College of Agriculture and Mechanic Arts.	
Read first and second time and referred .....	249
Re-referred .....	685
227—By Mattes. A bill for an act to legalize the ordinances and the official acts of the town of Schaller, Sac county, Iowa.	
Read first and second time and referred .....	250
Reported .....	334
Passed .....	420, 421
Passed Senate .....	757
Enrolled .....	859
228—By Stratton. A bill for an act to provide for the admission and maintenance of feeble-minded women to the Institution for Feeble-Minded Children at Glenwood	
Read first and second time and referred .....	250
Reported .....	384
Passed .....	541, 542
Title amended .....	542
Passed Senate .....	1096
Enrolled .....	1128
229—By Sweet. A bill for an act to amend section 2778 of the Code of Iowa,	

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relating to the elections of teachers.	
Read first and second time and referred .....	250
Reported .....	584
Indefinitely postponed .....	646
230—By Payne. A bill for an act requiring the county auditor to compile and prepare a financial report, and providing for the printing and distribution thereof.	
Read first and second time and referred .....	250
Reported .....	498
Amended .....	701
Passed .....	701
Passed Senate amended .....	1170
House concurs .....	1186
Enrolled .....	1357
231—By Robinson. A bill for an act authorizing the purchase of lot "A" of the plat of Pillsbury Point Park and historical relics, the appointment of a custodian at an annual salary, and appropriating the sum of \$5,000 for such purpose.	
Read first and second time and referred .....	250
Re-referred .....	401
Indefinitely postponed .....	998
232—By Rome. A bill for an act to provide for the establishment of a state park and camping ground for the state militia.	
Read first and second time and referred .....	260
Re-referred .....	999
Indefinitely postponed .....	398
233—By Townsend. A bill for an act to amend section 2985 of the Code, relating to the exemption of the homestead as to debts of deceased when descending to the issue of either husband or wife.	
Read first and second time and referred .....	260
Reported .....	365, 366
Indefinitely postponed .....	408
234—By Koontz. A bill for an act making an appropriation to the Iowa Historical society.	
Read first and second time and referred .....	261
Reported .....	999
Passed .....	1234
Passed Senate .....	1248
Enrolled .....	1322
235—By English. A bill for an act to amend sections 5087 and 5089 of the Code, relating to libel.	
Read first and second time and referred .....	261
236—By Lyman. A bill for an act to repeal section 4932 of the Code, referring to the crime of adultery and the punishment thereof and to enact a substitute therefor.	
Read first and second time and referred .....	261
Reported .....	334
Passed .....	216, 217
237—By Sweeley. A bill for an act to amend sections 1182, 1185, 1188, 1189 and 1190 of the Code, to require county supervisors to give official bonds and providing for the approval thereof.	
Read first and second time and referred .....	261
Reported amended .....	436
Passed .....	954
238—By Jones. A bill for an act to require all railway companies or	

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corporations to pay employes semi-monthly.	
Read first and second time and referred	261
Reported	458
Indefinitely postponed	646
239—By Edwards. A bill for an act to amend sections 1328 and 1329 of the Code, and to amend sections 3 and 4 of chapter 42 of the acts of the Twenty-eighth General Assembly, relating to reports by and taxations of telephone and telegraph companies, and requiring said companies to file with auditors, maps and schedules of their lines.	
Read first and second time and referred	285
Reported	301
Amended	470
Title amended	471
Passed	472
Senate amends and fails to pass	835
240—By Sweet. A bill for an act to amend section 1611, title 9, chapter 1 of the Code, relating to the authorized indebtedness of certain corporations.	
Read first and second time and referred	285
Reported	400
Indefinitely postponed	871
241—By Clarke (by request). A bill for an act to amend section 1759 of the Code, and to provide for the insurance of plate glass.	
Read first and second time and referred	285
Reported	458
Passed	614
Passed Senate	1228
Enrolled	1228
242—By Black. A bill for an act for the relief of James T. Ward.	
Read first and second time and referred	285
Reported	525
Lost on passage	727, 728
Motion filed to reconsider	733
243—By Hughes. A bill for an act to repeal section 3231 of the Code, relating to paupers, and enact a substitute therefor.	
Read first and second time and referred	285
244—By Calderwood. A bill for an act to repeal section 2692 of the Code, and section 5 of chapter 78 of the acts of the Twenty-seventh General Assembly, relating to the support of children in the Iowa Soldiers' Orphans' Home.	
Read first and second time and referred	286
Reported	400
Passed	603
Passed Senate	754
245—By Barker. A bill for an act to refund to administrators and executors any surplus they have paid to the treasurer of state as collateral inheritance tax in excess of that legally due.	
Read first and second time and referred	286
Reported	454
Amended	573
Passed	573, 574
Passed Senate	1184
Enrolled	1265
246—By Lanzan of Clinton. A bill for an act to amend section 5702 of the	

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Code, relating to contracts for convict labor.	
Read first and second time and referred	286
247—By Koontz. A bill for an act relating to railways, railway companies, railway corporations, railroad companies and railroad corporations.	
Read first and second time and referred	286
Recalled and indefinitely postponed.	765
248—By Hamann. A bill for an act relating to defining, regulating and conferring rights and powers upon interurban street railways, and amending section 2026 of the Code, relating to such railways.	
Read first and second time and referred	286
Reported	401
Amended	731, 740, 762, 763
Passed	763
Passed senate amended	836
House refuses to concur	883
Senate refuses to recede	1015
Conference committee report amendment	1079
Concurred in	1081
Adopted	1081
Senate adopts	1090
249—By Lyman. A bill for an act to amend section 4811 of the Code, with reference to jumping on and off cars in motion.	
Read first and second time and referred	286
Reported	408
Passed	569, 570
Enrolled	1128
250—By Teachout. A bill for an act to amend sections 770, 771 and 773 and to repeal section 774, chapter 6 of the Code, entitled "of streets and public grounds", said sections relating to the construction of viaducts over or under railroads on public streets and highways, and to the compensation of owners of property abutting on such streets and highways, and to enact a substitute for section 774.	
Read first and second time and referred	296
Reported	500
Indefinitely postponed	522
251—By Kerr. A bill for an act limiting the amount of money to be expended by candidates for nomination and election to public office, providing for the enforcement and prescribing penalties for its violation and abuse.	
Read first and second time and referred	296
Reported	994
Dropped from calendar	1218
252—By Fields. A bill for an act to define and regulate the practice of optometry, and for the creation of a board of examiners in optometry.	
Read first and second time and referred	315
Reported amended	437
Amended	670
Passed	671
Senate amended and passed	1130, 1173
House refuses to concur	1180
Motion to reconsider filed	1182
Senate indefinitely postpones	1317
253—By Calderwood. A bill for an act for the protection of cities, and to reg-	

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ulate contracts for public purposes involving the use of streets and alleys, public squares and highways in such cities.	
Read first and second time and referred.....	316
Reported.....	340
Indefinitely postponed.....	1125
254—By Sweeley. A bill for an act to supervise and control long distance telephone lines and systems, to provide for the connection of such lines or systems with local systems, and for the fixing of joint rates for service.	
Read first and second time and referred.....	316
Reported.....	818
Dropped from calendar.....	1160
255—By Sweeley. A bill for an act to amend section 725 of the Code, relating to the powers of cities and towns, and to authorize cities and towns to supervise or control telephone plants or systems, prescribe regulations relating there o, and to fix and regulate telephone rates and service.	
Read first and second time and referred.....	316
Reported amended.....	612
Recommitted.....	914
Reported substitute.....	980
Passed.....	1052
256—By Sweeley. A bill for an act to amend sections 720 and 724 of the Code, relating to the powers of cities and towns, and to authorize cities and towns to purchase, establish, erect, maintain, operate, lease or sell telephone plants or systems.	
Read first and second time and referred.....	316
Reported.....	601
Minority report.....	601
Indefinitely postponed.....	1062
257—By Hughes. A bill for an act fixing a uniform time at which all annual appropriations shall begin.	
Read first and second time and referred.....	316
Reported.....	436
Made special order.....	512
Passed.....	513, 514
Passed Senate, amended.....	1326
Concurred in.....	1339
Enrolled.....	1357
258—By Teachout. A bill for an act to amend section 215 of the Code, in relation to common carriers.	
Read first and second time and referred.....	316
Reported.....	401
Recommitted.....	518
Reported.....	680
Indefinitely postponed.....	730
259—By Springer. A bill for an act making appropriation for construction, repair and contingent funds for the state hospital at Independence.	
Read first and second time and referred.....	316
260—By Teachout. A bill for an act to amend section 2008 of the Code, relating to filing of transcript in condemnation proceedings.	
Read first and second time and referred.....	316
Reported.....	437
Passed.....	614, 615
261—By Head. A bill for an act to amend section 585 of the Code, relating to	

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the condemnation of land for gravel for roads.	
Read first and second time and referred.....	340
Reported amended.....	932
Re-referred, reported substitute.....	1023
Passed.....	1030
262—By Edwards. A bill for an act to repeal sections 2, 3, 6 and 7 of chapter 45 of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor, and to amend section 1, chapter 45, acts of the Twenty-eighth General Assembly, relating to taxation of express companies.	
Read first and second time and referred.....	341
Reported.....	413
Indefinitely postponed.....	602
263—By Barkley. A bill for an act repealing sections 2, 3, 4, 5, chapter 116, acts of the Twenty-eighth General Assembly; also defining the duties of Iowa library commission, transferring the associate and traveling libraries from the State library board to the Iowa library commission, and providing for an appropriation for the extension of the work of the Iowa library commission; also amending section 168 of the Code of 1907; and repealing sections 2868, 2869, 2871, 2873, 2874 of said Code; also repealing chapter 118 of the acts of the Twenty-seventh General Assembly.	
Read first and second time and referred.....	341
Reported.....	501
Re-referred.....	508
Reported.....	517
Amended.....	623
Passed.....	623
Senate amended and passed.....	1263
Made special order.....	1275
Concurred in.....	1283, 1284
264—By Wilson of Buena Vista (by request). A bill for an act to amend sections 2505 and 2506 of the Code of Iowa, relating to the inspection of petroleum products.	
Read first and second time and referred.....	341
Reported amended.....	716
Amended.....	881
Passed.....	882
Title amended.....	882
265—By Boysen. A bill for an act making provision for the support of the department of Industrial School for Boys at Eldora, Iowa, amendatory to chapter 81 of the acts of the Twenty-seventh General Assembly, relating to support of the industrial school.	
Read first and second time and referred.....	341
Re-referred.....	384
Reported.....	656
Passed.....	1039
Senate amended and passed.....	1293
Concurred in.....	1295
Enrolled.....	1322
266—By English. A bill for an act to amend section 1533 of the Code, relating to duties of township trustees.	
Read first and second time and referred.....	341
Re-referred.....	402
Reported substitute.....	548, 549
Passed.....	687

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Title amended.....	688
Passed Senate.....	772
Enrolled.....	856
267—By English. A bill for an act to amend section 1542 of the Code, relating to the certifying delinquent road tax.	
Read first and second time and referred.....	342
Re-referred.....	402
268—By Hurn (by request). A bill for an act to amend the law relating to public health; an act to amend sections 2564, 2565, 2568, 2571, 2574, 2575 of the Code, and chapter 67, acts of the Twenty-seventh General Assembly.	
Read first and second time and referred.....	342
Reported amended.....	367
Re-referred.....	571
Reported.....	770
Amended.....	925
Passed.....	926
Title amended.....	926
269—By Teachout. A bill for an act to amend section 1366 of the Code, relating to the assessment of taxes.	
Read first and second time and referred.....	342
Reported.....	457
Indefinitely postponed.....	522
270—By Temple. A bill for an act to repeal section 1567 of the Code, and to enact a substitute therefor, relating to the time of commencing action in criminal cases.	
Read first and second time and referred.....	349
Reported.....	386
Passed.....	572
271—By Temple. A bill for an act to repeal section 2701 of the Code, and to enact a substitute therefor, relating to the compensation of the superintendent and assistants of the Institute for Feeble-minded Children.	
Read first and second time and referred.....	349
Reported amended.....	428
Adopted.....	1150
Passed.....	1150
272—By Hurn. A bill for an act requiring the clerk and treasurer of cities and towns to keep books showing the funds of municipal corporations, and to provide for a publication of a financial statement annually.	
Read first and second time and referred.....	349
Reported.....	550
Passed.....	725, 726
Recalled from Senate.....	884
Returned.....	886
273—By Teachout. A bill for an act to amend section 661 and section 674 of title 5, chapter 2 of the Code of 1897, relating to assessors in cities and towns.	
Read first and second time and referred.....	349
Reported substitute.....	611
Passed.....	764
Senate amended and passed.....	888
Concurred in.....	1025
Enrolled.....	1105
274—By Teachout. A bill for an act to amend section 205 of the Code, relating to change in title to real estate.	
Read first and second time and referred.....	349

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Reported.....	436
275—By special committee. A bill for an act to provide for the erection of monuments to mark the positions occupied by the Iowa volunteers at the battle of Shiloh, Tennessee, and to make an appropriation to pay the expenses of the commission.	
Read first and second time and passed on file.....	550
Amended.....	528
Passed.....	579
Title amended.....	529
Passed Senate.....	942
Enrolled.....	1025
276—By committee. A bill for an act to appropriate seven thousand dollars, or so much as may be necessary, to supply the Indians on the reservation in Tama county, with substitute for things to be destroyed on account of being infected with disease.	
Read first and second time and referred.....	350
Reported.....	500
Passed.....	505
Enrolled.....	555
276(?)—By Committee on Judiciary. A bill for an act to protect sheriff and other peace officers in procuring evidence for the identification of criminals or persons accused of crime.	
Read first and second time and passed on file.....	360
Reported.....	363
Passed.....	531
Passed Senate.....	1259
Enrolled.....	1333
277—By Nichols. A bill for an act to provide for the encouragement of the live stock interests of the state, and to appropriate money therefor.	
Read first and second time and referred.....	378
Reported.....	999
Indefinitely postponed.....	1136
278—By Bealer. A bill for an act to authorize the improvement of the channels of meandered streams dividing the territory within the corporate limits of certain cities, and to authorize the reclaiming of waste lands between the meandered lines of said streams within said corporate limits, and to create a commission therefor, and defining its powers and prescribing its duties.	
Read first and second time and referred.....	378
279—By Buchanan. A bill for an act regulating the business of fire insurance and to increase the public revenue.	
Read first and second time and referred.....	379
Reported.....	686
Dropped from calendar.....	1160
280—By Carden. A bill for an act making an appropriation for the purchase of land, tombstone and erection thereof, for the proper marking of the grave of one Charles Shepherd, a soldier who served in the war of the Revolution, died in 1845, and who lies in an unmarked grave near Millspaugh's mills, Henry county, Iowa.	
Read first and second time and referred.....	379
Reported.....	655

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Passed.....	784
Senate indefinitely postponed.....	1082
281—By Carter. A bill for an act to provide for the manner of paying the salary or compensation of deputy state officers and deputy county officers, prohibiting their principals receiving or retaining any part thereof and punishing the violation thereof.	
Read first and second time and referred.....	379
Reported.....	649
Amended.....	755
Re-referred.....	756
Amended.....	777
Passed.....	778
Senate indefinitely postpones.....	1217
282—By Carter. A bill for an act to amend section 2077 of the Code, relative to compensation for the transportation of passengers.	
Read first and second time and referred.....	379
Reported.....	680
Indefinitely postponed.....	871
283—By Campbell (by request). A bill for an act to legalize copy of certified record of the supreme court of the United States in case of the Burlington & Missouri River Railroad company.	
Read first and second time and referred.....	379
Reported.....	547
Amended.....	639
Passed.....	640
Passed Senate.....	1009
Enrolled.....	1077
284—By Campbell. A bill for an act to legalize transcript of deed record.	
Read first and second time and referred.....	379
Reported.....	548
285—By Clarke. A bill for an act to pay sundry persons named in this bill for material and labor furnished by them in the erection of the medical hospital of the Iowa State University, erected in 1897.	
Read first and second time and referred.....	380
Re-referred.....	543
Reported.....	817
Dropped from calendar.....	1254
286—By committee on Roads and Highways. A bill for an act to repeal section 1532 and to amend section 1533 of the Code, relating to public roads.	
Read first and second time and passed on file.....	380
Re-referred.....	542
Reported.....	665
Amended.....	665
Passed.....	782
Title amended.....	783
Passed Senate with substitute.....	783
House concurs.....	965
Enrolled.....	967
Enrolled.....	1078
287—By Freeman. A bill for an act to amend section 496 of the Code, relating to the employment of additional help by county recorders.	
Read first and second time and referred.....	380
Reported amended.....	649
Passed.....	779
Senate amended and passed.....	1173
Adopted.....	1174
Enrolled.....	1223
288—By Hasselquist. A bill for an act to amend section 2754 of the Code, re-	

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lating to the election of school treasurers in independent districts.	
Read first and second time and referred.....	380
Indefinitely postponed.....	584
289—By Hufschmidt. A bill for an act to require counties and townships to construct bridges, culverts and approaches of sufficient strength to sustain traction engines in certain cases.	
Read first and second time and referred.....	380
290—By Jones. A bill for an act to amend section 1805 of the Code, relating to exemption of insurance policies and proceeds thereof.	
Read first and second time and referred.....	380
Reported.....	438
Recommitted.....	613
Indefinitely postponed.....	662
291—By Lyman. A bill for an act to amend section 2451 of the Code in regard to revocation of statements of consent for sale of intoxicating liquors.	
Read first and second time and referred.....	380
Reported substitute.....	679
Re-referred.....	1147
292—By Mattes. A bill for an act to provide for the encouragement and development of the dairy interests of the state and to appropriate money therefor.	
Read first and second time and referred.....	381
Reported.....	778
Indefinitely postponed.....	1189
293—By Moore. A bill for an act to legalize the conveyance of certain real estate to the township trustees of Fox River township, Davis county, Iowa, for graveyard and church purposes.	
Read first and second time and referred.....	381
Reported.....	1000
Passed.....	1000, 1001
Passed Senate.....	1015
Enrolled.....	1105
294—By Meservey. A bill for an act to amend section 2757 of the Code, relating to time of meeting of boards of school directors and to amend sections 2762, 2764, 2765, 2766, 2785, 2793, 2801 of the Code to conform therewith.	
Read first and second time and referred.....	381
Reported.....	584
Passed.....	1061, 1032
295—By Pipher (by request). A bill for an act to provide for the establishment by county surveyors of lost or disputed sections and block corners.	
Read first and second time and referred.....	381
Reported.....	454
Indefinitely postponed.....	541
296—By Sweeley. A bill for an act to amend chapter 1, title 7 of the Code, and to provide for the assessment and taxation of franchises for the operation of telephone plants, systems and exchanges.	
Read first and second time and referred.....	381
Re-referred.....	413
Reported.....	744, 1058
Dropped from calendar.....	1248

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297—By Teachout. A bill for an act to prevent sales of stocks of merchandise in fraud of creditors.	
Read first and second time and referred	381
Reported	454
Lost on passage	697, 698
298—By Sweet. A bill for an act to amend section 2522 of the Code, relating to reports to the dairy commissioner by milk dealers and operators of creameries and cheese and condensed milk factories, and providing a penalty for violations of the section as amended.	
Read first and second time and referred	382
Reported	563
Amended	707
Passed	707
Passed Senate	1216
Enrolled	1264
299—By Jaeger. A bill for an act to amend section 654, chapter 2 of the Code, relating to police matrons in cities of a population of 25,000 or over.	
Read first and second time and referred	382
Indefinitely postponed	586
300—By Clarke. A bill for an act to provide for an exhibit of the arts, industries and resources of the state of Iowa, at the Louisiana Purchase exposition to be held in the city of St. Louis, in the state of Missouri.	
Read first and second time and referred	382
Reported amended	852
Adopted	1223
Passed	1224
Senate amended and passed	1280
House refused to concur in first amendment	1305
Concurred in remaining	1305, 1306
Senate refuses to recede	1324
Appoint conference committee	1324
Concurred in Senate amendments	1351
Senate adopts	1355
Enrolled	1356
301—By Hilsinger. A bill for an act to amend chapter 15, title 12 of the Code, repealing sections 2540, 2542, 2544, 2551, 2552, 2551, 2556 of the Code, and enacting substitutes therefor; amending section 2561, making further provisions additional to said chapter 15, relating to the care and propagation of fish and the protection of birds and game.	
Read first and second time and referred	388
Reported	918
302—By Hilsinger. A bill for an act making an appropriation for the fish and game commission of the state of Iowa.	
Read first and second time and referred	289
Recalled and re-referred	423
Reported amended	998
Passed	1121, 1122
303—By Sweet. A bill for an act to repeal section 2543 of the Code, relating to milk tests and to enact a substitute therefor.	
Read first and second time and referred	389
Reported	657
Indefinitely postponed	1142
304—By English. A bill for an act to reimburse Mathew R. Sadler for	

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damages caused to him by the agents and the employes of the state of Iowa.	
Read first and second time and referred	389
Reported substitute	659
Amended	824
Passed	824
Senate amended and passed	1281
Concurred in	1294
Enrolled	1321
305—By Teachout. A bill for an act to prohibit and punish the secret or unlawful tapping of water or gas pipes or electric light or power wires, or the appropriation or use of water or gas or electric currents for light or power purposes, without the knowledge or consent of the owner.	
Read first and second time and referred	389
Reported	493
Lost on passage	644, 645
Motion to reconsider filed	647
Reconsidered	705
Amended	705, 706
Re-referred	706
Reported amended	745
306—By Cowles. A bill for an act to license auctioneers who are not actual residents of the state of Iowa.	
Read first and second time and referred	389
Reported	401
Adopted	870
Amended	870
Passed	871
Indefinitely postponed	521
307—By Bealer. A bill for an act creating the Twenty-first Judicial district of the state of Iowa, and providing for the election of one judge in the Eighteenth Judicial district of Iowa, and defining the jurisdiction of said courts and providing for holding of terms of court in said districts.	
Read first and second time and referred	389
308—By Coburn. A bill for an act appropriating money to reimburse Samuel Purcell for losses in the suppression of the Sioux Indian insurrection in Cherokee county upon the 5th day of August, 1861.	
Read first and second time and referred	390
Reported	747
Re-referred	773
Reported	935
Passed	1165
309—By Head. A bill for an act authorizing the council in towns and cities having a population of 5,000 inhabitants or less, to appropriate money from their general funds for the improvement and maintenance of public parks and providing for the expenditure thereof.	
Read first and second time and referred	390
Reported amended	601
Adopted	603
Amended and passed	603
Passed Senate	1241
Enrolled	1265
310—By Springer (by request). A bill for an act to amend section 3505 of the Code, in relation to change of place of trial in civil cases.	
Read first and second time and referred	390



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311—By Calderwood. A bill for an act to amend section 3 of chapter 58 of the acts of the Twenty-eighth General Assembly, relating to membership in the annual convention of the department of agriculture.	
Read first and second time and referred	404
Reported amended	658, 891
Passed	893
Passed Senate	1009
Enrolled	1077
312—By Black. A bill for an act to amend section 2738 of the Code, in relation to normal institutes.	
Read first and second time and referred	404
Indefinitely postponed	584
313—By Cassel. A bill for an act to amend section 2158 of the Code, relating to the right of way of telegraph and telephone companies on public roads.	
Read first and second time and referred	404
Reported amended	932
Adopted	975
Amended	975, 976
Made special order	976
Amended	1040
Passed	1040
314—By Leech. A bill for an act authorizing the publication and sale, and directing the purchase of the laws of Iowa, relating to townships and to township officers, other than justices of the peace and constables.	
Read first and second time and referred	404
Reported amended	659, 661
Amended	923, 924
Passed	924
Senate failed to pass	1185
315—By Lyman (by request). A bill for an act appropriating \$625 to compensate Charles Alexander for eight horses killed by J. I. Gibson, state veterinary surgeon, as glandered.	
Read first and second time and referred	405
Reported	658
Indefinitely postponed	735
316—By Lyman (by request). A bill for an act appropriating \$175 to compensate Charles Rowdabush for two horses killed by J. I. Gibson, state veterinary surgeon, as glandered.	
Read first and second time and referred	405
Reported	658
Indefinitely postponed	735
317—By Braler. A bill for an act to amend section 1565 of the Code, relating to the assessment of property for taxes and the valuation thereof by making the said section applicable to cities acting under special charters that now have a population of over 25,000 and 30,000 according to the United States census of 1900.	
Read first and second time and referred	405
Reported amended	563
Adopted	729
Re-referred	729
Motion filed to reconsider adoption of amendments	749
318—By Teachout. A bill for an act to authorize the temporary transfer of funds accumulated under chapter 1 of the acts of the Twenty-eighth	

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General Assembly, section 742 of the Code.	
Read first and second time and referred	405
Amended	552
Passed	553
319—By Donohue. A bill for an act to provide for free transportation for state officers, members of the general assembly, judges of the supreme court and district courts.	
Read first and second time and referred	405
320—By Hawk. A bill for an act to repeal section 441 of the Code, and to enact a substitute therefor, in relation to the publishing of the proceedings of the board of supervisors.	
Read first and second time and referred	405
Reported	609
Indefinitely postponed	646
321—By Hughes. A bill for an act to amend subdivision three of section 2448 of the Code, relating to surety on bonds.	
Read first and second time and referred	406
Reported	454
Passed	509
Passed Senate	1160
Enrolled	1227
322—By Teachout. A bill for an act to appropriate money to pay for paving the state's portion of East Walnut street, between Fourteenth and Fifteenth streets, adjoining the state's property.	
Read first and second time and referred	406
Reported	715
Passed	913
Passed Senate	1316
Enrolled	1334
323—By Koontz. A bill for an act to amend sections 860, 861 and 862 of the Code, relating to voting taxes for the purchase of real estate for parks and constructing dams and improvements of parks and rivers, condemning real estate for parks, and jurisdiction of cities of the second class and towns, over parks without their corporate limits.	
Read first and second time and referred	405
324—By Koontz. A bill for an act to establish the rank of commandant and instructor of military science and tactics in state colleges.	
Read first and second time and referred	406
Reported	715
Indefinitely postponed	872
325—By Hamann. A bill for an act to amend section 3308 of the Code, relating to the release and discharge of liens by foreign administrators, executors and guardians and to empower them to assign such liens, and to empower trustees under foreign wills to execute such releases and assignments.	
Read first and second time and referred	406
Reported substitute	906
Passed	1233
326—By Leech. A bill for an act to legalize the acts of the independent school district of Stanwood, Cedar county, Iowa, in voting bonds at a special election held September 16, 1901,	

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for the rebuilding of a schoolhouse in said independent school district, and to enable such district to insure such bonds, and to validate all the official acts and proceedings of the board of directors of said school district relative thereto.	
Read first and second time and referred	407
Reported	497
Passed	571
Passed Senate	863
Enrolled	919
327—By Davenport. A bill for an act creating the office of probate court in several counties in this state and defining the duties and jurisdiction of said probate court.	
Read first and second time and referred	414
Reported	452
Indefinitely postponed	521
328—By Davenport. A bill for an act to legalize the ordinances of the town of Shannon City, situated in Union and Ringgold counties, Iowa.	
Read first and second time and referred	415
Reported	437
Passed	558
Passed Senate	1009
Enrolled	1077
327—By McClurkin. A bill for an act making an appropriation providing for the erection of one equestrian statue on the capitol grounds, of the late Maj.-Gen. Francis J. Herron.	
Read first and second time and referred	428
Indefinitely postponed	938
330—By McClurkin. A bill for an act to amend chapter 2, of title 10 of the Code, relating to levees, drains and water courses.	
Read first and second time and referred	428
Reported	657
Amended	786
Passed	786
Title amended	787
Recalled from Senate	1170
Senate returns	1185
331—By Edwards. A bill for an act requiring railroad companies to file plats of all lines owned or operated in the several counties of the state of Iowa, with county auditors, amendatory of the provisions of chapter 1, title 7 of the Code, relating to the assessment of taxes.	
Read first and second time and referred	429
Reported amended	500
Adopted and passed	604
Passed Senate	632
Enrolled	1321
332—By Barkley. A bill for an act to amend section 732 of the Code, as amended by chapters 21 and 22 of the acts of the Twenty-eighth General Assembly, relating to the levying of taxes for library purposes.	
Read first and second time and referred	429
Reported	582
Amended	711
Passed	711
Passed Senate	1280
Enrolled	1321
333—By Mattes. A bill for an act to amend sections 2448, 2449 and 2452 of	

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chapter 6, title 12 of the Code in relation to intoxicating liquors	
Read first and second time and referred	429
Reported amended	608
Adopted	1147
Amended	1148
Passed	1149
Title amended	1150
Motion filed to reconsider	1181
Senate indefinitely postpones	1225
334—By Anderson. A bill for an act to amend sections 125 and 129 of the Code, relating to the printing, binding and distribution of public reports and documents.	
Read first and second time and referred	438
Reported	487
Passed	620
Passed Senate	1184
Enrolled	1265
335—By Wright. A bill for an act to amend chapter 85 of the acts of the Twenty-eighth General Assembly, relating to the appointment by the dairy commissioner of a deputy and assistants, and fixing their compensation.	
Read first and second time and referred	438
Indefinitely postponed	760
336—By Furry. A bill for an act to amend section 2406 of the Code, relating to actions to abate nuisances.	
Read first and second time and referred	436
Reported	854
Indefinitely postponed	912
337—By Furry. A bill for an act to amend section 3410 of the Code, relating to sale of intoxicating liquors and abatement of nuisance.	
Read first and second time and referred	439
Reported	548
Referred	729
Passed	922, 923
338—By Wilson of Washington. A bill for an act to legalize acknowledgments of deeds and conveyances of land and of other instruments.	
Read first and second time and referred	439
Reported	548
339—By Pipher. A bill for an act to amend section 1090, of chapter 3, of the Code, and providing for the consolidation of two or more wards into one voting precinct and to constitute an aldermanic district.	
Read first and second time and referred	460
Indefinitely postponed	581
340—By Hamann. A bill for an act to limit actions for the recovery of real property on the claim of dower, curtesy or distributive share of surviving spouse or husband.	
Read first and second time and referred	460
Reported	579
Indefinitely postponed	580
341—By Temple. A bill for an act to regulate the practice of osteopathy in the state of Iowa and fixing penalties for the violation thereof.	
Read first and second time and referred	461
Reported substitute	874
Indefinitely postponed	1125

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342—By Stuckslager. A bill for an act to amend section 915 of the Code, relating to the recording and certification of plats.	
Read first and second time and referred	461
Reported	581
Passed	1138, 1139
Passed Senate	1317
Enrolled	1352
343—By Walters. A bill for an act providing that the civil actions authorized in section 4302 of the Code, may be brought in any county where a nuisance is committed in part; or in any county where any requisite to the consummation of a nuisance occurs.	
Read first and second time and referred	489
Reported	547
Amended	837
Passed	837, 838
Passed Senate	1172, 1173
344—By Walters. A bill for an act to appropriate annually \$15,000 from the funds in the state treasury, not otherwise appropriated, to fumigate, and when necessary, to prevent the spread of contagious diseases, to destroy property infected with smallpox and other contagious diseases.	
Read first and second time and referred	489
Reported	655
Indefinitely postponed	872
345—By Warren. A bill for an act to amend chapter 8, title 13 of the Code, granting to the governor of the state the power to parole inmates of the industrial school in certain cases.	
Read first and second time and referred	502
Reported	563
Amended	726
Passed	726, 727
Title amended	727
Passed Senate	1241
Enrolled	1265
346—By Langan of Crawford. A bill for an act to amend chapter 6 of the Code, prohibiting the purchase of intoxicating liquors for the use of minors, drunkards and persons who have taken any of the so-called cures for drunkenness, and prescribing punishment for violation of same.	
Read first and second time and referred	503
Reported substitute	854
Amended	1244, 1245
Passed	1245
347—By Walden. A bill for an act to repeal section 584 of the Code, and to enact a substitute therefor.	
Read first and second time and referred	503
Reported	580
Indefinitely postponed	580
348—By Calderwood. A bill for an act to prohibit the keeping of children in poorhouses, and to provide for their removal therefrom to, and support in, state institutions.	
Read first and second time and referred	503
Reported	585
Passed	734, 73
Reported	1192
Passed	1193

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349—By Powers. A bill for an act to legalize the incorporation of the town of Rudd, Floyd county, Iowa.	
Read first and second time and referred	503
Reported	548
Passed and title amended	567
Passed Senate amended	877
House concurs	880
Enrolled	919
350—By Bealer. A bill for an act to amend section 65, chapter 1, of the Code of 1897, in relation to the salary of governor and the secretary to the governor.	
Read first and second time and referred	503
Reported amended	650
Amended	927
Passed	928
Title amended	928
Passed Senate	1088
Enrolled	1128
351—By Clarke (by request). A bill for an act relating to negotiable instruments, being an act to establish a law uniform with the laws of other states on that subject, and to repeal sections 3043, 3045, 3049, 3050, 3051, 3052, 3054 and 3055, of title 15, chapter 3, of the Code, additional to Code title 15, chapter 3.	
Read first and second time and referred	517
Reported	581
Passed	823
Passed Senate	1263
Enrolled	1356
352—By Crouse. A bill for an act making an appropriation to Charles Gray, for publishing original notice in the case of Bettannier vs. Caille.	
Read first and second time and referred	518
Reported	658
Passed	787
Passed Senate	1298
Enrolled	1321
353—By English. A bill for an act to amend section 482 of the Code, relating to duties of the county treasurer.	
Read first and second time and referred	518
354—By Dunham. A bill for an act amending paragraph 5 of section 1709 of the Code, relating to insurance.	
Read first and second time and referred	518
Reported	708
Passed Senate	1325
Enrolled	1352
355—By Walden. A bill for an act to amend chapter 82 of the acts of the Twenty-eighth General Assembly, relating to competency of certain persons employed in coal mines.	
Read first and second time and referred	524
Reported	918
Dropped from the calendar	1346
356—By Dunham. A bill for an act to amend chapter 4, title 9, of the Code, and providing for a uniform policy and contract of fire insurance, to be known as the Iowa standard policy.	
Read first and second time and referred	524
Reported substitute	987
357—By Hughes. A bill for an act to appropriate money to pay cus-	

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todian's employes for the month of March, 1902.	
Read first and second time and referred	525
Indefinitely postponed	936
Dropped from the calendar	1346
358—By Nagle. A bill for an act to amend section 2414 of the Code, relating to intoxicating liquors.	
Read first and second time and referred	525
Reported	678
Re-referred	925
Reported	939
Indefinitely postponed	939
359—By Wise. A bill for an act providing for the levy of a special tax of one-tenth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for State Normal School at Cedar Falls.	
Read first and second time and referred	551
Reported	740
Passed	1102
Passed Senate	1158
Enrolled	1192
360—By Payne. A bill for an act to amend section 2606 of the Code, relative to admission to the soldiers' home.	
Read first and second time and referred	552
Reported	586
Indefinitely postponed	646, 671
361—By Cheney. A bill for an act to amend section 4295 of the Code of 1897, relative to the satisfaction of mortgages.	
Read first and second time and referred	552
Indefinitely postponed	610, 982
362—By Furry. A bill for an act to amend section 894 of the Code, relating to the levy of taxes for waterworks.	
Read first and second time and referred	566
Reported	582
363—By Furry. A bill for an act to amend title 25, chapter 49 of the Code, in relation to the discharge or parole of inmates of the State Industrial school.	
Read first and second time and referred	566
364—By Cummings. A bill for an act to amend section 4979 of the Code, in regard to removing dead animals from cities and towns.	
Read first and second time and referred	566
Reported	819
Passed	892
365—By Black. A bill for an act to authorize the granting to the Chicago, Burlington & Quincy Railroad company, its successors or assigns, a right of way through lands owned by the state, and used by the Institution for Feeble-Minded Children at Glenwood.	
Read first and second time and referred	566
Reported	610
Withdrawn	626
366—By Teachout. A bill for an act providing for the organization of trust companies, and loan and trust companies, defining their powers and providing for their examination and control.	

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Read first and second time and referred	566
Reported amended	745
Made special order	849
Amended	905
Recommitted	906
Reported substitute	1022
Made special order	1038
Adopted and passed	1116
367—By Warren. A bill for an act to legalize the ordinances of the town of Swan, Marion county, and the official acts of the mayor and recorder thereof in the publication of said ordinances.	
Read first and second time and referred	593
Reported substitute	766
Passed	865, 861
Passed Senate	1016
Enrolled	1105
368—By Barker. A bill for an act legalizing the ordinances and resolutions passed by the incorporated town of Cresco, Howard county, and also of the city of Cresco, in said county.	
Read first and second time and referred	593
Reported	610
Passed	621, 622
Passed Senate	753
Enrolled	857
369—By Wilson of Buena Vista (by request). A bill for an act to amend sections 1610, 1614, 1615 and 1617 of the Code, relating to corporations for pecuniary profit.	
Read first and second time and referred	594
Reported	827
Amended and passed	1187
370—By Wilson of Buena Vista (by request). A bill for an act to amend sections 5049, 5050 and 5051 of the Code, relating to label, trade-mark or form of advertisement.	
Read first and second time and referred	594
Reported amended	744
Indefinitely postponed	1220
371—By Meservey. A bill for an act providing for a uniform policy to be used exclusively by all fire insurance companies doing business in the state of Iowa.	
Read first and second time and referred	594
Reported	
Passed	
372—By Wilson of Washington. A bill for an act to amend section 4872 of the Code, relating to the punishment of the crime of perjury, and providing for commitment to the grand jury thereof by the trial judge.	
Read first and second time and referred	594
Reported	611
Passed	778
373—By Buchanan. A bill for an act to repeal section 2812 of the Code, section 1 of chapter 95 of the acts of the Twenty-seventh General Assembly, and chapter 142 of the acts of the Twenty-eighth General Assembly, and to enact a substitute thereof, providing for the issuance of school bonds.	
Read first and second time and referred	594
Reported amended	802

HOUSE BILLS.

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Adopted.....	1151
Amended.....	1151
Passed.....	1151, 1152
Passed Senate.....	1326
Enrolled.....	1352
374—By Edwards. A bill for an act to amend section 1709 of the Code, relating to insurance.	
Read first and second time and referred.....	594
Reported.....	709
Passed.....	889
Passed Senate.....	1159
Enrolled.....	1192
375—By Furry. A bill for an act to amend section 26 of chapter 118 of the laws of the Twenty-seventh General Assembly, in relation to insane patients.	
Read first and second time and referred.....	595
Reported.....	832
Passed.....	1228, 1229
376—By Furry. A bill for an act to repeal section 2253 of the Code, and enact a substitute therefor in relation to hospitals for the insane.	
Read first and second time and referred.....	595
Reported.....	890
Passed.....	914, 915
Passed Senate.....	1010
Enrolled.....	1077
377—By Hughes. A bill for an act to amend section 360 of the Code, entitled "When guarantee company may be accepted as surety."	
Read first and second time and referred.....	595
Indefinitely postponed.....	744
378—A bill for an act legalizing acts of the county auditor and the board of supervisors of Lyon county.	
Read first and second time and referred.....	602
Reported amended.....	609
Passed.....	621
Passed Senate.....	771
Enrolled.....	856
379—By Langan of Clinton. A bill for an act requiring the examination and providing for the licensing of municipal and county engineers, and for the protection of public property and public health.	
Read first and second time and referred.....	612
Reported amended.....	715, 716
Dropped from calendar.....	1220
380—By Hamann. A bill for an act to amend section 2425 of the Code, in relation to payments or compensation for intoxicating liquors.	
Read first and second time and referred.....	613
Re-referred.....	662
Reported.....	853
Re-referred.....	853
Indefinitely postponed.....	1054
381—By Jaeger. A bill for an act to amend section 2 of chapter 30 of the acts of the Twenty-eighth General Assembly, relating to the duties and compensation of park commissioners in certain cities.	
Read first and second time and referred.....	613
Reported amended.....	661
Made special order.....	870
Reconsidered.....	889
Passed.....	890
382—By Keagy. A bill for an act to amend section 5, chapter 43 of the	

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acts of the Twenty-eighth General Assembly.	
Read first and second time and referred.....	634
Reported.....	700
383—By Barkley. A bill for an act to amend section 731 of the Code, relating to library reports.	
Read first and second time and referred.....	634
Reported.....	714
Passed.....	729, 730
Senate indefinitely postponed.....	1008
384—By Barkley. A bill for an act to protect the property of public libraries and reading rooms.	
Read first and second time and referred.....	634
Reported.....	747
Amended.....	802
Passed.....	862
385—By Donohue. A bill for an act to repeal section 4220 of the Code, relating to appeals in actions of forcible entry and detainer, and to enact a substitute therefor.	
Read first and second time and referred.....	634
Indefinitely postponed.....	767
386—By Campbell. A bill for an act to amend sections 2433 and 2435 of the Code, relating to the listing of places where intoxicating liquors are kept for sale or sold, and the assessment of the mulct tax against property and its owner or owners and the occupant or tenant of such property.	
Read first and second time and referred.....	635
Reported.....	678
Passed.....	749
Passed Senate.....	1050
Enrolled.....	1128
387—By Fields. A bill for an act to amend section 1076 of the Code, regarding the compensation of the board of registers.	
Read first and second time and referred.....	635
388—By Keagy. A bill for an act to amend section 5, chapter 43 of the acts of the Twenty-eighth General Assembly, relating to the taxing of insurance corporations.	
Read first and second time and referred.....	635
Reported amended.....	709
Passed.....	930, 931
Motion to reconsider filed.....	934
Reconsidered.....	956
Passed.....	966
Senate indefinitely postpones.....	1217
389—By Temple, Hurn and Payne. A bill for an act to create a state board of managers for educational institutions and to provide for the management and control of State University, State College of Agriculture and Mechanic Arts, and State Normal school, etc.	
Read first and second time and referred.....	635
Reported.....	662
Referred to a special committee.....	751
Reported.....	997
390—By Gilchrist (by request). A bill for an act to provide for a county board of examiners for the examination of teachers.	
Read first and second time and referred.....	635
Reported amended.....	1155

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Dropped from calendar.....	1260
391—By Appropriations committee. A bill for an act making appropriations for the construction, repair, support, and contingent funds of the hospitals for the insane at Mount Pleasant, Independence, and Clarinda, the penitentiaries, the industrial schools for boys and girls, the institution for feeble-minded children, the school for the deaf, the college for the blind, the soldiers' orphans' home, and the soldiers' home, and relating to the industrial home for the blind; also, authorizing the use of a portion of the balance in the support fund at the hospital for the insane at Clarinda, in the enlargement and equipment of a shop building, and of a portion of the balance of certain funds of the penitentiary at Fort Madison, in the erection of the hospital and library building.	
Read first and second time and passed on file.....	635
Re-committed.....	1142
Reported amended.....	1178
Adopted.....	1178
Amended.....	1179
Passed.....	1179
Passed Senate.....	1242
Enrolled.....	1310
392—By Anderson. A bill for an act to amend sections 1062 and 1419 of the Code, relating to the publication of the sheriff's proclamation and the delinquent tax list.	
Read first and second time and referred.....	672
Reported.....	677
Lost on passage.....	765
Notice to reconsider filed.....	765
Reconsidered.....	958
Amended.....	958
Passed.....	958, 959
Title amended.....	959
393—By Hughes. A bill for an act to repeal sections 5012, 5013 and 5014 of the Code, relating to diseased animals and to enact substitutes therefor.	
Read first and second time and referred.....	685
Reported.....	1057
Lost on passage.....	1251
394—By Wilson of Washington. A bill for an act to amend section 5707 of the Code, relative to the employment of persons sentenced to imprisonment in places or buildings owned or leased by the state outside of the penitentiary enclosures.	
Read first and second time and referred.....	685
Reported.....	768
Passed.....	1218, 1219
Passed Senate.....	1279
Enrolled.....	1321
395—By Wilson of Washington (by request). A bill for an act to repeal section 4897 of the Code, and to enact a substitute therefor, relating to the escape of persons confined in a penitentiary for any less period than life.	
Read first and second time and referred.....	686
Passed.....	1219, 1220
Passed Senate.....	1279
Enrolled.....	1321
396—By Municipal Code commission. A	

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bill for an act requiring the keeping of accounts in cities and towns, and requiring that publicity be given thereto	
Read first and second time and referred.....	686
Reported amended.....	717
Amended.....	883
Passed.....	884
Passed Senate.....	887
Enrolled.....	985, 1024
397—By Hawk. A bill for an act to appoint a commission of land titles, to define its duties and to provide for the publication of its reports.	
Read first and second time and referred.....	686
Amended.....	959, 960
398—By Hughes (by request). A bill for an act regulating the manufacture and sale of loaves of bread.	
Read first and second time and referred.....	697
Reported amended.....	856
Lost on passage.....	885
Motion filed to reconsider.....	886
399—By Kling. A bill for an act to provide for the inspection, recognition and supervision of schools for the instruction and training of teachers for the common schools, and providing for the licensing of the graduates of the same	
Read first and second time and referred.....	697
Reported amended.....	855
Re-referred.....	873
Reported amended.....	936
Amended.....	974
Passed.....	975
Title amended.....	975
Senate indefinitely postponed.....	1242
400—By Langan of Clinton. A bill for an act to authorize cities which have voted taxes to aid any corporation organized under the laws of this state for the construction of a highway or combination bridge across navigable boundary river, to vote additional taxes for the purchase of such bridge.	
Read first and second time and referred.....	709
Reported.....	716
Amended.....	867
Passed.....	868
Passed Senate.....	878
Enrolled.....	919
401—By Temple. A bill for an act to amend section fifty hundred ninety-six (5096) of the Code, relating to bail after conviction of certain crimes.	
Read first and second time and referred.....	722
Reported.....	799
Passed.....	894
Passed Senate.....	1280
Enrolled.....	1321
402—By Head. A bill for an act requiring administrators, executors and guardians to file certificate of clerk of the district court of the county of their appointment in any county where any judgment, mortgage or deed of trust released by them as such officers is executed.	
Read first and second time and referred.....	722
Reported.....	800
Amended.....	7004
Passed.....	7005

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403—By Head. A bill for an act to regulate corporations organized under the laws of any state, territory or country other than the state of Iowa.	
Read first and second time and referred.....	733
Reported.....	900
Amended.....	1037
Passed.....	1038
Reconsidered.....	1073
404—By Calderwood. A bill for an act to amend section 1370 of the Code, relating to local boards of review, and making said section apply to cities acting under special charter.	
Read first and second time and referred.....	734
Reported.....	940
Indefinitely postponed.....	1125
405—By Calderwood. A bill for an act to make section 1350 of the Code applicable to cities acting under special charters.	
Read first and second time and referred.....	734
Reported.....	940
Indefinitely postponed.....	1126
406—By Calderwood. A bill for an act to amend section 565 of the Code, relating to township assessors where cities are included in the township and making said section applicable to cities acting under special charter.	
Read first and second time and referred.....	734
Reported.....	940
Indefinitely postponed.....	1126
407—By Robinson. A bill for an act to legalize the contract made by the incorporated town of Spirit Lake, for the construction of a sewer therein and for a levy of a tax of 5 mills made by said town in payment therefor.	
Read first and second time and referred.....	748
Reported.....	769
Amended and passed.....	865
Passed Senate.....	888
Enrolled.....	985, 1024
408—By Gilchrist. A bill for an act to legalize the extension of the corporate limits of the town of Laurens, and its ordinances and resolutions, and the acts of officers and persons had in pursuance thereof, and to fix the limits of said town.	
Read first and second time and referred.....	760
Reported.....	769
Passed.....	848, 849
Passed Senate.....	1017
Enrolled.....	1105
409—By committee on Judiciary. A bill for an act ceding to the United States exclusive jurisdiction over certain lands or lots acquired by United States for public purposes within this state, and authorizing the acquisition thereof.	
Read first and second time and passed on file.....	770
Passed.....	847, 848
Passed Senate.....	864
Enrolled.....	919
410—By Green. A bill for an act to provide for the recording of a certified copy of any domestic will admitted to probate in this state, together with the record of the admission to probate thereof, and the appoint-	

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ment and qualification of executors or administrators thereunder, in any county where lands affected by such will are situated.	
Read first and second time and referred.....	788
411—By Sweeley. A bill for an act to amend section 2161 of the Code, relating to connecting telegraph and telephone lines.	
Read first and second time and passed.....	803
Reported.....	955
412—By Mattes. A bill for an act to enable incorporated towns to vote a special tax for one year for the purpose of erecting a town hall, assembly room and library building in incorporated towns.	
Read first and second time and referred.....	803
Reported.....	1056
Passed.....	1248
413—By Utterback. A bill for an act to provide for the election of a mayor <i>pro tem.</i> in cities or incorporated towns.	
Read first and second time and referred.....	803
Indefinitely postponed.....	902
414—By McClurkin. A bill for an act to amend chapter 4, title 24, section 4821 of the Code, relating to malicious mischief and trespass.	
Read first and second time and referred.....	803
Reported amended.....	1190
Adopted.....	1258
Passed.....	1258
415—By Fields. A bill for an act to amend section 491 of the Code, relating to clerk hire in county treasurer's office.	
Read first and second time and referred.....	803
416—By Teachout. A bill for an act to amend sections 771, 773 and 774 of chapter 6, title 5 of the Code, relating to the construction of viaducts over or under railroads on public streets and highways, and to the compensation of owners of property abutting on such streets and highways.	
Read first and second time and referred.....	804
Reported amended.....	941
Adopted.....	1005, 1006
Passed.....	1006
Title amended.....	1007
Passed Senate.....	1033
Enrolled.....	1105
417—By Warren. A bill for an act to create a state department of insurance, and providing for the appointment of a commission of insurance.	
Read first and second time and referred.....	817
Reported amended.....	846
Re-referred.....	906
Reported.....	936
Amended.....	1046, 1047, 1048, 1049
Lost on passage.....	1050
Motion filed to reconsider.....	1075
418—By committee on Mines and Mining. A bill for an act to add to and amend section 2489 of the Code, relating to mines and mining.	
Read first and second time.....	847
Passed.....	848, 1184,

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419—By committee on Representative districts. A bill for an act to apportion the state into representative districts and declare the ratio of representation.	
Read first and second time and passed on file.....	858
Passed.....	1214
Passed Senate.....	1316
Enrolled.....	1352
420—By Boysen. A bill for an act providing for the better protection of the owners and operators of threshing machines and corn shellers in securing compensation for their services.	
Read first and second time and referred.....	858
Indefinitely postponed.....	900
421—By Walden (by request). A bill for an act to amend chapter 13 of the Code, and chapter 69 of the acts of the Twenty-eighth General Assembly, relating to building and loan associations, and defining and regulating the same.	
Read first and second time and referred.....	858
Reported.....	1281
Indefinitely postponed.....	1282
422—By Wilson of Washington (by request). A bill for an act to amend section 5663 of the Code, limiting the number of guards allowed the penitentiaries at Fort Madison and Anamosa.	
Read first and second time and referred.....	859
Reported.....	1054
Passed.....	1249, 1250
423—By Black. A bill for an act to legalize the acts of the officials of the town of Hillsdale, Mills county.	
Read first and second time and referred.....	878
Reported amended.....	900
Amended.....	1002
Passed.....	1002
Passed Senate.....	1317
Enrolled.....	1352
424—By Utterback. A bill for an act to legalize the incorporation of the town of Kinross, in the county of Keokuk, and the official acts of the officers of said town and all ordinances and resolutions adopted by the council of said town.	
Read first and second time and referred.....	903
Reported.....	839
Passed.....	1001
Passed Senate.....	1058
Enrolled.....	1128
425—By Hamann. A bill for an act authorizing the executive council to sell and convey two islands newly formed by accretion in the Mississippi river and located in sections 3 and 4 in township 77, north of range 3 east of the 5th P. M. in Scott county, the same being west of the main channel of said Mississippi river and adjacent to the Iowa shore.	
Read first and second time and referred.....	915
Reported.....	997
Amended.....	1029
Passed.....	1029, 1030
Passed Senate.....	1185
Enrolled.....	1228
426—By Nagle. A bill for an act making appropriations for the payment of	

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the costs in the cases of State v. Milton Remley, attorney-general.	
Read first and second time and referred.....	916
Re-referred.....	937
Reported amended.....	1127
Adopted.....	1168
Amended.....	1168
Passed.....	1168
Enrolled.....	1282
427—By Hillsinger. A bill for an act to amend section 1406 of the Code in relation to the collection of taxes by distress and sale, and providing for the garnishment of persons indebted to the delinquent taxpayer.	
Read first and second time and referred.....	916
Reported.....	962
Passed.....	1188
428—By Meservey. A bill for an act to amend section 2755 of the Code of 1897, as amended by chapter 105 of the acts of the Twenty-eighth General Assembly, relating to the registration of voters for school elections.	
Read first and second time and referred.....	916
Reported substitute.....	995
Adopted.....	1198
Amended and passed.....	1198
Passed Senate.....	1316
Enrolled.....	1352
429—By Cassell. A bill for an act to amend chapter 1, title 7, of the Code, relating to assessment of taxes.	
Read first and second time and referred.....	920
Reported.....	1055
430—By Jaeger. A bill for an act to amend chapter 9, title 9 of the Code, relating to fraternal orders.	
Read first and second time and referred.....	920
Reported substitute.....	993
Adopted.....	1232
Passed.....	1232
431—By Lyman. A bill for an act to amend section 654 of the Code, relating to the appointing of a police matron.	
Read first and second time and referred.....	932
Reported.....	937
Made special order.....	1004
Amended.....	1041
Passed.....	1041
432—By committee on Schools and Text-Books. A bill for an act to amend section twenty-six hundred twenty-nine (2629) of the Code, relating to examinations of applicants for state certificates and diplomas.	
Read first and second time and passed on file.....	941
Reported.....	939
Passed.....	1122
Passed Senate.....	1153
Enrolled.....	1192
433—By Hughes. A bill for an act to amend section 2724 of the Code, relating to admission to the Iowa School for the Deaf at Council Bluffs.	
Read first and second time and referred.....	941
Reported amended.....	1055
434—By McClurkin. A bill for an act to amend section 2773 of the Code, relating to the minimum length of	



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time that school must be taught and the establishment of school holidays.	
Read first and second time and referred.	941
Reported.	1195
Dropped from calendar.	1200
435—By Langan of Clinton. A bill for an act to amend section six hundred ten (610) of the Code, relating to the submission to a vote of the question of extending the limits of cities and towns.	
Read first and second time and referred.	951
Indefinitely postponed.	1055
436—By Hurn. A bill for an act authorizing the commander-in-chief to organize naval militia of Iowa and prescribing regulations therefor.	
Read first and second time and referred.	951
Reported.	1021
Passed.	1163
Passed Senate.	1185
Enrolled.	1264
437—By Clarke (by request). A bill for an act to amend section 165 of the Code, providing for the sale of furniture and stores that are of no further use to the state.	
Read first and second time.	956
Passed.	956, 957
Passed Senate.	965
Enrolled.	1024
438—By Cheney. A bill for an act to amend section 3395 of the Code, relating to limitations of time for granting letters of administration of estates of decedents.	
Read first and second time and referred.	960
Reported.	1054
Passed.	1110
439—By Fields. A bill for an act to regulate the employment and assignment of committee clerks.	
Read first and second time and referred.	960
Re-referred.	995
440—By Hamann. A bill for an act to amend sections 430, 431 and 433 of the Code, relating to dependent soldiers' and sailors' tax and making sections apply to dependent United States volunteer soldiers, sailors and marines of the late Spanish-American war.	
Read first and second time and referred.	961
441—By Carter. A bill for an act fixing the number of senators in the general assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the state into senatorial districts.	
Read first and second time and referred.	982
Reported amended.	1104
Made special order.	1114
Amended, laid on table.	1177
442—By Wilson of Buena Vista. A bill for an act to apportion the state into representative districts and declare the ratio of representation.	
Read first and second time and referred.	982
Indefinitely postponed.	1318
443—By Edwards. A bill for an act to amend section 1721 of the Code, in relation to insurance companies.	

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Read first and second time and referred.	983
Reported.	986
Passed.	1196
Passed.	1249
444—By English. A bill for an act to legalize all acts done and ordinances passed by the town council of the incorporated town of Bondurant, Polk county.	
Read first and second time.	1042
Passed.	1042
Passed Senate.	1184
Enrolled.	1265
445—By Calderwood. A bill for an act to amend section 237 of the Code, relating to the publication of the proceedings of the State Teachers' association.	
Read first and second time and referred.	1043
Reported.	1190
Passed.	1260
446—By Larrabee. A bill for an act to amend section 1336 of the Code, relative to the assessment of railway property for taxation.	
Read first and second time.	1045
Passed.	1045, 1046
Reconsidered.	1053
Recalled from Senate.	1053
Senate returns.	1081
447—By Hughes. A bill for an act to appropriate money for the construction of a laundry building for the insane at Mt. Pleasant, Iowa, and to provide it with heat, water, lights and sewer connections.	
Read first and second time and referred.	1088
Reported amended.	1154
Adopted.	1259
Passed.	1259
Title amended.	1259
Passed Senate.	1320
Enrolled.	1352
448—By Teachout. A bill for an act to authorize cities having a population of fifty thousand or over to levy a tax for the purpose of providing a fund for the payment of damages caused to abutting property owners by reason of the construction of viaducts and their approaches.	
Read first and second time and referred.	1108
Indefinitely postponed.	1346
449—By Sweet. A bill for an act to legalize the official acts of the town council of the incorporated town of Denver, Bremer county, Iowa, and the acts of F. C. Richardson, acting as clerk of said town.	
Read first and second time and referred.	1152
Reported.	1192
Passed.	1218
Passed Senate.	1240
Enrolled.	1309
450—By Cruikshank. A bill for an act to provide for the appointment of an assistant deputy warden for the penitentiary at Fort Madison and to amend section fifty-seven hundred sixteen (5716) of the Code, fixing the salary thereof.	
Read first and second time and referred.	1152
Reported.	1194
Lost on passage.	1261
451—By Langan of Clinton. A bill for an act to legalize the election of the	

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city of Clinton in favor of establishing a free public library in said city		Indefinitely postponed.....	1338
Read first and second time.....	1157	454—By special committee. A bill for an act making an appropriation for the purchase of a portrait of the late James Harlan for the gallery of portraits in the art gallery in the historical department at Des Moines, Iowa.	
Passed .....	1157	Read first and second time.....	1315
Passed Senate.....	1185	Passed .....	1315
Enrolled .....	1265	Passed Senate.....	1324
452—By Frudden. A bill for an act to amend section 1642 of the Code.		Enrolled .....	1352
Read first and second time.....	1177		
Amended .....	1277	455—By Temple. A bill for an act to provide for the general levy for state purposes for the year 1902 and subsequent years.	
Passed .....	1277, 1278	Read first and second time.....	1320
Title amended.....	1278	Passed .....	1320
453—By committee on Appropriations. A bill for an act making appropriations for the Iowa State College of Agriculture and Mechanic Arts, the State University and state normal schools.....	1306	Passed Senate.....	1349
Read first and second time and passed on file.....	1308	Enrolled.....	1357

# SENATE BILLS.

## INTRODUCTION AND ACTION.

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1—A bill for an act to provide for the compilation of the laws of the Twenty-seventh, Twenty-eighth and Twenty-ninth General Assemblies, to annotate the same, and the Code and the rules of the supreme court to and including the May term, 1902, and to publish said compilation and annotations as a supplement to the Code, and to provide for the appointment of a supervising committee and making an appropriation therefor.		Senate concurs.....	1131
Read first and second time and referred.....	220	Enrolled.....	1145
Reported.....	234	11—A bill for an act to amend section seven hundred twenty-one (721) of the Code, relating to the publication of notice of questions submitted to the voters of cities and towns.	
Passed.....	307	Read first and second time and referred.....	860
3—A bill for an act regulating the employment of children at labor or service, and to provide punishment for the violation thereof.		Reported.....	981
Read first and second time and referred.....	859	Passed.....	1230
Reported amended.....	917	Enrolled.....	1291
6—Relative to amending section 4074 of the Code.		12—Relative to amending section five thousand and fifty-two (5052) of the Code.	
Read first and second time and referred.....	191	Read first and second time and referred.....	191
Reported.....	259	Reported.....	233
Indefinitely postponed.....	294	Passed.....	320
9—A bill for an act to amend section 3225 of the Code, making taxes on property in hands of receivers a preferred claim.		13—A bill for an act to amend section 2742 of the Code, relating to county superintendents.	
Read first and second time and referred.....	251	Read first and second time and referred.....	1090
Reported.....	457	Reported.....	1155
Amended.....	640	Passed.....	1177
Passed.....	641	Enrolled.....	1267
Title amended.....	641	18—A bill for an act to amend section 4790 of the Code in relation to the possession of burglars' tools.	
Senate concurs.....	771	Read first and second time and referred.....	291
Enrolled.....	862	Reported.....	365
10—A bill for an act to repeal chapter 97 of the acts of the Twenty-eighth General Assembly and to enact a substitute therefor, providing for the levy of a special tax of one-fifth of a mill on the dollar upon the assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the State University of Iowa.		Passed.....	540, 541
Read first and second time and referred.....	613	19—A bill for an act to amend section 4845 of the Code, in relation to receiving stolen goods.	
Reported.....	746	Recalled.....	577
Amended.....	1100	21—A bill for an act to amend section 1400 of the Code, to make taxes levied on buildings as personal taxes a lien thereon.	
Passed.....	1100	Read first and second time and referred.....	291
		Reported.....	455
		Passed.....	615, 616
		Enrolled.....	719
		25—A bill for an act to amend section 727 of the Code, relating to gifts and bequests for library purposes.	
		Read first and second time and referred.....	291
		Reported.....	579
		Passed.....	1069
		Enrolled.....	1145
		26—A bill for an act to authorize library boards to condemn grounds for lo-	

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cation of libraries, and for additional library grounds.		61—A bill for an act establishing a law uniform with the laws of other states, relative to migratory divorces.	
Read first and second time and referred .....	291	Read first and second time and referred .....	407
Reported .....	455	Indefinitely postponed .....	1104
Passed .....	641, 642	68—A bill for an act to amend section 3346 of the Code, relating to claims of executors and administrators or in which they may be interested.	
Enrolled .....	719	Read first and second time and referred .....	297
28—Relative to amending section 194 of the Code, relating to the payment of interest on warrants.		Reported .....	455
Read first and second time and referred .....	190	Indefinitely postponed .....	521
Reported .....	213	69—A bill for an act to amend section 3172 of the Code, relating to the filing of petitions for divorce.	
Passed .....	272, 273	Read first and second time and referred .....	297
Enrolled .....	438	Reported .....	498
31—A bill for an act to reimburse Greene county for money expended for care of a non-resident insane person.		Indefinitely postponed .....	521
Read first and second time and referred .....	1109	70—A bill for an act to repeal section 853 of the Code, and section 2 of chapter 28 of the acts of the Twenty-seventh General Assembly, and amend subdivision 6 of section 1005 of the Code, relating to the subject of taxes for library purposes in cities acting under special charter.	
Reported .....	1127	Read first and second time and referred .....	343
Passed .....	1271, 1272	Reported .....	718
37—A bill for an act to amend section twelve hundred and seventy-two (1272) of the Code, in relation to filling the vacancies in elective city offices.		Passed .....	830, 831
Read first and second time and referred .....	859	72—A bill for an act amending sections 1370, 1371, 1372, 1373, relating to the equalization of taxes and appeals from the local boards of review, applicable to cities acting under special charter.	
Reported amended .....	937	Read first and second time and referred .....	923
Made special order .....	1118	Reported .....	981
Amended .....	1136	Passed .....	1067
Passed .....	1137	Enrolled .....	1145
40—A bill for an act to legalize the incorporation of certain corporations incorporated under the laws of the state of Iowa.		83—A bill for an act to amend section 508 of the Code, relating to sheriffs' fees.	
Read first and second time and referred .....	291	Read first and second time and referred .....	469
Reported .....	365	Reported amended .....	498
Passed .....	536, 540	Passed .....	689, 690
41—A bill for an act to amend section 1613, chapter 1, title 9 of the Code, relative to the publication of notice of incorporation.		Senate concurs .....	700
Read first and second time and referred .....	469	Enrolled .....	719
Reported .....	498	87—A bill for an act to amend section one hundred thirty-six and section one of chapter five, laws of the Twenty-eighth General Assembly, relating to the publication of reports of the Iowa Academy of Sciences.	
Passed .....	692	Read first and second time and referred .....	429
Enrolled .....	719	Reported amended .....	488
44—A bill for an act to amend sections 118 and 119 of the Code, defining the duties of state printer and state binder.		Adopted and passed .....	673
Read first and second time and referred .....	291	Senate concurs .....	863
Reported .....	1128	93—A bill for an act to amend section 1334 and section 1337 of the Code, relating to the assessment of railway property for taxation.	
Passed .....	1180, 1181	Read first and second time .....	506
Enrolled .....	1244	Passed .....	507
46—A bill for an act to amend sections 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091 of the Code, relating to taxes in aid of railroads, and extending the provisions thereof to trolley and electric railways.		Enrolled .....	512
Read first and second time and referred .....	251	95—A bill for an act to amend section 3287 of the Code, relating to the recording of wills.	
Reported .....	366	Read first and second time and referred .....	860
Passed .....	537	Reported .....	1103
49—A bill for an act appropriating money to aid in completing and furnishing the Hospital for the Insane at Cherokee, for the purchase of land and for a contingent and repair fund.		Passed .....	1115
Read first and second time and referred .....	191		
Reported .....	197		
Passed .....	220, 221		
Enrolled .....	260		

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Enrolled.....	1172
96—A bill for an act to amend section 296 of the Code, relating to fees in probate matters.	
Read first and second time and referred.....	291
Reported.....	365
Passed.....	520
100—A bill for an act to appropriate \$4,500, or as much thereof as may be necessary, to pay additional employes of the general assembly.	
Read first and second time and passed.....	166, 167
Enrolled.....	200
108—A bill for an act to amend section 5716 of the Code, in relation to the compensation of officers and employes of the penitentiaries of the state.	
Read first and second time and referred.....	469
Substituted for House File 126 and placed on calendar.....	469
Passed.....	505, 506
111—A bill for an act making an appropriation for the purchase of 30,000 railroad commissioners' official maps, to be distributed by the members of the general assembly and railroad commissioners.	
Read first and second time and passed.....	166
Enrolled.....	260
115—A bill for an act to amend section one thousand three hundred thirty-three (1333) of the Code, relating to the assessment of taxes upon foreign insurance companies.	
Read first and second time and referred.....	859
Reported.....	1058
Passed.....	1116, 1117
Enrolled.....	1172
117—A bill for an act to authorize and empower railroad corporations of this state to transact business, lease or purchase railroads, or to purchase the stocks, bonds, or securities of railroads in other states.	
Read first and second time and referred.....	1109
Reported.....	1143
Amended.....	1200
Passed.....	1201
Senate concurs.....	1297
Enrolled.....	1323
122—A bill for an act to amend section 2, of chapter 67 of the laws of the Twenty-eighth General Assembly, relating to savings banks	
Read first and second time and referred.....	342
Amended.....	597
Passed.....	597
125—A bill for an act to amend section 355, chapter 12, title 3 of the Code, providing form of bond to be given under the requirements of this section.	
Read first and second time and referred.....	686
Reported.....	770
Passed.....	1117, 1118
Enrolled.....	1243
126—A bill for an act to amend section 212 of the Code, relating to the salary of the assistant attorney-general.	

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Read first and second time and referred.....	1183
Reported.....	1292
Indefinitely postponed.....	1292
127—A bill for an act to amend section 2581 of the Code, in relation to revoking of certificates and distribution of fees from itinerant licensees	
Read first and second time and referred.....	859
Indefinitely postponed.....	901
127—A bill for an act relating to notice of proof of loss of personal property insured.	
Read first and second time and passed on file.....	921
Reported substitute.....	1191
Adopted.....	1273
Passed.....	1274
Senate concurs.....	1299
Enrolled.....	1323
134—A bill for an act appropriating money to pay expressage, freight and cartage.	
Read first and second time and referred.....	342
Reported.....	362
Passed.....	424
138—A bill for an act to amend section one thousand six hundred and eleven (1611), title nine (9), chapter one (1) of the Code, relating to the authorized indebtedness of certain corporations.	
Read first and second time and referred.....	724
Reported.....	764
Passed.....	831, 832
139—A bill for an act to amend section twenty-five hundred seventy-one (2571) of the Code, relating to time of meetings for local boards of health.	
Read first and second time and referred.....	767
Reported amended.....	917
140—A bill for an act to require railroad companies operating passenger trains in the state of Iowa, to keep posted in their stations bulletins or time cards giving the time of departure of trains.	
Read first and second time and referred.....	723
Reported.....	993
Passed.....	1231
Enrolled.....	1291
141—A bill for an act authorizing the district court to appoint trustees to manage, control and invest funds donated for and on account of cemetery purposes.	
Read first and second time and referred.....	407
Reported amended.....	579
Senate concurred.....	942
Enrolled.....	985
147—A bill for an act appropriating money to defray the expenses of the inauguration ceremonies.	
Read first and second time and referred.....	342
Reported.....	361
Passed.....	422
150—A bill for an act providing for the purchase of engravings, plates and cuts for state publications, and fixing the manner of paying the cost of the same.	

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Read first and second time and referred	390
Reported	438
Passed	519
151—A bill for an act to amend section twenty-five hundred eighty-two (2582) of the Code, relating to the granting of certificates to practice medicine and surgery.	
Read first and second time and referred	468
Reported	819
Indefinitely postponed	873
152—A bill for an act making an appropriation, and providing for the erection of monuments in memory of the Iowa troops on Lookout Mountain and Missionary Ridge, the battle of Chattanooga.	
Read first and second time and referred	1012
Reported	1154
Passed	1174, 1175
Enrolled	1243
153—A bill for an act to repeal chapter 99 of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor, providing for the levy of a special tax of one-fifth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the Iowa State College of Agriculture and Mechanic Arts.	
Read first and second time and referred	613
Reported	746
Amended	1101
Passed	1101
Senate concurs	1131
Enrolled	1144
155—A bill for an act fixing the rules of descent in respect to the property or estate of children by adoption, who die intestate without issue.	
Read first and second time and referred	860
Reported	900
Passed	1119
Enrolled	1244
156—A bill for an act to amend section 3253 of the Code, relating to the rights duties and relations between parent and child by adoption.	
Read first and second time and referred	859
Reported	901
Passed	1119, 1120
Enrolled	1172
157—A bill for an act to validate certain conveyances of real estate in which the husband or wife conveyed the contingent dower interest of the other spouse.	
Read first and second time and referred	297
Reported substitute	453
Adopted	619
Passed	619
Passed Senate amended	888
House concurs	908
Enrolled	986
160—A bill for an act to amend section 2116 of the Code, relating to the duties of railway corporations to transport.	
Read first and second time and referred	291
Reported	366

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Recommitted	490
Amended	597
Passed	597
Reported	679
Indefinitely postponed	735, 736
161—A bill for an act to provide for the support of the hospitals for the insane, and for the transfer of patients on account of the opening of the hospital at Cherokee.	
Read first and second time and referred	429
Reported	655
Passed	1141
Enrolled	1243
163—A bill for an act relating to transfer by treasurer of state to successor of funds.	
Read first and second time and referred	468
Reported substitute	898
Adopted	972
Passed	974
Enrolled	1043
166—A bill for an act to amend section 1675 of the Code, in relation to farmers' county institutes.	
Read first and second time and referred	724
Reported	759
Re-referred	759
Reported	999
Passed	1229
Enrolled	1291
167—A bill for an act to amend section 2794 of the Code of Iowa, relating to the organization of independent districts.	
Read first and second time and referred	921
Reported	980
Passed	1068
175—A bill for an act to amend section twenty-seven hundred thirty-eight of the Code, in relation to the duties of county superintendents.	
Read first and second time and referred	934
Re-referred	983
Reported	1057
Amended	1186
Amendment reconsidered and lost	1246
Passed	1246
Enrolled	1291
176—A bill for an act to create a commission to superintend the completion of the capitol building and repair therefor and appropriating money therefor.	
Read first and second time and referred	1286
Reported	1300
Passed	1303
Enrolled	1358
178—A bill for an act to amend section 3386 of the Code, relating to property rights of persons who feloniously take the life of another.	
Read first and second time and referred	468
Reported	499
Passed	704, 706
Enrolled	802
187—A bill for an act to amend section 1870 of the Code, in relation to limit of liabilities of banks.	
Read first and second time and referred	921
Reported amended	1022
Adopted	1120

SENATE BILLS.

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Passed .....	1121
Enrolled .....	1243
188—A bill for an act to legalize certain instruments in writing which were defectively acknowledged.	
Read first and second time and referred .....	657
Indefinitely postponed .....	560
Motion to reconsider filed .....	690
Recalled from Senate and referred ..	690
Reported substitute .....	939
Passed .....	1007
Senate refused to concur .....	1185
House refused to recede .....	1256
Conference committee appointed .....	1257
Senate passes committee substitute ..	1299
Report of conference committee .....	1314
Concurred in .....	1319
Enrolled .....	1355
189—A bill for an act defining and providing for the taxation of freight lines and equipment companies.	
Read first and second time .....	1335
Passed .....	1335
Enrolled .....	1357
190—A bill for an act to amend section three hundred thirty-seven (337) of the Code, relating to grand and petit jury lists.	
Read first and second time and referred .....	904
Reported .....	938
Passed .....	1026
Enrolled .....	1083
192—A bill to amend section 2572 of the Code, relating to the enforcement of rules and regulations of the state board of health.	
Read first and second time and referred .....	390
Reported .....	565
Passed .....	691
Enrolled .....	720
194—A bill for an act to amend section one hundred twenty (120) of the Code, relating to printing and binding.	
Read first and second time and referred .....	921
Reported .....	1056
Passed .....	1256
Enrolled .....	1291
195—A bill for an act to amend section 3225 of the Code, relating to the support of persons adjudged to be insane.	
Read first and second time and referred .....	550
Reported .....	744
Passed .....	946
Enrolled .....	985
196—A bill for an act to amend section 2267 of the Code, relating to appeals from the findings of commissioners of insanity.	
Read first and second time and referred .....	468
Reported .....	499
Passed .....	638, 639
Enrolled .....	719
197—A bill for an act relating to powers of boards of health and health officers, and the erection and maintenance of pesthouses and hospitals in certain cases.	
Read first and second time and referred .....	550
Passed .....	1063, 1064
Enrolled .....	1107

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198—A bill for an act to amend chapter sixteen (16) of title twelve (12) of the Code, as amended, relating to the powers of boards of health and expenses for caring for persons affected with infectious and contagious diseases.	
Read first and second time and referred .....	551
199—A bill for an act to amend section seven hundred forty-five (745) of the Code of Iowa, as amended by the acts of the Twenty-seventh General Assembly, relating to the purchase and construction of waterworks.	
Read first and second time and referred .....	550
Reported .....	715
Amended .....	695
Passed .....	867
Senate concurs .....	888
200—A bill for an act to amend section eight hundred ninety-four (894) of the Code of Iowa, as amended by the Twenty-sixth General Assembly, relating to the levy of special taxes by cities.	
Read first and second time and referred .....	551
Passed .....	977, 978
Enrolled .....	1043
201—A bill for an act to amend section six hundred fifty-eight (658) of the Code of Iowa, relating to the powers and duties of mayors of cities.	
Read first and second time and referred .....	551
Reported .....	717
Passed .....	278
Enrolled .....	1043
202—A bill for an act to amend section 724 of the Code of Iowa, as amended, relating to certain powers of cities and towns.	
Read first and second time and referred .....	550
Reported .....	717
Passed .....	1025
Enrolled .....	1083
203—A bill for an act to amend section eight hundred twenty-three (823) of the Code of Iowa, relating to notice of the levy of special assessments.	
Read first and second time and referred .....	551
Reported .....	718
Passed .....	278
Enrolled .....	1043
204—A bill for an act providing that chapter twenty-five (25) of the acts of the Twenty-eighth General Assembly, relating to waterworks, be made applicable to cities under special charter.	
Read first and second time .....	721
Passed .....	725
211—A bill for an act relating to the duties of the commissioner of labor statistics, and amending sections 2470, 2471 and 2472 of the Code.	
Read first and second time and referred .....	1183
Reported .....	1226
Passed .....	1262
Enrolled .....	1311
212—A bill for an act to provide for the safety and comfort of laborers and other persons assembled in factories and buildings.	

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Read first and second time and referred	1183
Reported	1220
Amended	1271
Passed	1271
Enrolled	1312
215—A bill for an act to legalize the action of the town council of the incorporated town of Orleans, in Dickinson county, Iowa.	
Read first and second time and referred	637
Passed	643
Enrolled	719
217—A bill for an act to amend section eight (8), chapter fifty-eight (58), of the acts of the Twenty-eighth General Assembly, relative to the construction of street railways upon the state fair grounds.	
Read first and second time and referred	519, 520
Reported	759
Passed	669, 970
Enrolled	1043
218—A bill for an act to provide for the condemnation of a fishway and for the erection of a fishway in the Bonaparte dam; also making an appropriation for the expenses thereof and prescribing penalties for injuring or destroying such fishway.	
Read first and second time and referred	687
Reported	715
Passed	869
Enrolled	1043
220—A bill for an act to amend chapter eighty-three (83) of the acts of the Twenty-eighth General Assembly, in relation to the inspection and use of the products of petroleum.	
Read first and second time and referred	903
Reported	1057
Passed	1091
Enrolled	1045
221—A bill for an act to amend section two thousand, five hundred eight (2508) of the Code, in relation to the inspection and use of the products of petroleum.	
Read first and second time and referred	903
Reported	1057
Passed	1092
Enrolled	1045
223—A bill for an act to amend sections eight hundred fifty (850) and eight hundred fifty-nine (859) of the Code, as amended by the acts of the Twenty-seventh (27) General Assembly and as amended by the acts of the Twenty-eighth (28) General Assembly, in relation to park commissioners in certain cities.	
Read first and second time and referred	1257
Reported	1281
Passed	1288
Enrolled	1358
224—A bill for an act to provide safe means of egress from buildings.	
Read first and second time and referred	1035
Reported	1050
Adopted	1170
Lost on passage	1171
Motion filed to reconsider	1181
Reconsidered	1287

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Lost on passage	1288
226—A bill for an act providing for paying Mrs. Mary Sullivan and Mrs. Maggie J. Edwards damages for personal injuries suffered by them at the State College of Agriculture and Mechanic Arts.	
Read first and second time and referred	980
Re-referred	980
228—A bill for an act to amend section 1082 of the Code, relating to registration on election day.	
Read first and second time and referred	791
Reported	994
Passed	1045, 1046
Motion filed to reconsider	1073
Senate returns	1081
Re-referred	1114
230—A bill for an act for the preservation of life and the protection of property, to require the construction of fire escapes to certain buildings and inclosures now constructed or hereafter to be erected; providing the manner of constructing the same, and imposing penalties for violation thereof.	
Read first and second time and referred	1025
Passed	1050, 1051
Recalled from Senate	1114
Returned	1140
Reconsidered	1140
Amended	1140
Passed	1140
Enrolled	1172
232—A bill for an act to amend section twenty-five hundred and eighty-one (2581) of the Code, in relation to itinerant physicians.	
Read first and second time.	
Passed	1161
Enrolled	1244
234—A bill for an act to authorize the improvement of the channels of meandered streams dividing the territory within the corporate limits of certain cities, and to authorize the reclaiming of wastelands between the meandered lines of said streams within said corporate limits, and to create a commission therefor and defining its powers and prescribing its duties.	
Read first and second time and referred	520
Recalled from committee and substituted for House file 278	575
Made special order	575
Amended	616, 617, 618
236—A bill for an act to amend section seventeen hundred seventy-one (1771) of the Code, in relation to stock or premium notes.	
Read first and second time and referred	220
Reported	682
Passed	1169
Enrolled	1244
243—A bill for an act to amend sections 860, 861 and 862 of the Code, relating to voting taxes for the purchase of real estate for parks and constructing dams and improvements of parks and rivers, condemning real estate for parks, and jurisdiction of cities of the second class and towns.	



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or parks without their corporate limits.	
Read first and second time and referred .....	686
Reported .....	800
Passed amended.....	1027, 1028
Title amended.....	1028
Senate concurs.....	1050
Enrolled .....	1083
250—Relative to creating a board of police and fire commissioners in cities of the first class having a population of more than 60,000, and defining the powers and duties of such boards.	
Read first and second time and referred .....	637
Reported .....	717
Passed .....	785
251—A bill for an act to authorize the improvement and to regulate the use of the Governor's square in the city of Des Moines, for park purposes	
Read first and second time and referred .....	1013
Reported .....	1101
Passed .....	1235
Enrolled .....	1291
253—A bill for an act to amend sections 1946, 1948 and 1951 of the Code, relating to levees, drains and water courses.	
Read first and second time and referred .....	761
Reported .....	801
Passed .....	1066
Enrolled .....	1145
254—A bill for an act repealing section one hundred sixty-one of the Code, and enacting a substitute therefor, providing for the appointment of an expert accountant and an assistant and appropriating money to pay the same, and granting to the executive council power to determine systems of records and accounts to be kept by state officers under certain conditions.	
Read first and second time and referred.....	921
Reported.....	938
Passed.....	1137, 1138
Enrolled .....	1172
256—A bill for an act to amend sections ten hundred sixty-seven (1067) and two hundred sixteen (216) of the Code, concerning the election, appointment, terms, compensation and duties of the supreme court reporters.	
Read first and second time and referred .....	1183
Reported amended.....	1300
Lost on passage.....	1301, 1302
259—A bill for an act to repeal sections 2, 3, 6 and 7 of chapter 45, acts of the Twenty-eighth General Assembly, and to enact and substitute therefor, and to amend section 1, chapter 45, acts of the Twenty-eighth General Assembly, relating to taxation of express companies.	
Read first and second time and passed	508
Enrolled .....	512
260—A bill for an act to amend sections 1328, 1329 of the Code, and to amend sections 3 and 4 of chapter 42, acts of the Twenty-eighth General As-	

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sembly, relating to reports by and taxation of telegraph and telephone companies, and requiring said companies to file with county auditors maps and schedules of their lines.	
Read first and second time and referred.....	1051
Amended.....	1094
Passed.....	1095
261—A bill for an act establishing the rank of commandant and instructor of military science and tactics in state educational institutions.	
Read first and second time and referred .....	761
Recalled .....	773
Passed.....	773, 774
Enrolled .....	846
264—A bill for an act to fix the number of senators in the general assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the state into senatorial districts.	
Read first and second time.....	1331
Passed.....	1331, 1332
Enrolled.....	1358
267—A bill for an act to amend section 2604 of the Code, relating to the appointment of officers for the Soldiers' Home	
Read first and second time and referred.....	805
Reported.....	808
Passed.....	942, 943
Enrolled.....	985
268—A bill for an act to amend section 586 of the Code, relating to the care and maintenance of cemeteries by boards of township trustees.	
Read first and second time and referred .....	761
Reported.....	801
Passed .....	943, 944
Enrolled.....	985
269—A bill for an act to amend section 2604 of the Code, relating to the compensation to be allowed to the adjutant, quartermaster and surgeon of the Iowa Soldiers' Home.	
Read first and second time and referred .....	1012
Reported.....	1238
Passed amended.....	1340
Senate concurs.....	1349
Enrolled .....	1358
271—A bill for an act to legalize the publication of notice and vote for the incorporation of the town of Gravity.	
Read first and second time and referred .....	806
Reported.....	900
Passed.....	1198, 1199
Enrolled .....	1267
272—A bill for an act to legalize the election held in the county of Osceola and state of Iowa, on the 5th day of November, 1901, and the propositions submitted at said election for the purpose of building a courthouse and jail at Sibley in said county, and borrowing money and issuing bonds therefor, and the manner of payment of said bonds issued for said purposes, and all of the proceedings of the board of	

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supervisors of said county, with reference to said matter.	
Read first and second time and referred	686
Passed	765
Reported	769
Passed	821
273—A bill for an act to repeal chapter 69 of the laws of the Twenty-eighth General Assembly, regulating the practice of osteopathy in the state of Iowa and enacting a substitute therefor.	
Read first and second time and passed on file	106
Passed	1110, 1111
Enrolled	1172
274—A bill for an act to amend section one hundred sixty-four (164) and section one hundred sixty-five (165) of the Code, relating to powers and duties of the executive council.	
Read first and second time and referred	920
Reported	938
Passed	976, 977
Enrolled	1044
275—A bill for an act to amend section 2711 of the Code, in regard to the discharge or parole of inmates of the industrial schools	
Read first and second time and referred	1012
Senate requests return	1088
Senate requests return of	1096
276—A bill for an act relative to appropriating seven thousand dollars, or so much thereof as is necessary, to supply the Indians on the reservation in Tama county, with substitute for things to be destroyed on account of being infested with disease.	
Read first and second time and referred	495
278—A bill for an act making an appropriation for the erection of a monument in Forest Home cemetery, Mt. Pleasant, Iowa, in remembrance of one Charles Shepherd, and providing the method of such erection.	
Read first and second time	1195
Passed	1195
Enrolled	1267
281—A bill for an act to repeal section 747 of the Code, as amended, relating to the appointment of waterworks trustees in cities of the first class, and to enact a substitute therefor.	
Read first and second time	637
Passed	638
283—A bill for an act to legalize the incorporation of Rudd, Floyd county.	
Read first and second time and referred	637
285—A bill for an act to amend section 2086 of the Code, relating to the voting of taxes in aid of railways.	
Read first and second time and referred	1169
Recalled from committee	1110
Passed	1124
Enrolled	1172
286—A bill for an act to legalize the acts of boards of waterworks trustees in cities of the first class, and cities acting under special charters, under appointment made by the district courts of Iowa.	
Read first and second time	878

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Passed	879
289—A bill for an act to amend section 2501 of the Code in relation to annual reports and bulletins to be published by the state.	
Read first and second time and referred	1013
Indefinitely postponed	1056
290—A bill for an act amending section 1334 of the Code, and repealing section 1335 and section 1336 of the Code, and enacting substitute therefor, in relation to railway taxation, and providing for the publishing of proceedings of said council and directing the payment of expenses provided for by this act.	
Read first and second time and referred	723
Reported	962
Indefinitely postponed	965
291—A bill for an act to amend chapter 93 of the acts of the Twenty-eighth General Assembly, relating to the practice of veterinary medicine, surgery and dentistry.	
Read first and second time and referred	805
Reported	518
Passed	1003
Enrolled	1083
294—A bill for an act to legalize the incorporation of the town of Minden, Pottawattamie county, the election of its officers, the passage and record of its ordinances and resolutions, and all acts done by the council of said town.	
Read first and second time	710
Passed	710
Enrolled	802
295—A bill for an act to amend section 1610 of the Code, relating to limitation of insurance risks.	1325
Read first and second time	1338
Passed	1339
Enrolled	1358
296—A bill for an act to provide for the publication of an edition of seven thousand five hundred (7,500) copies of the Code.	
Read first and second time and referred	723
Passed	780
Enrolled	846
297—A bill for an act amending sections two thousand five hundred forty (2540), two thousand five hundred fifty-one (2551), two thousand five hundred fifty-six (2556), two thousand five hundred sixty-one (2561) of the Code; and section two thousand five hundred thirty-nine (2539) of the Code as amended by chapter sixty-four (64) of the laws of the Twenty-seventh (27th) General Assembly; repealing section five (5) of chapter sixty-four (64) of the laws of the Twenty-seventh General Assembly, and making further provisions additional to said chapter fifteen (15), title twelve (12) of the Code, relating to the care and propagation of fish and the protection of birds and game.	
Read first and second time and referred	1035
Reported	1086
Passed	1169, 1170

SENATE BILLS.

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298—A bill for an act to appropriate money to pay the custodian's employes for the month of March, A. D., 1902.	
Read first and second time.....	933
Passed.....	958
Enrolled.....	1044
299—A bill for an act amendatory of chapter 4, title 10, of the Code, to enable the United States of America to take private property for public improvements.	
Read first and second time.....	621
Reported amended.....	937
Adopted.....	972
Passed.....	972
Enrolled.....	1044
303—A bill for an act to amend chapter 92 of the acts of the Twenty-eighth General Assembly, in relation to pension money of members of the Iowa Soldiers' Home at Marshalltown, Iowa.	
Read first and second time and referred.....	1012
Reported.....	1037
Passed.....	1255
Enrolled.....	1291
304—A bill for an act to authorize the granting to the Chicago, Burlington & Quincy Railroad company, its successors or assigns, a right of way through lands owned by the state and used by the Institution for the Feeble-Minded Children at Glenwood.	
Read first and second time.....	626
Passed.....	626
Motion filed to reconsider.....	639
Recalled.....	644
Reconsidered.....	762
Referred.....	762
Reported amended.....	800
Passed.....	807
Senate concurs.....	816
Enrolled.....	846
313—A bill for an act to repeal section four hundred seventy-nine (479) of the Code of Iowa, relating to the compensation of county auditors and to enact a substitute therefor.	
Read first and second time and referred.....	1257
Reported.....	1292
Lost on passage.....	1302, 1303
316—A bill for an act to amend section three thousand six hundred fifty-one (3651) of the Code, relating to method of trial in ordinary actions after reversal in the supreme court.	
Read first and second time and referred.....	1060
Indefinitely postponed.....	1103, 1104
318—A bill for an act appropriating money to pay certain expenses in the case of the State of Iowa v. McFarland and others.	
Read first and second time and referred.....	860
Reported, re-referred.....	901
Reported.....	1143
Lost on passage.....	1273
327—A bill for an act to legalize acknowledgments taken and certified according to the form and provisions of the Code of 1873, and by the officers therein authorized to take and certify acknowledgments.	
Read first and second time and referred.....	1012

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328—A bill for an act to provide for the inspection, recognition and supervision of schools for the instruction and training of teachers for the common schools and providing for the licensing of the graduates of the same.	
Read first and second time.....	1162
Passed.....	1163
Enrolled.....	1244
337—A bill for an act defining the crime of sodomy.	
Read first and second time.....	922
Passed.....	922
Enrolled.....	985
340—A bill for an act to amend section 2, chapter 25, acts of the Twenty-eighth General Assembly, relative to disbursements of tax money levied and collected for and on account of waterworks.	
Read first and second time and referred.....	921
Reported.....	981
Amended and passed.....	1189
Senate concurs.....	1216
Enrolled.....	1291
342—A bill for an act to amend section 2410 of the Code, relating to sale of intoxicating liquors and the abatement of nuisances.	
Read first and second time and referred.....	1257
Reported.....	1289
Passed.....	1289
Enrolled.....	1323
345—A bill for an act to amend section 23 of chapter 118 of the acts of the Twenty-seventh General Assembly, providing for the payment of expenses of the state architect.	
Read first and second time and referred.....	1286
Reported.....	1300
Passed.....	1304
Enrolled.....	1358
346—A bill for an act to amend section 3426 of the Code, relating to binding minors as apprentices and appointment of guardians of minors in certain cases.	
Read first and second time and referred.....	1024
Reported amended.....	1054
Passed.....	1252
347—A bill for an act to amend section 325, relating to the removal or suspension of attorneys, and the payment of costs and fees therefor.	
Read first and second time and referred.....	1035
Reported.....	1104
Passed.....	1254
Enrolled.....	1291
348—A bill for an act amending chapter 13 of the Code, and chapter 69 of the acts of the Twenty-eighth General Assembly, relating to building and loan associations, and defining and regulating the same.	
Read first and second time and referred.....	1131
349—A bill for an act to amend section 1998 of the Code, relating to depot grounds of railway corporations.	
Read first and second time and referred.....	970
Reported.....	994
Passed.....	1239
Enrolled.....	1292

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358—A bill for an act to amend section 1611 of the Code, relating to the indebtedness of corporations.	
Read first and second time and referred .....	1257
Indefinitely postponed. ....	1313, 1314
360—A bill for an act in relation to the examination of shot examiners in coal mines and defining their duties.	
Read first and second time and referred .....	1109
Reported .....	1239
Recalled from committee .....	1293
Passed .....	1293, 1294
Enrolled .....	1323
362—A bill for an act to fix the compensation of waterworks trustees in special charter cities.	
Read first and second time and referred .....	1109

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Amended .....	1296
Passed .....	1297
Senate concurs .....	1316
Enrolled .....	1358
365—A bill for an act making appropriations to the Iowa State College of Agriculture and Mechanic Arts, the State University and the State Normal school.	
Read first and second time .....	1336
Amended .....	1336
Passed .....	1337
Enrolled .....	1358
366—A bill for an act to make appropriations for the payment of state and judicial officers, state and other expenses.	
Read first and second time and passed .....	1354
Enrolled .....	1357

# JOURNAL OF THE HOUSE.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 13, 1902. }

Pursuant to law, the House of Representatives of the Twenty-ninth General Assembly, convened at 10 o'clock A. M., Monday, January 13, A. D., 1902.

The House was called to order by the Hon. H. E. Teachout, of Polk county.

Prayer was offered by the Rev. A. E. Griffiths, of Des Moines.

Mr. Sweet moved that S. M. Cart be elected temporary chief clerk.

Carried.

The Speaker appointed Messrs. Sweet and Jaeger as a committee to escort the temporary chief clerk to the desk.

Mr. Cart was escorted to the desk and sworn in.

Mr. Clarke moved that O. O. Tibbitts be made temporary first assistant clerk, and Roy E. Burns, second assistant clerk.

Carried.

The Speaker appointed Messrs. Graff and Dodds to escort the newly-elected first and second assistants to the desk.

Mr. Wilson of Washington moved that Miss Olive Tamplin be elected temporary engrossing clerk; F. W. Dusey, as temporary enrolling clerk; W. J. Scott, temporary doorkeeper, and C. E. Stall-cop, temporary sergeant-at-arms.

Carried.

Mr. Eiker moved that remaining temporary positions be filled by the officers of the Twenty-eighth General Assembly present.

Carried.

The following temporary officers were sworn in:

O. O. Tibbitts, first assistant clerk.

Roy E. Burns, second assistant clerk.

Olive Tamplin, engrossing clerk.

F. W. Dusey, enrolling clerk.

A. U. Swan, journal clerk.

W. J. Scott, doorkeeper.

C. E. Stallcop, sergeant-at-arms.

Noah Crook, Speaker's page.

William Keys, assistant doorkeeper.

Bert E. Barnes, assistant doorkeeper.

J. D. Ludwig, assistant doorkeeper.

Roy Parsons, page.

Mr. Buchanan moved that Mr. Meservey be selected temporary chairman.

Motion prevailed.

The Speaker named Messrs. Buchanan and Greeley as a committee to escort Mr. Meservey to the chair.

Mr. Meservey was then duly sworn in, and took the gavel as Temporary Chairman.

Mr. Eiker made the following motion:

I move that a committee of five persons claiming to be members of the House be selected by the Speaker on credentials; and that the official list prepared by the Secretary of State be declared the credential list except where there is a contest.

Motion prevailed.

The speaker appointed as this committee Messrs. Eiker Boysen, Cowles, Marshall and Nichols.

Mr. Jones moved that the House take a recess until such time as the committee on credentials shall be ready to make its report.

Motion prevailed.

House called to order.

The committee on credentials made the following report:

MR. SPEAKER—We, your committee on credentials, respectfully report that we find the following named gentlemen designated by the list prepared

by the Secretary of State as duly elected and entitled to a seat in the House of Representatives of the Twenty-ninth General Assembly.

B. L. EIKER,  
 ASMUS BOYSEN,  
 GARDNER COWLES,  
 S. T. MARSHALL,  
 J. I. NICHOLS.

Anderson, J. M., Bailey, M. Z., Barker, W. K., Barkley, Alonzo J., Bealer, E. J. C., Black, Charles W., Blakemore, W. D., Boysen, Asmus, Buchanan, A. W. Calderwood, M. H. Campbell, R. C., Carden, William, Carter, Chas. W., Cassell, Andrew F., Cheney, A. H., Christianson, Geo. P., Clarke, Geo. W., Coburn, Geo. F., Colclo, C. C., Cowles, Gardner, Crouse, Clinton, S., Cruikshank, J. P., Cummings, B. F., Davenport, D., Dodds, William D., Donohue, Timothy, Dunham, Geo. W., Eaton, Willard Lee, Edwards, M. F., Eiker, B. L., English, Emory H., Fields, E. A., Flenniken, J. C., Freeman, W. H., Frudden, A. F., Furry, Mark J., Gilchrist, F. C., Graff, Valentine, Greeley, W. M., Greene, Robert A., Hamann, Albert W., Hasselquist, R. A., Hawk, Wm. W., Head, Mahlon, Hertert, E. M. Hilsinger, Geo. Hufschmidt, Robt., Hughes, Jr., John, Hurn, David W., Jaeger, Louis M., Jenks, John H., Jones, Wm. G., Keagy, H. R., Kendall, N. E., Kerr, Wm. G., Kling, H. B., Kolthoff, John H., Koontz, Geo. W., Langan, Hugh, Langan, Raymond C., Larrabee, Jr., Wm., Leech, Louis, J., Lyman, J. P., McClure, W. H., McClurkin, E. L., McNie, Malcolm F., Marshall, Sabret T., Mattes, Joseph, Meservey, S. T., Moore, Samuel A., Mordhorst, Charles, Nagle, Lee, Nichols, J. I., Patton, D. J., Payne, Frank S., Pipher, John, Powers, P. H., Pritchard, J. S., Robinson, B. F., Roome, John S., Secor, Eugene, Sokol, F. J., Springer, L. F., Stratton, Cyrus L., Stuckslager, W. C., Sweeley, Marlin J., Sweet, Burton E., Teachout, H. E., Temple, M. L., Townsend, D. J., Utterback, A. M., Walden, T. P., Walters, Chas. E., Warren, J. L., Whiting, Will C., Willett, John T., Wilson, Charles J., Wise, Chas. A., Wilson, A. J., Wright, Nate.

Mr. Barkley moved that the report be adopted.

The motion prevailed.

The members assembled at the desk and subscribed to the following oath:

You and each of you do solemnly swear that you will support the constitution of the United States and the constitution of the State of Iowa, and that you will faithfully perform the duties of the office of Representative according to the law and to the best of your ability.

Signed: J. M. Anderson, M. Z. Bailey, W. K. Barker, A. J. Barkley, E. J. C. Bealer, C. W. Black, Wyatt D. Blakemore, Asmus Boysen, A. W. Buchanan, M. H. Calderwood, R. C. Campbell, W. Carden, C. W. Carter, A. F. Cassell, A. H. Cheney, Geo. P. Christianson, Geo. W. Clarke, Geo. F. Coburn, C. C. Colclo, Gardner Cowles, C. S. Crouse, J. P. Cruikshank B. F. Cummings, D. Davenport, W. D. Dodds, Timothy Donahue, Geo. W. Dunham, M. F. Edwards, W. L. Eaton, B. L. Eiker, Emory H. English, E.

A. Fields, J. C. Flenniken, W. H. Freeman, A. F. Frudden, Mark J. Furry, F. C. Gilchrist, Valentine Graff, W. M. Greeley, Robert A. Greene, Albert W. Hamann, R. A. Hasselquist, W. W. Hawk, Mahlon Head, E. M. Hertert, G. E. Hilsinger, Robt. Hufschmidt, John Hughes, Jr., D. W. Hurn, Louis M. Jaeger, J. H. Jenks, W. G. Jones, H. R. Keagy, N. E. Kendall, Wm. G. Kerr, H. B. Kling, John H. Kolthoff, Geo. W. Koontz, R. Langan, Hugh Langan, Wm. Larrabee Jr., L. J. Leech, J. P. Lyman, W. H. McClure, E. L. McClurkin, M. F. McNie, Sabret T. Marshall, Joseph Mattes, S. T. Meservey, Samuel A. Moore, Chas. Mordhorst, Lee Nagle, J. I. Nichols, D. J. Patton, Frank S. Payne, John Pipher, P. H. Powers, J. S. Pritchard, B. F. Robinson, J. S. Roome, Eugene Secor, F. J. Sokol, L. F. Springer, C. L. Stratton, W. C. Struckslager, Marlin J. Sweeley, Burton E. Sweet, H. E. Teachout, M. L. Temple, D. J. Townsend, A. M. Utterback, T. P. Walden, C. E. Walters, J. L. Warren, Will C. Whiting, J. T. Willett, A. J. Wilson, C. J. Wilson, C. A. Wise, Nate Wright.

Mr. Kerr moved that the House now proceed to selection of permanent officers.

Carried.

Mr. Payne placed in nomination for speaker of the House for the Twenty-ninth General Assembly, Hon. W. L. Eaton of Mitchell.

The roll was then called with the following result.

Those voting for Mr. Eaton were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassell, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Struckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright.—99.

The nays were:

None



Absent or not voting:

Mr. Eaton—I.

Mr. Eaton was then declared duly elected Speaker of the House.

Messrs. Payne and Cruikshank were appointed to escort the new Speaker to the chair. The Speaker was duly sworn in. The Speaker then in a brief speech thanked the members for the honor which they had conferred upon him.

Mr. Furry offered the following resolution and moved its adoption:

*Resolved*, That the following named persons be elected permanent officers of the House of Representatives of the Twenty-ninth General Assembly.

For chief clerk, C. R. Benedict.

For first assistant clerk, John Crockett.

For second assistant clerk, John Cook.

For journal clerk, Ford Howell.

For assistant journal clerk, Harry E. Griffin.

For engrossing clerk, Mollie Heist.

For enrolling clerk, Emma Wheeler.

For file clerk, C. F. Schell.

For bill clerk, Bessie Conger.

For assistant postmistress, Hester Runyan.

For seargeant-at-arms, C. W. Reynolds.

For chief door keeper, J. B. Lewis.

For assistant door keepers, J. O. Lias, John DeBoos, T. W. Hazelton, F. C. Fritz, M. Fritzpatrick, R. P. Harris, W. S. Page, Robt. Blizzard, J. A. Wilson.

For janitors, Nate Middleton, R. N. Hyde, C. F. Wright, Ed. Ross.

For pages, Samuel Moore, Earl W. Riley, Wilmot J. Long, Harry Sokol, Larkin Crawford, Clarence Miller, Roscoe G. Conklin, Richard Woodruff, Bertie H. Winslow.

Mr. Jaeger offered the following resolution and moved its adoption as a substitute for the resolution of Mr. Furry.

*Resolved*, That the following named candidates for the offices herein named be substituted for those presented by the gentleman from Hardin:

First assistant clerk, J. A. Bridges.

Second assistant clerk, James Gamb'e.

Engrossing clerk, Miss Hattie Gallager.

Enrolling clerk, Miss Fannie Kinsella.

Assistant postmistress, Miss Ida Welsing.

Journal clerk, Stephen Tilson.

File clerk, J. J. McMahon.

Bill clerk, Ralph Fuller.

Sergeant-at-arms, W. J. Miller.

Chief doorkeeper, Ed. Kamer.

Assistant doorkeepers, Geo. G. Haessig, C. E. Bagg, John Schmidt, Berry Chadwick, John Conway, Louis Vonstine, Henry Dehner.

Janitor, Ed. Martin.

Pages, Arnold Jaeger, Frank Posten, Willie Vogel, Juinetta Caldwell  
Eddie Frudden, Carl Powers, Henry Dodds.

Mr. Jaeger demanded the yeas and nays.

On the question, shall the substitute be adopted?

The yeas were:

Messrs. Colclo, Cruikshank, Davenport, Dodds, Frudden, Hertert, Hufschmidt, Jaeger, Koontz, Langan, of Clinton, Marshall, Mordhorst, Springer, Utterback, Walters, Whiting—16.

The nays were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassell, Cheney, Christianson, Clarke, Coburn, Cowles, Crouse, Cummings, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hughes, Hurn, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan, of Crawford, Larrabee, Leach, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Walden, Warren, Willett, Wilson, of Buena Vista, Wilson, of Washington, Wise, Wright, Mr. Speaker—84.

Absent or not voting:

None.

So the substitute was lost.

On the question, Shall the Resolution of Mr. Furry be adopted?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassell, Cheney, Christianson, Clarke, Coburn, Cowles, Crouse, Cummings, Donahue, Dunham, Edwards, Eiker, English,

Fields, Flenniken, Freeman, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hughes, Hurn, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan, of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Walden, Warren, Willett, Wilson, of Buena Vista, Wilson, of Washington, Wise, Wright, Mr. Speaker—84,

The nays were:

None.

Absent or not voting:

Messrs. Colclo, Cruikshank, Davenport, Dodds, Frudden, Hertert, Hufschmidt, Jaeger, Koontz, Langan, of Clinton, Marshall, Mordhorst, Springer, Utterback, Walters, Whiting—16.

So the resolution was declared adopted and the persons named therein declared elected.

The newly elected permanent officers then assembled at the Clerk's desk and subscribed to the following oath:

You do solemnly swear to support the Constitution of the United States and the State of Iowa and that you will faithfully perform the duties of your office to the best of your ability:

Signed: C. R. Benedict, John Crockett, John Cook, Ford Howell, Harry E. Griffin, Mollie Heist, Emma Wheeler, C. F. Schell, Bessie Conger, Hester Runyan, C. W. Reynolds, J. B. Lewis, J. O. Lias, John Deboos, T. W. Hazelton, F. C. Fritz, M. Fitzpatrick, R. P. Harris, W. S. Page, Robt. Blizzard, J. A. Wilson, Nate Middleton, R. N. Hyde, C. F. Wright, Ed Ross, Samuel Moore, Earl W. Riley, Wilmot J. Long, Harry Sokol, Larkin Crawford, Clarence Miller, Roscoe G. Conklin, Richard Woodruff, Bertie H. Winslow.

Mr. Sweeley moved that all papers relating to the contest from Plymouth be presented and read.

Carried.

The following relative to the contest of Cottrell vs. Fields was filed:

Before the House of Representatives of the Twenty-ninth General Assembly of the State of Iowa:

In the matter of the contest for the office of Representative from the Seventy-eighth District of Iowa.

J. C. Cottrell, Contestant.

vs.

E. A. Fields, Incumbent.

NOTICE OF CONTEST.

*To E. A. Fields:*

You are hereby notified that on or before the 24th day of December, 1901, there will be filed in the office of Secretary of State, of the State of Iowa, the statement of J. C. Cottrell contesting your right to a seat in the twenty-ninth General Assembly of the said State of Iowa, as the representative from the Seventy-eighth Representative District, and alleging that he has been duly and legally elected to the said office and asking that he be given his seat therein.

You are further notified that a copy of the said statement of contest is attached to this notice and that the said matter will come before the said House of Representatives for its decision, upon the convening of the said General Assembly.

Dated this 11th day of December, 1901.

J. C. COTTRELL, *Contestant.*

WM. C. MILLER,

*Attorney for Contestant.*

Before the House of Representatives of the Twenty-ninth General Assembly of the state of Iowa:

In the matter of the contest for the office of Representative from the Seventy-eighth district of Iowa.

J. C. Cottrell, Contestant,

vs.

E. A. Fields, Incumbent.

STATEMENT FOR CONTEST.

Comes now J. C. Cottrell, contestant, and for his statement of grounds of contest, says:

That he is and for several years last past has been a resident citizen of the United States, of the state of Iowa and an elector of the county of Plymouth in said state, now and heretofore constituting the Seventy-eighth Representative district of said state and is qualified to hold the office of Representative therefrom.

That, at the general election he'd in said district on the 5th day of November, 1901, this contestant was a candidate for the office of Representative from said district in the General Assembly of said state, duly nominated by the democratic electors of said district.

That, as such candidate, this contestant's name was duly and legally printed and appeared upon the official ballot used and voted by the electors of said district voting at said election.

That the incumbent, E. A. Fields, was also a candidate for said office, nominated by the republican electors of said district and his name was upon said ballot as a candidate for said office.

That, at said election, the electors of said district cast a large number of ballots for contestant for the said office of Representative and contestant alleges that the whole number of legal votes so cast for him was in excess of the number of legal votes cast for the incumbent and that this contestant received and there were so cast for him a larger number of said ballots than were cast for said incumbent and a larger number than were cast for any other candidate voted for at said election, for said office.

But contestant alleges, that the judges of election and canvassers of said votes, in each and every township and voting precinct within said district, erroneously and illegally rejected and failed and refused to count for him many of the ballots so cast for this contestant and erroneously and illegally counted many of the ballots cast for this contestant as being cast for the incumbent that the said canvassers and judges in each and every precinct in said district illegally and erroneously received and counted for the said incumbent many ballots cast by said electors which were not legally marked as required by law to entitle them to be counted as votes and which were not legal ballots and should not have been counted as such.

Contestant further alleges that the number of legal ballots cast for him at said election which said judges and canvassers refused to count for him, together with the number of legal ballots cast for him which the said judges and canvassers counted for the incumbent which should not have been counted for him were sufficient to change the result of the said election and elect this contestant to said office.

That, upon the canvass of the returns of said election so held and erroneously counted by the judges thereof, the Board of Supervisors of the said county of Plymouth; constituting the said Seventy-eighth Representative District, did on the 11th day of November, 1901, declare the said incumbent elected to the said office, but contestant alleges that by reason of the matters hereinbefore set out the said incumbent was not legally elected to the said office and this contestant was elected as the representative from said district and is entitled to his seat as such.

WHEREFORE, This contestant prays that this Honorable House of Representatives order that the ballots cast at said election within the said district be recounted; that contestant be declared elected and that he be admitted to his seat as such Representative and member of the General Assembly.

J. C. COTTRELL,  
*Contestant.*

STATE OF IOWA, }  
PLYMOUTH COUNTY, } ss.

I, J. C. Cottrell, being duly sworn, state; that I am the contestant above named in the foregoing statement of contest; that I have read said statement of contest and know the contents thereof and that the allegations therein contained are true as I believe.

J. C. COTTRELL.

Subscribed in my presence and sworn to before me, by the above named J. C. Cottrell, this 16th day of December, 1901.

JOHN B. PHELPS,

*Notary Public within and for Plymouth County, Iowa.*

STATE OF IOWA, }  
PLYMOUTH COUNTY, } ss.

I, O. F. Herron, sheriff of said county, hereby certify and return, that I received the within notice of contest and notice of statement for service on the 20th day of December, 1901, and that on the 21st day of December, 1901, I served the same on the within named E. A. Fields, incumbent, by reading the within notice of contest and notice of statement to him personally or by offering to read the same to him, which he waived, and by delivery to him of a true copy thereof, all done in Portland township, Plymouth county, Iowa.

Dated this 21st day of December, 1901.

O. F. HERRON,

*Sheriff of Plymouth County, Iowa.*

BY J. A. BEEKER,

*Deputy.*

Fees:  
Service.....\$ .50  
Copy..... 1.00  
Mileage..... 2.50  

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\$4.00

Mr. Sweeley moved that a committee of seven be appointed to which all papers and other matters relating to the contest from Plymouth county be referred.

Carried.

Mr. Teachout moved that a committee of six be appointed from the House to confer with a like committee from the Senate to make arrangements for the inaugural ceremony.

Carried.

Mr. Carter offered the following resolution and moved its adoption:

*Resolved,* That the House now proceed to the selection of seats in the following manner: All members shall vacate the seats and occupy the lobby in the rear. Slips of paper, each containing the name of one member of the House, shall be placed in a box or hat by two tellers to be appointed by the Speaker, and after being thoroughly shaken, the slips shall be drawn out one by one by the Acting Clerk at the desk and handed to the tellers who shall announce the name so drawn and such member shall immediately select his seat and state to the tellers the number thereof, and shall at once occupy the same until the drawing is finished. The tellers shall make a record of the name and number so drawn. All members having defective hearing or sight may first choose seats.

Mr. Kendall moved to amend the resolution as follows:

That Col. Samuel A. Moore of Davis, because of his extended legislative and military experience and advanced age, be accorded the privilege of selecting his own seat at this time.

Carried.

Resolution as amended, adopted.

The Speaker then appointed Messrs. Keagy and Cruikshank as tellers for selection of seats.

The drawing for seats resulted as follows:

Anderson, 90; Bailey, 86; Barker, 73; Barkley, 6; Bealer, 78; Black, 12; Blakemore, 5; Boysen, 30; Buchanan, 60; Calderwood, 91; Campbell, 84; Carden, 98; Carter, 35; Cassel, 14; Cheney, 25; Christianson, 76; Clarke, 93; Coburn, 43; Colclo, 51; Cowles, 39; Crouse, 95; Cruikshank, 59; Cummings, 22; Davenport, 21; Dodds, 67; Donahue, 34; Dunham, 100; Edwards, 8; Eiker, 56; English, 50; Fields, 97; Flenniken, 64; Freeman, 2; Frudden, 47; Furry, 66; Gilchrist, 37; Graff, 71; Greeley, 29; Greene, 96; Hamann, 70; Hasselquist, 80; Hawk, 24; Head, 26; Hertert, 57; Hilsinger, 87; Hufschmidt, 17; Hughes, 68; Hurn, 75; Jaeger, 53; Jenks, 4; Jones, 83; Keagy, 85; Kendall, 58; Kerr, 38; Kling, 16; Kolthoff, 1; Koontz, 65; Langan of Clinton, 49; Langan of Crawford, 27; Larrabee, 94; Leech, 88; Lyman, 42; McClure, 46; McClurkin, 72; McNie, 11; Marshall, 55; Mattes, 62; Meservey, 89; Moore, 40; Mordhorst, 23; Nagle, 52; Nichols, 36; Patton, 32; Payne, 77; Pipher, 18; Powers, 7; Pritchard, 28; Robinson, 74; Roome, 69; Secor, 44; Sokol, 3; Springer, 15; Stratton, 41; Stuckslager, 92; Sweeley, 45; Sweet, 10; Teachout, 48; Temple, 79; Townsend, 20; Utterback, 19; Walden, 9; Walters, 63; Warren, 54; Whiting, 61; Willett, 82; Wilson of Buena Vista, 99; Wilson of Washington, 81; Wise, 33; Wright, 31; Mr. Speaker, 13.

Senators Moffitt, Bishop and Mardis appeared and informed the House that the Senate was duly organized and ready for business.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

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

Concurrent resolution relative to joint committee to select additional employes and fix their compensation.

*Resolved*, By the Senate, the House concurring, that a joint committee of three from each House be appointed to nominate such additional employes, other than committee clerks, as may be deemed necessary for the session, and to recommend the position and compensation of each.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Mr. Lyman, House concurred.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

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

Concurrent resolution relating to a joint committee to make arrangements for the inauguration of Governor and Lieutenant-Governor and for the naming of Senators.

*Resolved*, By the Senate, the House concurring, that the President of the Senate appoint a committee of six to act in concert with a like committee from the House to make suitable arrangements for the inauguration of Governor and Lieutenant-Governor and for the naming of Senators.

GEO. A. NEWMAN,  
*Secretary.*

Mr. Buchanan moved that House concur in the joint resolution just read.

House concurred.

The speaker appointed the following committee on inauguration.

Teachout of Polk.  
Larrabee of Fayette.  
Cummins of Marshall.  
Gilchrist of Pocahontas.  
Nagle of Van Buren.  
Whiting of Monona.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

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

Relative to a joint session of the two houses.

*Resolved*, By the Senate, the House concurring: That a joint session of the two houses be held on Tuesday, January 14th, at 2 o'clock P. M., for the purpose of canvassing the vote for Governor and Lieutenant-Governor.

G. A. NEWMAN,  
*Secretary.*



On motion of Mr. Teachout, House concurred.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

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

Concurrent resolution for joint committee to employ mail carrier.

*Resolved*, By the Senate, the House concurring: That a joint committee of three from each house be appointed to confer and nominate a candidate for mail carrier.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Mr. Head, House concurred.

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

Carried.

The Speaker appointed as this committee Messrs. Lyman, Coburn and Wright.

Mr. Warren offered the following resolution, and moved its adoption:

*Resolved*, That a committee consisting of three members be appointed by the Speaker to grant, assign and arrange the clerks for the standing committees of the House.

Adopted.

Mr. English offered the following resolution, and moved its adoption:

*Resolved*, That J. C. Kirkman be allowed to place his barber chairs in the cloak room of the House during the session of the Twenty-ninth General Assembly.

Resolution adopted.

On motion of Mr. Black, House adjourned, to meet at 2:30

P. M.

## AFTERNOON SESSION.

The House met at 2:30 P. M.

Speaker Eaton in the chair.

Mr. English at this juncture presented the Speaker an elegant mahogany-handled, ebony gavel, made from a log 100 years old secured at the island of Luzon by Captain Amos W. Brandt, of Des Moines, of the Thirty-second United States Volunteers.

Mr. Jones moved that a committee of two be appointed to inform the Governor that the House is in readiness to receive any message.

Carried.

Mr. Dunham in the chair at 2:45 P. M.

Mr. Temple offered the following concurrent resolution and moved its adoption.

*Resolved, By the House of Representatives, the Senate concurring: That the Governor of the state be invited to read his message before the two houses of the General Assembly, in joint convention assembled, and that a joint committee of two from each house be appointed to convey their invitation to the Governor.*

*Resolved, That if the invitation be accepted the reading of the message shall, if agreeable to the Governor, be the first business in order when the joint convention shall assemble for the purpose of canvassing the votes for the office of Governor and Lieutenant-Governor.*

Adopted.

Mr. Temple moved that we proceed to the election of a Speaker *pro tem*.

Carried.

Mr. Temple placed in nomination the name of N. E. Kendall for Speaker *pro tem*. and moved that he be elected.,

Carried.

Mr. Kendall was declared duly elected.

Messrs. Temple and Davenport were appointed a committee to escort Mr. Kendall to the chair.

Mr. Kendall was duly sworn and took the chair.

Mr. Eiker offered the following resolution and moved its adoption:

*Resolved*, That a committee of three be appointed by the Speaker to arrange with the different ministers of the state for opening the sessions with prayer.

Adopted.

The Speaker appointed as such committee Messrs. Eiker, Greeley, and Wilson of Washington.

The Speaker appointed the following committee on additional help and their compensation: Messrs. Temple, Larrabee, and Furry.

Mr. Jones moved that the rules of the Twenty-eighth General Assembly be adopted as the rules of the Twenty-ninth General Assembly until superseded by new rules.

Carried.

Mr. English moved that the Speaker of the House and the Chief Clerk be allowed each a page.

Carried.

Mr. Black offered the following resolution, and moved its adoption:

*Resolved*, That a committee of three be appointed by the Speaker whose duty it shall be to determine the amount of mileage due each member and report the same to the House.

The Speaker appointed as such committee: Messrs. Black, Dodds and Boysen.

Mr. Buchanan offered the following concurrent resolution, and moved its adoption:

*Resolved*, By the House, the Senate concurring, that when adjournment is had on Thursday, January 16, 1902, the same shall be until 12 o'clock noon, Tuesday, January 21, 1902.

Adopted.

Mr. English offered the following resolution, and moved its adoption:

*Resolved*, That seats for duly accredited representatives of the daily press be assigned them by the chief clerk of the House.

Adopted.

Mr. Hasselquist offered the following concurrent resolution and moved its adoption.

*Resolved*, By the House, the Senate concurring, that the secretary of state be requested to furnish each member of the Twenty-ninth General Assembly with one copy of the Twenty-seventh and Twenty-eighth General Assemblies' laws.

Mr. Wise moved to amend the resolution to include the stationery which will be required by the House and Senate.

The above motion carried and the amendment was adopted.

Resolution, as amended, adopted.

Speaker Eaton in the chair.

The speaker announced as his clerk, H. A. Abernethy and as page, Robert Riley.

The chief clerk appointed as his page, Verner H. Byers.

The three were duly sworn.

On motion of Mr. Kendall the House adjourned until 2 P. M. tomorrow.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 14, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer by Rev. R. W. Hughes, of Oskaloosa.

The Speaker appointed Boyson, of Audubon, teller on the part of the House for the coming joint convention.

The Speaker appointed as a committee to notify the Governor of the organization of the House, Messrs. Cowles and Pipher.

On motion of Mr. Sweet, Mr. Frudden was excused until Thursday, January 16th.

On motion of Mr. Hawk, Mr. Mattes was excused until next week.

On motion of Mr. Hawk, Mr. Townsend was excused until next week.

On motion of Mr. Stuckslager, Mr. Anderson was excused until to-morrow.

On motion of Mr. Hurn, Mr. Payne was excused until Thursday.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

Relative to printing additional copies of the Official Register

*Resolved*, By the Senate the House concurring: That the Secretary of State be directed to publish five thousand copies of the Iowa Official Register for the year 1902 in addition to the number specified in section 70 of the code.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Concurrent resolution relative to reading governor's message in joint convention and naming Senators Harriman and Crawford on the part of the Senate as members of a committee provided therein.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Relative to session laws being furnished by the Secretary of State to members of the Twenty-ninth General Assembly.

*Resolved*, By the Senate, the House concurring: That the Secretary of State be and is hereby instructed to furnish each member of the Twenty-ninth General Assembly the session laws of the Twenty-seventh and Twenty-eighth General Assemblies.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Concurrent resolution relative to adjournment.

*Resolved*, By the Senate, the House concurring: That when adjournment is had on Thursday, January 16, 1902, the same be had until 10 A. M. on Tuesday, January 21, 1902.

GEO. A. NEWMAN,  
*Secretary.*

The Speaker appointed as members of the House committee to wait on the Governor and invite him to read his message before the joint convention, Messrs. Cowles and Piper.

The Speaker appointed as a committee to notify the Senate that the House is in readiness to receive them, Messrs. Wise, Wilson of Buena Vista, and Whiting.

The chief clerk made the following assignment of seats in the reporters' gallery:

Mr. A. M. Piper, seat 101, Iowa State Register, west gallery.

Mr. Gordon L. Elliott, seat 102, Daily Capital, west gallery.

Mrs. George W. Ogilvie, seat 103, Mail and Times, west gallery.

Mr. John Snure, seat 108, Des Moines Leader, east gallery,

Mr. Ora Williams, seat 110, Marshalltown Times-Republican and Sioux City Journal, east gallery.

Mr. J. S. Elliott, seat 109, Des Moines Daily News, east gallery.

The sergeant-at-arms announced the arrival of the honorable body of the Senate for the joint convention.

The Senate body took seats on the west side of the House, vacated for their use.

#### JOINT CONVENTION.

In accordance with law the joint convention met at 2:30 P. M., Tuesday, January 14, 1902.

The joint convention was called to order by Lieutenant Governor Milliman.

The roll was then called and the following members of the Twenty-ninth General Assembly responded when their names were called:

Messrs. Anderson, Bachman, Bailey, Barker, Barkley, Bealer, Bishop, Black, Blakemore, Boysen, Brighton, Brooks, Buchanan, Calderwood, Campbell, Carden, Carter, Cassell, Cheney, Christianson, Clarke, Classen, Coburn, Colclo, Courtright, Cowles, Craig, Crossley, Crouse, Cruikshank, Dodds, Donahue, Dowell, Dunham, Eaton, Edwards, Eiker, English, Fields, Fitchpatrick, Flenniken, Freeman, Frudden, Furry, Garst, Gilchrist, Graff, Greeley, Greene, Griswold, Hamann, Harper, Harriman, Hartshorn, Hasselquist, Hawk, Hayward, Hazelton, Head, Hertert, Hilsinger, Hobart, Hogue, Hopkins, Hubbard, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Lambert, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lewis, Lister, Lyman, Lyons, McClure, McClurkin, McNie, Mardis, Marshall, Meservey, Moffit, Molsberry, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Porter, Powers, Pritchard, Robinson, Roome, Secor, Smith of Des Moines, Smith of Mitchell, Sokol, Spaulding, Springer, Stratton, Stuckslager, Sweeley, Sweet, Tallman, Teachout, Temple, Utterback, Walden, Walters, Warren, Whipple, Whiting, Willett, Wilson of Buena Vista, Wilson of Clinton, Wilson of

Washington, Winne, Wise, Wright, Young of Lee, Young of Washington—133.

Absent:

Messrs. Alexander, Arthaud, Allyn, Bailey, Ball, Blanchard, Crawford, Cummings, Davenport, Emmert, Healy, Junkin, Mattes, Maytag, Townsend of Calhoun, Townsend of Monroe, Trewin—17.

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

The joint committee appointed to wait on the Governor here appeared and conducted Governor Shaw to the Speaker's desk, where he read his annual message to the joint convention as per the invitation from the General Assembly.

The reading of the message being completed, President Milliman appointed Senator Crossley as teller on the part of the Senate to act with Mr. Boysen as teller of the canvass of votes for Governor and Lieutenant-Governor.

The Speaker then opened the returns in the presence of the joint convention, which then proceeded to canvass the vote cast for Governor and Lieutenant-Governor of the state of Iowa, at the election in November, 1901.

The canvass not having been completed Senator Lister moved that the joint convention do now adjourn until 2 P. M. tomorrow afternoon.

Motion carried.

House reconvened.

Mr. Sweet moved that the Governor's message be printed in full in the Journal.

Carried.

The message follows:



## GOVERNOR'S MESSAGE.

*To the Senate and House of Representatives of Iowa:*

The constitution of this commonwealth requires the Chief Executive to communicate to the General Assembly the condition of the state, together with such recommendations as he may deem expedient. In obedience to this mandate I have the honor to submit the following:

The receipts of general revenue during the fiscal term, July 1, 1899, to July 1, 1901, aggregated.... \$5,120,059.54  
Add to this treasury balance July 1, 1899.. . . . . 445,002.37

Total revenue.....\$5,565,061.91  
Outstanding warrants at the beginning of the term.....\$ 30,708.35  
Warrants drawn during the term.... 4,420,193.70—\$4,450,902.05

Balance.....\$1,114,159.86  
Outstanding warrants June 30, 1901..... 29,728.31

Balance in the treasury June 30, 1901.....\$1,143,888.17  
At the close of business Dec. 31, 1901, there was in the treasury..... 780,527.75

## APPROPRIATIONS ASKED.

The following is a partial list of the appropriations that will be urged at your hands:

For institutions under the management of the Board of Control in excess of ordinary operating expenses...\$ 848,000  
The Board of Regents of the State University asks (including \$35,000 additional annual allowance)..... 363,000  
The Trustees of the Iowa College of Agriculture and Mechanic Arts ask (including \$75,000 additional annual allowance)..... 465,000  
The Trustees of the State Normal School ask (including \$25,000 additional annual allowance)..... 167,000  
The Capitol Improvement Commission estimates the cost of the improvements it recommends at..... 250,000

The Vicksburg National Park Commission asks.....	150,000
Amount suggested as needful for a creditable display at the Louisiana Purchase Exposition.....	250,000
For the completion of the Historical Building.....	200,000
For State Historical Society (including \$1,500 additional annual allowance).....	4,000
For Arsenal Building.....	50,000
For State Board of Health (additional annual allowance of \$2,500).....	5,000
For Fish and Game Protection.....	16,000
For Bureau of Labor Statistics.....	1,500
For State Library Commission (additional annual allow- ance of \$1,000).....	2,000
For new Normal School.....	100,000
Total.....	\$2,871,500

I believe the amounts asked in the foregoing list are all needed, and it would be gratifying indeed if they could all be allowed. It is manifest, however, that this session of the general assembly cannot grant them all without incurring an unwarranted indebtedness. They are therefore submitted with but this suggestion, that if any additional buildings are to be provided they should be of the most permanent character. For many years the policy prevailed of building cheaply. It was thought almost anything would do so long as the roof did not leak, nor the walls cave. A wise departure in recent years has been made. The new hospital for the insane at Cherokee, the Liberal Arts building at Iowa City, and the new buildings at both Ames and Cedar Falls are excellent in character. Those competent to judge have used this seemingly extravagant language in connection with the hospital for the insane at Cherokee: "The world may and probably some time will have a better planned and more completely equipped hospital, but it has none better now." The time for anything other than commodious buildings of modern architecture, and of strictly fire proof construction, has passed, let it be hoped, in this state.

#### STATE ARCHITECT.

In this connection, I desire to endorse most heartily the recommendation of the Board of Control that the state architect be relieved from designing educational buildings. I am of the opin-

ion that designs for all public buildings should be thrown open to competition, and the plans before selection examined by men of recognized ability and of national reputation. The buildings hereafter to be erected should be such as will stand the test architecturally, as well as mechanically, not only of this, but of subsequent centuries. The work of no one man will meet these requirements. A building admirable in itself may not harmonize with those already erected—a consideration of great importance. Neither will success in one instance afford a guarantee against signal failure in the next. Architecture is expression, and therefore educational. Even the sacred writings contain the language and characteristic expressions of more than sixty authors, each inspired, and their value and interest is largely enhanced thereby.

#### EDUCATIONAL INSTITUTIONS.

Our state educational institutions are of great importance, and should be liberally dealt with. It takes money to build a university. Iowa need not expect to compete with institutions that are the recipients of donations aggregating millions with meager biennial appropriations. The College of Agriculture and Mechanic Arts at Ames is, admittedly, the best of its class in the United States. The Union Stock Yards of Chicago expects to spend \$10,000 at this institution in the department of animal husbandry, believing there is no place where so good returns can be obtained. This fact is an indorsement that should commend the institution to the very favorable consideration of your honorable body.

#### LOSSES BY FIRE.

During the past year, both the State University and the College of Agriculture and Mechanic Arts lost useful, though not valuable, buildings. Temporary relief was granted in each instance from the emergency fund, wisely provided by the last general assembly. Commodious and permanent buildings should be provided at the earliest date consistent with the available resources of the state.

#### NORMAL SCHOOLS.

Our single state Normal School is overcrowded. The attendance (over 2,000), in my judgment, is in excess of what can be cared for with best results under one management. Two years ago I recommended the location of four additional normal schools to be equipped and put in operation from time to time

as the finances of the state might justify. I recommended the location of four, in view of the fact that every effort to establish one had failed, and I hoped four might be located at one time without serious difficulty. The attempt was again made to locate one, but rival interests defeated it, as usual.

#### RURAL SCHOOLS.

In this connection, I again call attention to the inadequate educational advantages in rural districts. The average country school-teacher receives less than \$25 per month, exclusive of board, less, we are told, than in any other northern state, and less than in several southern states. It must be that the major part of the \$8,000,000 annually spent by the state for public schools is expended in cities and towns. It is exceedingly unfortunate that the rural schools are of such a character that the average farmer boy leaves at fourteen or fifteen years of age. This lamentable condition will be painfully apparent in ten years, if it is not already. No number of colleges or universities will meet the demand or cure the evil. The village and city school is especially planned for those who begin at five years of age and continue until graduation without intermission. It is a poor place for the child from a rural community. I have in previous communications discussed this question at some length. It has also received consideration—wise consideration, I think—from the superintendent of public instruction. I believe with him that central township schools with provision for conveying the pupils to and fro at public expense will afford greater relief than any other proposed system. If to this could be added a provision for the employment of a county superintendent at an adequate salary, to be chosen in the same manner as city superintendents, and with analogous duties and responsibilities, it would revolutionize our school system for good. The salary should be fixed by law or the position would be let to the lowest bidder, as our rural schools largely are at present. It is feared that some of the teachers have little else to commend them than kinship to the director. Nepotism is generally condoned if the compensation is low enough. Neither can very much be expected of a county superintendency under a system that invites considerations of availability only. If these changes were made, some of you gentlemen might not be returned, but you can afford to sacrifice your political lives if by so doing you shall serve and save the youth of Iowa. They will have no committee

on legislation. Other interests will be represented. I appeal to you, gentlemen, directly. Much of the evil so manifest is the resultant of a wave of sentiment that has in comparatively recent years created the impression that economy is the synonym of statesmanship.

#### CAPITOL IMPROVEMENT COMMISSION.

The Twenty-eighth General Assembly authorized the creation of a commission to investigate and recommend such improvement of the capitol and other property of the state connected therewith, including decorations, works of art, electric lighting, and burglar alarms, as in the opinion of the commission would "place the capitol building in a state of perfect repair," and equip the same with modern improvements. In obedience to this provision, Hon. Peter A. Dey, who was a member of the original capitol commission, and who bore a conspicuous part in erecting the present edifice; Prof Chas. A. Cumming, an artist of more than state reputation; and Henry S. Josselyn, a learned and practical architect, were selected. Their report is on file, and is commended to your careful perusal, and favorable consideration. This commission recommends the expenditure in the aggregate of \$250,000. I think it should all be provided for at one time, but it need not all be made available in one year. I think it would be unwise to mutilate the recommendations. The commission went very thoroughly into the subject and consulted the best authorities in the nation, and it is doubtful if its conclusions can be hastily improved upon. The whole scheme has been carefully wrought out. Those competent to judge believe the result will be most satisfactory. The capitol is considered the third best in the country, and its architecture makes possible a more artistic interior than any other. It will be remembered that the original commission was suddenly and unceremoniously discharged before the contemplated work was completed. As a result, for nearly the fifth of a century, visitors have stood on the outside of the building in great admiration, but have entered it only to be shocked at bare walls and unfinished corridors. The recommendation of this commission with reference to an electric lighting plant is especially indorsed as a matter of economy. A system of burglar alarms is also very important. In the same connection, I suggest that an artesian well be bored at the powerhouse, the expense of which can be nearly, if not wholly, saved in one biennium.

The members of this commission have performed their duties so thoroughly, and have so patriotically given their time to the work, that I recommend that they be reimbursed for the expenses incurred in excess of the amount allowed by the act creating the commission.

#### LOUISIANA PURCHASE CENTENNIAL EXPOSITION.

The centennial of the purchase and cession to the United States in 1803 of the larger portion of our national domain west of the Missouri river is to be commemorated by what promises to be the most extensive exposition the world has yet seen. With your honorable body rests the responsibility of determining the part Iowa shall take in this event. Wisely, this state contributed little to the Trans-Mississippi Exposition in 1898, nothing to the Pan-American Exposition in 1901, and nothing to the South Carolina and West Indian Exposition which is now in progress. But I am of the opinion that the people of this commonwealth will approve such provision for the Louisiana Purchase Centennial Exposition as will leave no doubt in the minds of visitors that Iowa constitutes an important part of that priceless acquisition. Something worthy of the state, or nothing, should be our motto. Certainly there ought not to be created a commission with such limited means as to belie our prosperity and libel our resources.

#### VICKSBURG NATIONAL PARK COMMISSION.

The government has recently established a National Park at Vicksburg, and the Twenty-eighth General Assembly authorized a commission to locate the position of the thirty-two Iowa regiments and other organizations which took part in that memorable siege, and to recommend such legislation as shall suitably and permanently mark the positions thus ascertained and worthily commemorate the valor and services of Iowa soldiers in the campaign and siege of Vicksburg. This commission was duly appointed and has filed its report, which is submitted to your honorable body with the recommendation that it be published in suitable form for distribution. The commission recommends the appropriation of \$150,000 for the erection of suitable monuments. I am of the opinion this amount is not excessive. A larger proportion of Iowa troops took part in this siege than in any other battle or siege, and numerically more soldiers from Iowa were there engaged than from any other state save Illinois. Visitors

ought never to leave this park doubting either the patriotism of Iowa soldiers or the appreciation of Iowa people. The light Brigade in the famous charge at Balaklava lost sixty-three per cent. and Tennyson has immortalized their valor. The Twenty-second Iowa in a single charge at Vicksburg lost eighty-two per cent. (several other regiments during the siege lost from fifty to over seventy per cent.) and it will now be the privilege of the Twenty-ninth General Assembly to permanently commemorate both their valor and their awful sacrifice.

#### SALARIES.

I am still of the opinion that the salary of the chief executive of this state ought to be increased. A bill fixing the salary at \$5,000 passed the lower house of the Twenty-eighth General Assembly, but for want of time failed to pass the senate. Salaries of all state officers are very low. They were fixed at a time when living expenses were much lighter than at present.

#### OFFICIAL BONDS.

In former years the bond of the Treasurer of State was \$300,000. This, through the discretion lodged with the Chief Executive, has been recently increased to \$800,000. For more than six months the balance in the treasury of the state has exceeded \$1,000,000, and I am of the opinion that the Treasurer's bond ought to be approximately large. I am also of the opinion that this bond should be furnished at the expense of the state. The market value of the bond now furnished by the state Treasurer is \$4,000 per annum. The present Treasurer actually paid \$1,500 in cash for his bond of \$300,000. The proposition on final analysis resolves itself thus: The state Treasurer, if his bond shall remain at \$800,000, must pay \$1,800 per annum in excess of his salary, or he must secure by subscription among his friends that which is purchasable in the market. I think similar provisions should be made with respect to all bonds required of public officers.

#### INTEREST ON STATE FUNDS.

In view of the large treasury balance much of the time, I recommend that provision be made whereby the state may receive interest on at least the greater portion, and I am gratified that the Treasurer joins in this opinion and recommendation.

## EQUALIZATION OF ASSESSMENTS.

The Executive Council, sitting as a board of equalization in July of last year, passed the following resolution:

“The Executive Council recommends to the General Assembly such a modification of the statutes of the state as will allow the board of review to adjust the assessment of all property at the same time, and it suggests the following ways in which this may be done: Either the railroads might be assessed primarily by the railroad commissioners (who, in view of their duties, should be the better prepared than anyone else to judge of the relative value of the several roads), and then the Executive Council adjust all assessments at the July meeting; or the time of assessing railroads, if left with the Executive Council, might be changed from March to July, so that the whole subject should be before the Council for adjustment at the time.”

This action was not taken for the purpose of escaping responsibility, but in view of the fact that the present law requires the Executive Council to assess railroads annually in the month of March, and equalize the assessment of all other property in July following. It does not contemplate a revision of the railroad assessment already made. The following illustrations will, I think, justify the recommendation. In March, 1899, the railroads were assessed at a slight increase over the figures of any previous year, but in July following it was found that real estate had been assessed \$22,000,000 less than two years before. In March, 1901, while the railroads were assessed \$2,500,000 higher than in 1899, in July it was found that real estate had been assessed \$14,000,000 higher than in 1899.

## THE PAROLE SYSTEM.

The Twenty-eighth General Assembly provided for the employment of a parole clerk in the office of the chief executive. This action I have interpreted as legislative approval of the policy which has grown up in the state of granting conditional pardons; and by reason of this additional assistance I have been able to investigate to some extent the practical workings of the parole system.

During the ten years prior to the commencement of my administration, in addition to full pardons and commutations of sentence, 134 convicts had been released conditionally, most of them in the very recent past. Of this number eight had been returned under revocations, and I have returned one more. The remainder have been investigated, and their whereabouts, their conduct, and their standing, have been carefully inquired into. Very favor-



able and satisfactory reports have been received from fifty-three, and to these I have granted full and unconditional pardon and restoration to citizenship. The term for which six others were committed has not yet expired. Eleven are dead or insane. Only meager reports, not sufficient to justify action, were secured from thirteen. Unsatisfactory reports were received from fourteen. I have been unable to locate or get any reports from twenty-eight. It does not follow, however, that all of these are leading vicious lives. The reports received from the fifty and more to whom full pardon has been granted were most gratifying. Several wrote using letter-heads that bore their names. Others were holding responsible and trusted positions with prominent business houses and industrial corporations. One was the incumbent of an official position of trust and responsibility in a New England city of more than 100,000 inhabitants. Many were reported to have become industrious citizens, and to have won the full confidence and esteem of the communities in which they reside.

Very few pardons and less commutations of sentence have been granted during the past biennium; but, encouraged by the action of the legislature, I have been quite liberal in granting paroles; and have released 201 on conditions more or less exacting. Suitable employment has usually been secured before the release, and the parole has been upon condition that the recipient employ his time industriously, spend his evenings at home, absent himself from all places where intoxicating liquors are sold or kept for sale, and report every thirty days to this office the amount earned and the disposition made thereof. In addition I have a number of benevolently disposed persons in each county who, unbeknown to others, watch the conduct of paroled prisoners, and report their conduct to this office. The result in most instances has been very satisfactory. Of the 201 paroled, unfavorable reports have been received from thirty-one, and they have been returned to serve out the unexpired portions of their sentences. The present whereabouts of fifteen others is unknown. Most of these had but a few months of their terms remaining, and they were released in the hope that the conditions imposed and the system of surveillance inaugurated might have a helpful influence. The remaining 155 are doing reasonably well, and many of them excellently. Some of them, however, if they should chance to be thrown out of employment would very likely

lapse into vice. A volume could be written that would be as interesting as a romance of the transformation in some of these lives. I have extended a full pardon to quite a number whose terms would have expired, and who have acquitted themselves creditably. It has not been my purpose to extend clemency to those who have deliberately embarked upon a career of vice, but to sift out such as appear to have been in a sense accidental criminals. Some of them, it is believed, were innocent of the crimes charged. A detailed list, giving the names of all persons to whom executive clemency has been extended, and my reasons therefor, is this day submitted to your honorable body as provided by statute. I refer to the subject here as preliminary to the following suggestions and recommendations. I think additional legislation should be had, but I do not favor encumbering the parole system with specific restrictions. I think the Chief Executive should have absolute authority to release at pleasure any one charged with a less offense than murder in the first degree, and to return him to the penitentiary at his discretion. The statutory provision for shortening the term because of good conduct should be so amended as to permit the Governor to declare the same forfeited in case the conduct of the prisoner when on parole is not satisfactory. Each case is distinct from all others, and no plan can be formulated with sufficient elasticity to meet the requirements of changed and ever changing conditions. Under statutory provisions, as distinguished from free exercise of an unrestrained discretion, it is as easy for the intentionally vicious to earn release as for those of honorable and virtuous instincts. I have paroled several before they have ever seen the penitentiary. This I have not done, however, except upon the recommendation of the trial judge and the county attorney who prosecuted. There are two quite distinct classes of criminals; the one deliberately and permanently vicious, the other to some extent the creature of circumstances, and no law can be made that will enable a chief executive or a pardon board to discriminate wisely. Mistakes will be made at best, but on the whole I believe in the greatest possible discretion, and the free exercise thereof. I have returned several to the penitentiary because their early education was neglected. They had never been taught to work, and when released would not seek or accept employment. They are now in the tool factory at Fort Madison acquiring what they should have been taught in youth.

## BUREAU OF LABOR STATISTICS.

The investigations made by the bureau of labor statistics during the last biennial are of great importance, and the report will be found interesting and valuable. More than 300 factories were inspected, and the facts ascertained and reported lead to the belief that it would be well to make all needed provision for the inspection of the nearly 15,000 other factories in the cities and towns of Iowa, employing 60,000 persons. The sanitary conditions of many of the factories examined is well nigh alarming; and, I think demand consideration by this general assembly. The department should be clothed with authority as ample as the mine inspectors, and it should be made incumbent upon the commissioner to protect employees from inadequate heat and dangerous machinery, and to enforce adequate fire-escapes and wholesome sanitary conditions.

The report shows that a large number of children, some as young as ten years of age, are being employed in the factories of Iowa, and the faces of many of them tell a sad story of overwork and over hours. The statutes of this state already prohibit the employment of children under a certain age in coal mines. Why not extend restrictions as to their employment in factories? Healthful employment for limited hours is beneficial, and I therefore do not object so much to the fact of child labor as to its character and duration. There should be at least, I think, some statutory limitation, and the bureau should be clothed with a wise oversight, ample discretion, and plenary powers.

## LAKE-BEDS.

Two years ago I called attention to the fact that the title to the beds of a large number of meandered lakes was in dispute. The state claims title to these lands. I think it would be wise to memorialize congress to protect the rights of the state by appropriate legislation. Certainly nothing ought to be done to interfere with what is now believed to be our vested rights. I am still of the opinion it would be wise to grant these lands to some one or more of our educational institutions. They are supposed to be worth several hundred thousand dollars.

## OIL INSPECTION.

Experience has shown that the provision for the inspection of linseed oil is insufficient to protect the public. The most vile

and worthless adulterations are readily sold as pure linseed oil. I am of the opinion that dealers in paint oils should be required to place a label upon the vessel containing each sale, and proper penalty should be provided for the sale of adulterations unless appropriately labeled.

#### STATE BOUNDARY.

The act of congress which admitted the State of Iowa into the Union fixed the western boundary of this commonwealth as the middle of the main channel of the Missouri river. Since that time the channel of the river has changed, and there is considerable territory formerly in this state now on the western side of that river. This has given rise to much controversy, and to some litigation. At the last session of the legislature of Nebraska, a boundary commission was authorized, the same to be appointed when the legislature of Iowa should make similar provision. The Nebraska law provides for three members to be appointed by the governor to receive \$10 per diem for a period not to exceed thirty days, and the sum of \$2,000 was appropriated to defray the expenses of the commission. I recommend similar action in this state in the hope that a permanent boundary may be established and ratified by the states interested therein, and by the Congress of the United States.

#### IN MEMORIAM.

During the last biennium the people of this state have been called to mourn the death of Hon. John. H. Gear—legislator, speaker of the house, governor, representative in congress, and United States senator—a most conspicuous character in Iowa history. Of no man has it ever been said, with greater verity, "He was the servant of the people." He never held a position that he did not fill, and never filled a position of which he was not worthy, or in which he failed signally to honor those who had honored him.

More recently our people were appalled at the violent death of the best beloved of rulers and the most honored of men, William McKinley, President of the United States. I shall not weary you, gentlemen, with an attempt to recount the virtues of that noble character. The immortal words used by Lincoln concerning Washington, and which have been repeatedly reiterated as applicable to their author, can now be said of McKinley: "To

add brightness to the sun and glory to the name of Washington is alike impossible. Let none attempt it. In solemn awe pronounce the name, and in its naked, deathless splendor leave it shining on.

Such a trinity of names blesses not the annals of any country but ours, and no other people cherish such a priceless legacy of influence

#### TEMPORARY APPOINTMENTS.

To fill the vacancy occasioned by the death of Senator Gear Honorable Jonathan Prentiss Dolliver, of the city of Fort Dodge was, on the twenty-second day of August, 1900, appointed a senator of the United States from the state of Iowa for the remainder of the term that expired on the third day of March last; and on the twenty-fifth day of February, 1901, Mr. Dolliver was appointed for the term beginning on the fourth day of March following, to hold until this general assembly shall elect a successor.

Thomas B. Hanley, of the city of Tipton, was, on the eleventh day of January, 1901, commissioned a member of the board of regents of the State University, to fill a vacancy occasioned by the death of Mortimer A. Higley, the commission taking effect January 8, 1901, and continuing until this meeting of the general assembly.

#### CONCLUSION.

The state is in a flourishing condition. Her people are prosperous. If there be discontent anywhere or among any class, it is not manifest. While our population is increasing, the court records indicate that crime is decreasing. Fewer persons were sent to the penitentiary during the last year than in any other, save one, in the last quarter of a century. The relations between capital and labor have been exceptionally cordial, and deeds of violence have been few. The fair record of the state has not been marred by an illegal execution in more than a decade. Justice according to law, the distinctive feature of Anglican liberty, is the recognized rule of our people. With no small degree of pride for the past history of my state, rejoicing in her present greatness, hopeful for her future, and in the full confidence that the conservative wisdom of your honorable body will preserve and strengthen all that is good and cure that which may need correction, I submit the foregoing.

LESLIE M. SHAW.

JANUARY 13, 1902.

Mr. Kendall called up Senate concurrent resolution relative to printing additional copies of the Official Register.

Mr. Kendall moved that the House concur in this resolution  
Concurred in.

Mr. Kerr offered the following resolution, and moved its adoption:

*Resolved*, That the chief clerk be and is hereby instructed to procure suitable badges for the sergeant-at-arms, doorkeepers and pages.

Adopted.

Mr. Kerr offered the following resolution, and moved its adoption:

*Resolved*, That the sergeant-at-arms be and is hereby instructed to suspend over the Speaker's chair the American flag, and the picture of Abraham Lincoln, now in the custody of the Superintendent of Public Instruction.

Adopted.

Mr. Wilson, of Washington, offered the following resolution and moved its adoption:

*Resolved*, That the Mutual Telephone company, of Des Moines, be requested to place a telephone in the cloak room of the House for the use of the members of the Twenty-ninth General Assembly.

Adopted.

Mr. Sweet offered the following resolution, and moved its adoption:

WHEREAS, The Hon. Thomas Kimball, of Marshall county, an honored and respected member of the Twenty-eighth General Assembly, has departed this life,

*Resolved*, That a committee of three be appointed to present suitable resolution commemorating the life and services of the deceased.

Adopted.

Mr. Wise called up the Senate concurrent resolution relative to adjournment on Thursday, January 16th.

Mr. Wise moved to amend this resolution by striking out the

words "ten o'clock" and inserting in lieu thereof the words "two o'clock."

Motion carried and the amendment was adopted.

On motion of Mr. Head, the resolution, as amended, was concurred in.

The Speaker announced as committee on contest in Plymouth county Messrs. Sweeley, Hurn, Lyman, Edwards, Walters, Langan of Clinton, Marshall.

On motion of Mr. Eiker, House adjourned until 10 A. M. tomorrow.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, Wednesday, January 15, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by Rev. J. C. Hall, of Woodward.

Journals of Monday, January 13th, and Tuesday, January 14th, corrected and approved.

Speaker Eaton appointed as the committee to draft suitable resolutions on the death of Hon. Thomas Kimball, Messrs. Sweet, Cummings and Edwards.

The Speaker read an invitation lying on his desk from the president and regents of the State University to the Twenty-ninth General Assembly to attend the dedication of the College of Liberal Arts on January 23d.

Mr. Kendall offered the following resolution, and moved its adoption:

WHEREAS, The president and regents of the State University have generously extended the Twenty-ninth General Assembly an invitation to visit that institution on January 23, 1902.

*Resolved*, That the invitation so graciously tendered be accepted.

Adopted.

The committee on the contest of Cottrell vs. Fields was excused during the session of the House.

The Speaker appointed as committee on mail carrier, Messrs. Kerr, Gilchrist and Coburn.

Mr. Kendall offered the following resolution, and moved its adoption:

WHEREAS, The Hon. James Hilton, a distinguished and honored member of this House in the Fourteenth General Assembly has recently departed this life.

*Resolved*, That a committee of three be appointed to present appropriate resolutions respecting the life, character and services of the deceased.



Adopted.

The Speaker appointed as this committee, Messrs. Kendall, Moore and Temple.

On motion of Mr. Kendall, the House adjourned until 1:30 o'clock P. M.

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### AFTERNOON SESSION.

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House reconvened at 1:30 P. M. pursuant to adjournment, Speaker Eaton in the chair.

#### MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,  
EXECUTIVE OFFICE, January 14, 1902. }

*To the General Assembly:*

In accordance with the requirements of article 16, section 4, of the constitution, I herewith transmit to you a report of each case of pardon, reprieve, commutation and suspension granted, and the reasons therefor, and also all persons in whose favor remissions of fines and forfeitures have been made during my official term ending January 16, 1902.

LESLIE M. SHAW.

Referred to the committee on Pardons.

Mr. Jones moved that the Speaker have sole authority to excuse members until next Tuesday.

Carried.

The following message was received from the Governor:

EXECUTIVE OFFICE,  
DES MOINES, Iowa, January 15, 1902. }

*To the General Assembly:*

As stated in my message to the General Assembly, I am in receipt of the report of the commission to locate the position of Iowa troops in the siege of Vicksburg. The statute having made no provision for printing the report, it is herewith submitted to the General Assembly. There being only one copy of the document, the same is delivered to the House of Representatives.

LESLIE M. SHAW.

Mr. Kendall offered the following resolution:

*Resolved,* That except by the consent of three-fourths of the membership, no measure carrying an appropriation of public money shall be considered by the House unless introduced prior to February 20, 1902.

Laid on the table under rule No. 34.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

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

Concurrent resolution relative to adjournment.

Substitute for House amendment.

Amended by striking out the words "ten o'clock" in the original resolution and insert in lieu thereof, the words "two o'clock P. M."

GEO. A. NEWMAN,  
*Secretary.*

On motion of Mr. Head, the House concurred in the amendment.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

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

Joint resolution relative to additional employes.

Senate joint resolution No. 1, relating to the selection of additional employes of the Twenty-ninth General Assembly, and fixing their compensation and manner of payment thereof.

GEO. A. NEWMAN,  
*Secretary.*

## SENATE JOINT RESOLUTION NO. 1.

Relating to the selection of additional employes of the Twenty-ninth General Assembly, and fixing their compensation and manner of payment thereof.

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

SECTION 1. That Harry Byers, of Hancock county; Milton Thompson, of Clarke, county; A. W. Tallman, of Mitchell, county, and W. McFadden, of Pottawattamie county, are hereby appointed policemen at a salary of \$70 per month each.

SEC. 2. That D. W. Donahue, of O'Brien county; John Elliott, of Appanoose county, and H. J. Bennett, of Polk county, are hereby appointed clerks in the document room, at a salary of \$60 per month each.

SEC. 3. That John Heater, of Sac county; D. W. Shean, of Keokuk county; Thomas Martin, of Polk county; B. S. Manley, of Taylor county; Wm. Law, of Audubon county; H. T. Barber, of Pottawattamie county;

Emanuel Berry, of Warren county; George W. Myers, of Greene county; J. E. Winder, of Taylor county; John W. Cook, of Fayette county; Carl Peters, of Jasper county, and F. E. White, of Louisa county, are hereby appointed janitors at a salary of \$60 per month each.

SEC. 4. That Ernest J. McDonald, of Bremer county; Chas. Turbett, of Polk county, and S. M. Kester, of Monroe county, are hereby appointed elevator tenders at a salary of \$60 per month each.

SEC. 5. That Earl Raney, of Iowa county, is hereby appointed assistant bill clerk of the Senate, and J. P. Spaulding, of Dallas county, is hereby appointed assistant bill clerk of the House at a salary of \$60 per month each.

SEC. 6. That G. L. Shaul, of Page county, is hereby appointed a clerk in the supply department at a salary of \$66 per month.

SEC. 7. That the policemen, elevator tenders and janitors shall be assigned to their respective duties by the custodian. The clerks in the document room shall be assigned to their duties by the secretary of state, and the clerk in the supply department shall receive his assignment from the secretary of the executive council. The assistant bill clerks shall be assigned to their duties by the Secretary of the Senate, and Chief Clerk of the House respectively.

SEC. 8. That the custodian, secretary of state and secretary of the executive council respectively, report the time of the employes under his direction to the Secretary of the Senate and Chief Clerk of the House, and that the time of the assistant bill clerks shall be certified in the same manner as that of the other employes of the respective houses.

SEC. 9. That the Secretary of the Senate and the Chief Clerk of the House are hereby directed to prepare a pay roll of said employes, the same to be countersigned by the President of the Senate and the Speaker of the House and present the same to the auditor of state.

SEC. 10. That the custodian be authorized to employ such additional help as may be necessary to clear snow from the approaches, steps and walks about the capitol.

SEC. 11. That the secretary of state shall be empowered to retain as many clerks as are hereby appointed to serve in the document room as he may find necessary for a period of not exceeding two weeks after the adjournment of the Twenty-ninth General Assembly.

Read first and second time.

On motion of Mr. Temple, Senate joint resolution No. 1 was taken up and considered.

Mr. Temple moved that the rule be suspended, and that the joint resolution be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the joint resolution was read a third time.

On the question, Shall the joint resolution be adopted?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Cassell, Cheney, Christianson, Clarke, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Eiker, English, Flenniken, Freeman, Furry, Gilchrist, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Keagy, Kendall, Kerr, Kling, Koontz, Langan of Crawford, Larrabee, Leech, McClure, McClurkin, McNie, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Mr. Speaker—80.

The nays were:

Messrs. Campbell and Graff—2.

Absent or not voting:

Messrs. Coburn, Cowles, Fields, Frudden, Jones, Kolthoff, Mattes, Payne, Sweet, Willett, Wright—11.

Excused by the Speaker: Edwards, Hurn, Langan of Clinton, Lyman, Marshall, Sweeley, Walters—7.

So the joint resolution was declared adopted.

The joint convention was called to order by Lieutenant-Governor Milliman.

The roll was then called, and the following members of the Twenty-ninth General Assembly responded when their names were called:

Messrs. Alexander, Allyn, Anderson, Arthaud, Bailey, Ball, Barker, Barkley, Bealer, Black, Blakemore, Blanchard, Boysen, Brighton, Brooks, Buchanan, Calderwood, Campbell, Carden, Carter, Cassell, Cheney, Christianson, Clarke, Classen, Colclo, Courtright, Cowles, Craig, Crawford, Crossley, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dowell, Dunham, Eaton, Edwards, Eiker, Emmert, English, Fields, Fitchpatrick, Flenniken, Freeman, Furry, Gilchrist, Graff, Greeley, Greene,

Griswold, Hamann, Harper, Harriman, Hartshorn, Hasselquist, Hawk, Hayward, Hazelton, Head, Hertert, Hilsinger, Hobart, Hopkins, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Junkin, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Crawford Larrabee, Leech, Lewis, Lister, Lyman, McClure, McClurkin, McNie, Mardis, Marshall, Maytag, Meservey, Moffit, Molsberry, Moore, Mordhorst, Nagle, Nichols, Patten, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Smith of Des Moines, Smith of Mitchell, Sokol, Spaulding, Springer, Stratton, Stuckslager, Sweeley, Tallman, Teachout, Temple, Trewin, Utterback, Walden, Warren, Whipple, Whiting, Wilson of Buena Vista, Wilson of Clinton, Wilson of Washington, Winne, Wise, Wright, Young of Lee—129.

Absent:

Messrs. Bachman, Bishop, Coburn, Frudden, Garst, Healy, Hogue, Hubbard, Lambert, Lyons, Mattes, Payne, Porter, Sweet, Townsend of Calhoun, Townsend of Monroe, Willett, Young of Washington—18.

Excused by the Speaker: Hurn, Langan of Clinton, Walters—3.

President Milliman declared a quorum present, and the joint convention proceeded with the canvassing of the vote for Governor and Lieutenant-Governor.

Messrs. Crossley and Boysen, tellers on behalf of the Senate and House, made the following report:

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 15, 1902. }

*Mr. President and Gentlemen of the Joint Convention:*

Your tellers appointed by the Senate and House of Representatives on January 14, 1902, to canvass the vote cast for the candidates for Governor and Lieutenant-Governor at the election held on November 5, 1901, beg leave to make the following report of the total vote cast for governor:

Albert B. Cummins received .....	226,802
T. J. Phillips received .....	143,783
A. U. Coates received .....	15,659
James Baxter received .....	3,463
L. H. Weller received .....	780
E. H. Conger received .....	1
Scattering .....	1
Total .....	390,489

And of the total vote cast for Lieutenant-Governor at the election held on November 5, 1901,

John Herriott received.....	227,171
G. E. Ferguson received.....	142,588
A. B. Wray received.....	13,095
W. A. Jacobs received.....	3,391
Perry Engle received.....	766

Total..... 387,011

All of which is most respectfully submitted.

JAMES J. CROSSLEY.

ASMUS BOYSEN,

*Tellers.*

Lieutenant-Governor Milliman, president of the joint convention, announced that Albert B. Cummins, having received the highest number and a majority of all votes cast for Governor, was declared duly elected to the office of Governor of the state of Iowa for the ensuing term, or until his successor is elected and qualified.

Also:

Lieutenant-Governor Milliman declared that John Herriott, having received the highest number and a majority of all votes cast for Lieutenant-Governor, was duly elected to the office of Lieutenant-Governor for the ensuing term and until his successor is elected and qualified.

Lieutenant-Governor Milliman, president of the joint convention, then directed that the abstracts of votes be filed with the secretary of state:

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

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, January 15, 1902. }

This is to certify that upon a canvass in joint convention of the two houses of the General Assembly of the state of Iowa of the votes cast at the November election, A. D. 1901, for the office of Governor of the state of Iowa, it appeared that Albert B. Cummins received the highest number of all votes cast for any candidate at said election for said office, and was therefore 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 fifteenth day of January, A. D. 1902.

J. C. MILLIMAN,

*President of the Senate and President of the Joint Convention.*

WILLARD L. EATON,

*Speaker of the House.*

JAMES J. CROSSLEY,

*Teller of the Senate.*

ASMUS BOYSEN,

*Teller of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, January 15, 1902. }

This is to certify that upon a canvass in joint convention of the two houses of the General Assembly of the state of Iowa of the votes cast at the November election, A. D. 1901, for the office of Lieutenant-Governor of the state of Iowa, it appeared that John Herriott received the highest number of all votes cast for any candidate at said election for said office, and was therefore declared duly elected to said office for the term of two years and until his successor is elected and qualified.

Signed in the presence of the joint convention this fifteenth day of January, A. D. 1902..

J. C. MILLIMAN,  
*President of the Senate and President of the Joint Convention.*  
 WILLARD L. EATON,  
*Speaker of the House.*

JAMES J. CROSSLEY,  
*Teller of the Senate.*

ASMUS BOYSEN,  
*Teller of the House.*

Senator Crossley moved that a committee of three, one from the Senate and two from the House, be appointed to notify the Governor-elect and Lieutenant-Governor-elect of their election.

Carried.

President Milliman, on behalf of the Senate, appointed Senator Smith of Mitchell, as member of this committee. On behalf of the House, Speaker Eaton appointed as House members of this committee Messrs. Stuckslager of Linn, and Hufschmidt of Allamakee.

The minutes of the joint convention were then read and corrected.

On motion of Senator Moffit of Cedar, the joint convention was declared dissolved.

House resumed its session.

Mr. Carter of Sioux, offered the following resolution, and moved its adoption:

WHEREAS, The Hon. Henry Hospers, late of Sioux county, an honored and respected member of the Twenty-third and Twenty-fourth General Assemblies, has departed this life,

*Resolved*, That a committee of three be appointed to present suitable resolutions commemorating the life and public services of the deceased.

Adopted.

The Speaker appointed as this committee, Messrs. Carter of Sioux, Donahue of O'Brien, and Fields of Plymouth.

Mr. Black, from the committee on mileage, submitted the following report:

**MR. SPEAKER**—Your committee appointed to report the mileage of the House of Representatives submit the following list of the number of miles traveled by each member in going and returning from the session of the Twenty-ninth General Assembly and the amount of money to which each member is entitled by law.



NAMES.			NAMES.		
	Miles.	Amounts.		Miles.	Amounts.
Anderson	44	\$ 2 20	Jones	140	\$ 7 00
Bailey	160	8 00	Keagy	444	22 20
Barker	560	28 00	Kendall	136	6 80
Barkley	84	4 20	Kerr	200	10 00
Bealer	280	14 00	Kling	306	15 30
Black	328	16 40	Kolthoff	346	17 30
Blakemore	270	13 50	Koontz	242	12 10
Boysen	250	12 50	Langan of Clinton	450	22 50
Buchanan	180	9 00	Langan of Crawford	240	12 00
Calderwood	372	18 60	Larrabee	328	16 40
Campbell	394	19 70	Leech	350	17 50
Carden	402	20 10	Lyman	110	5 50
Carter	420	21 00	McClure	240	12 00
Cassel	256	12 80	McClurkin	382	19 10
Cheney	292	14 60	McNie	350	17 50
Christianson	108	5 40	Marshall	422	21 10
Clarke	46	2 30	Mattes	272	13 60
Coburn	400	20 00	Meservey	176	8 80
Colco	210	10 50	Moore	220	11 00
Cowles	246	12 30	Mordhorst	382	19 10
Crouse	226	11 30	Nagle	250	12 50
Cruikshank	374	18 70	Nichols	284	14 20
Cummings	120	6 00	Patton	250	12 50
Davenport	182	9 10	Payne	186	9 30
Dodds	310	15 50	Pipher	196	9 80
Donahue	200	10 00	Powers	380	19 00
Dunham	304	15 20	Pritchard	226	11 30
Edwards	262	13 10	Robinson	370	18 50
Eiker	160	8 00	Roome	520	26 00
English	5	50	Secor	310	15 50
Fields	488	24 40	Sokol	380	16 50
Flenniken	442	22 10	Springer	312	15 60
Freeman	227	11 35	Stratton	292	14 60
Frudden	414	20 70	Stuckslager	310	15 50
Furry	210	10 50	Sweeley	394	19 70
Gilchrist	240	12 00	Sweet	320	16 00
Graff	336	16 80	Teachout		
Greeley	74	3 70	Temple	120	6 00
Greene	80	4 00	Townsend	176	8 80
Hamann	365	18 25	Utterback	168	8 40
Hasselquist	224	11 20	Walden	224	11 20
Hawk	46	2 30	Walters	188	9 40
Head	140	7 00	Warren	86	4 30
Hertert	230	11 50	Whiting	404	20 20
Hilsinger	472	23 60	Willett	426	21 30
Hufschmidt	700	35 00	Wilson, Buena Vista	268	13 40
Hughes	212	10 60	Wilson, Washington	250	12 50
Hurn	360	18 00	Wise	214	10 70
Jaeger	336	16 80	Wright	82	4 10
Jenks	202	10 10	Mr. Speaker	434	21 70

We recommend that such mileage be duly certified.

CHAS. W. BLACK,  
W. D. DODDS,  
ASMUS BOYSEN.

On motion of Mr. Kendall, report was adopted.

Mr. Wise moved that the House take a recess for fifteen minutes.

Carried.

House resumed its session.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

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

Relative to stationery and assembly laws of the Twenty-seventh and Twenty-eighth General Assemblies.

GEO. A. NEWMAN,  
*Secretary.*

Mr. Teachout, from the inaugural committee, submitted the following report:

REPORT OF COMMITTEE ON INAUGURATION.

MR. SPEAKER—The joint committee on inauguration beg leave to submit the following report:

The inaugural ceremonies will be held in the Auditorium at 2:30 o'clock P. M., Thursday, January 16, 1902. The military escort will receive the Governor and Lieutenant-Governor-elect and party, together with members of the supreme court and other state officers, at the executive parlors at 1:30 P. M., proceeding through the east door of the capitol to carriages in waiting. Cards will be handed each gentleman entitled to a carriage, giving the number of his carriage and the names of his associates in that particular carriage. These parties will organize themselves ready to proceed from the east entrance of the capitol promptly at 1:30 o'clock to occupy seats in the carriages assigned them immediately as the number of their carriage is called. The parade will be organized in the following order:

Squad of police.

Iowa State Military Band.

Company "A," Dubuque, Forty-ninth Regiment, I. N. G.

Company "B," Davenport, Fiftieth Regiment, I. N. G.

Company "L," Sioux City, Fifty-second Regiment, I. N. G.

Company "F," Oskaloosa, Fifty-first Regiment, I. N. G.

Company "A," Des Moines, Fifty-first Regiment, I. N. G.

Three carriages containing members of legislative inaugural committee.

Carriage containing Governor, Governor-elect, Chief Justice of Supreme Court and Adjutant-General.

Three carriages containing military staff of Governor Shaw.

Carriage containing Lieutenant-Governor, Lieutenant-Governor-elect, Speaker of the House and Chief Clerk.

Carriage containing Chaplain, Bishop Morrison, of the Episcopal Diocese of Iowa.

Carriage containing Senators Allison and Dolliver and Ex-Governors present.

Carriage containing members of the Executive Council and Superintendent of Public Instruction.

Carriages containing members of the Supreme Court, Attorney-General and Court Reporter.

Carriage containing Railroad Commissioners and Secretary of the Senate.

Carriages containing members of the Senate.

Carriages containing members of the House.

Carriage containing members of the press.

The parade will move over the following line of march: West on East Grand avenue to East Sixth street, south on East Sixth to Locust street, west on Locust to West Third street, south on Third street to Walnut street, west on Walnut to Seventh street, north on Seventh to Locust street, east on Locust to Fourth street, north on Fourth street to the Auditorium. The occupants of the carriages will be driven to the stage entrance of the Auditorium, where seats have been assigned.

Lieutenant-Governor Milliman will have charge of the ceremonies on the stage.

## PROGRAM.

Music—"Recessional," Kipling—Prof. Grant Hadley and Grant Glee Club.

Calling to order by Lieutenant Governor Milliman.

Invocation by the Right Rev. Theo. N. Morrison, D. D., of Davenport, bishop of the Episcopal Diocese of Iowa.

Music—"The Warrior Bold," Glee Club.

Administering the oath of office by Chief Justice Scott M. Ladd.

Inaugural address by Gov. Albert B. Cummins.

Music, "Stern Old Land," Glee club.

At conclusion of ceremonies the members will re-form and return to the capitol. The joint convention will pass through the east door of the capitol to the House chamber, where it will dissolve.

The capitol will be open between the hours of 8 and 11 o'clock P. M., and an informal reception will be held by the Governor, Lieutenant-Governor, Speaker of the House and other state officers in the rooms of the executive.

The ceremonies of inauguration will be held under the direction of Adjutant-General Byers and Col. E. G. Pratt, chief of staff. The doors of the Auditorium will be open for admission at 1:30 o'clock P. M. Each Senator and Representative will be furnished with five visitors' tickets, which will admit bearer at the side entrance of the Auditorium. Seats will be reserved

for those holding tickets. Seats will be also provided for representatives of the press.

All of which is respectfully submitted.

C. C. DOWELL,  
J. M. JUNKEN,  
J. H. TREWIN,  
W. C. HAYWARD,  
S. H. HARPER,  
G. W. BALL,

*Committee on part of the Senate.*

H. E. TEACHOUT,  
WM. LARRABEE, JR.,  
B. F. CUMMINGS,  
F. C. GILCHRIST,  
LEE NAGLE,  
WILL C. WHITING,

*Committee on part of the House.*

Mr. Teachout moved the adoption of this report.

Adopted.

On motion of Mr. Carter, the House adjourned until 10 A. M. tomorrow.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, Thursday, January 16, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. D. M. Helmick of Monroe, Iowa.

Journal of January 15th corrected and approved.

Mr. Black, from the committee on mileage, made the following report.

MR. SPEAKER—Your committee appointed to report the mileage of the members of the House of Representatives, beg to state that a mistake of 200 miles has been made by it in the amount of mileage allowed Hon. T. Donahue. The total miles traveled by Mr. Donahue is 400 miles, and the amount due him is \$20. We recommend that such mileage be duly certified.

C. W. BLACK,  
 W. D. DODDS,  
 ASMUS BOYSEN,  
*Committee.*

On motion of Mr. Boyesen, report was adopted and the correction in the original report ordered made.

Mr. Hufschmidt offered the following resolution and moved its adoption:

*Resolved*, That the committee on inauguration be and is hereby instructed to procure seats for the ex-speakers of the House.

Adopted.

Mr. Kerr offered the following report from the joint committee on mail carrier:

REPORT OF JOINT COMMITTEE.

MR. SPEAKER—Your joint committee, appointed by the Senate and House of Representatives to select a mail carrier for the Twenty-ninth General Assembly, beg leave to report that they have had the matter under

consideration, and that they have selected James H. Wilson, of Adair county, for that position.

JAMES J. CROSSLEY,  
*Chairman of Senate Committee.*  
W. M. G. KERR,  
*Chairman of House Committee.*

Mr. Kerr moved the adoption of the report.

Adopted.

Mr. Kendall called up his resolution of yesterday, which was laid over under rule 34, relative to bills carrying appropriation.

Mr. Hawk offered the following amendment:

All bills carrying an appropriation for establishing, supporting or extending any state institution or undertaking shall be referred to, and considered by a committee of the whole House before being passed to a third reading.

Mr. Kendall raised the point of order that the amendment was not germane to the resolution.

The Chair ruled the point well taken and the amendment out of order.

Mr. Hughes offered the following amendment to the resolution:

I move to amend the pending resolution by striking out the words "February 20th," and inserting in lieu thereof, the words "March 1st."

Mr. Dunham moved the previous question.

Carried.

The amendment offered by Mr. Hughes was lost.

Resolution of Mr. Kendall adopted.

The Speaker excused Mr. Campbell of Fremont until Tuesday.

Robinson of Emmet, moved that the house do now adjourn until 1 o'clock P. M.

The motion prevailed, and the House adjourned.

### AFTERNOON SESSION.

House met at 1 P. M.

Speaker Eaton in the chair.

Speaker Eaton appointed Larkin Crawford as his page to succeed Robt. Riley, who took Crawford's place on the floor of the House.

The Speaker appointed as a committee to notify the Senate that the House is in readiness to receive them in joint convention, Messrs. Jones of Mahaska, Graff of Page.

The committee appeared and reported duty performed.

The sergeant-at-arms reported the arrival of the Honorable body of the Senate, who then filed in and took seats in the west side of the hall of the House vacated for their use.

#### JOINT CONVENTION.

The joint convention was called to order by Lieutenant Governor Milliman at 1:30 P. M., Thursday, January 16, 1902.

The call of the roll disclosed the following named gentlemen present:

Messrs. Alexander, Allyn, Anderson, Arthaud, Bailey, Ball, Barker, Barkley, Bealer, Bishop, Black, Blakemore, Blanchard, Boysen, Brooks, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Classen, Colclo, Courtwright, Craig, Crawford, Crossley, Couse, Cummings, Davenport, Dodds, Donahue, Dowell, Dunham, Eaton, Edwards, Eiker, Emmert, English, Fields, Fitzpatrick, Flenniken, Freeman, Frudden, Furry, Garst, Graff, Greeley, Greene, Griswold, Hamann, Harper, Harriman, Harts-horn, Hasselquist, Hawk, Hayward, Head, Hertert, Hobart, Hopkins, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Junkin, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Lambert, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lewis, Lister, Lyman, McClure, McClurkin, McNie, Mardis, Maytag, Meservey, Moffit, Molsberry, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Porter, Powers, Pritchard, Robinson, Roome, Secor, Smith of Des Moines, Smith of Mitchell, Sokol, Spaulding, Springer, Stratton, Stucklager, Sweeley, Tallman, Teachout, Temple, Townsend, Trewin, Utterback, Walden, Walters, Warren, Whipple, Whiting, Willett, Wilson of Buena Vista, Wilson of Clinton, Wil-



son of Washington, Wise, Wright, Young of Lee, Young of Washington.

Those absent or not voting were:

Messrs. Bachman, Brighton, Coburn, Cowles, Cruikshank, Gilchrist, Hazelton, Healy, Hilsinger, Hogue, Hubbard, Lyons, Marshall, Mattes, Payne, Sweet, Townsend of Monroe, Winne.

Lieutenant-Governor Milliman declared a majority of both houses present at the joint convention.

The joint convention then repaired to the Auditorium in the manner and method recommended by the inaugural committee, where the following program was rendered:

SONG—"The Recessional" (KIPLING).....*De Koven*  
GRANT HADLEY AND GRANT GLEE CLUB.

CALL TO ORDER—.....  
LIEUTENANT-GOVERNOR MILLIMAN.

INVOCATION—.....  
RT. REV. THEODORE N. MORRISON,  
Bishop of Iowa.

SONG—"A Warrior Bold".....*West*  
GRANT GLEE CLUB.

ADMINISTERING OF OATH TO GOVERNOR-ELECT, ALBERT B. CUMMINS—  
CHIEF JUSTICE SCOTT M. LADD.

ADMINISTERING OF OATH TO LIEUTENANT-GOVERNOR ELECT, JOHN HERRIOTT—  
CHIEF JUSTICE SCOTT M. LADD.

INAUGURAL ADDRESS—.....  
GOVERNOR ALBERT B. CUMMINS.

SONG—"Stern Old Land".....*Ballard*  
GRANT GLEE CLUB.

At the conclusion of the ceremony, the House and Senate re-formed and returned to the capitol.

Called to order by President Milliman at 5 P. M.

Journal of the joint convention read and approved.

On motion of Wise of Blackhawk, the joint convention was dissolved.

House resumed its session, Speaker Eaton in the chair.

The Speaker read an invitation from the president of the board of trustees and the president of the State Normal school at Cedar Falls, to the members of the House to attend the dedication of the new Normal school building on January 30th.

Mr. Wise offered the following resolution and moved that the rules be suspended and the resolution adopted.

WHEREAS, An invitation having been extended to the members of the Twenty-ninth General Assembly by the president of the faculty and the president of the board of trustees of the State Normal school to visit the said institution and participate in the dedicatory services of the new Normal school building, be it:

*Resolved*, That the invitation be accepted and that when adjournment is had on Wednesday, January 29, 1902, the same be had until 10 o'clock Friday, January 31, 1902.

Adopted.

Mr. Stratton moved that the House do now adjourn.

Carried.

The Speaker declared the House adjourned till 2 P. M., Tuesday, January 21st.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 21, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. Dr. E. Benson of Brooklyn, Iowa.

The Journal of Thursday, January 16th, was corrected and approved.

Speaker *pro tem* Kendall took the chair.

Leave of absence was granted Mr. Gilchrist indefinitely.

Mr. Wise of Blackhawk moved that the House proceed to the election of two United States Senators.

Carried.

Mr. Dunham of Delaware, in behalf of the republicans, placed in nomination the Hon. Wm. B. Allison for United States Senator in Congress.

Mr. Hamann of Scott seconded the nomination of Mr. Allison.

Mr. Langan of Clinton, on behalf of the democrats, placed in nomination E. H. Thayer, of Clinton county.

Mr. Dodds of Des Moines seconded the nomination of Mr Thayer.

There being no other nominations, the roll call was ordered.

Those voting for Hon. Wm. B. Allison were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassell, Cheney, Christianson, Clarke, Coburn, Cowles, Crouse, Cummings, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hughes, Hurn, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff. Langan of

Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Walden, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—83.

Those voting for E. H. Thayer were:

Messrs, Colclo, Cruikshank, Davenport, Dodds, Frudden, Hertert, Hufschmidt, Jaeger, Koontz, Langan of Clinton, Marshall, Mordhorst, Springer, Utterback, Walters, Whiting—16.

Absent:

Mr. Gilchrist.

Hon. Wm. B. Allison, having received a constitutional majority, was declared elected by the House as United States Senator for the term commencing March 4, 1903.

For Senator, to fill vacancy caused by the death of the Hon. John H. Gear, Mr. Temple of Clarke, placed in nomination the Hon. Jonathan Prentice Dolliver.

Mr. Kerr of Grundy, seconded the nomination of Mr. Dolliver.

Mr. Jaeger of Des Moines, on behalf of the democrats, nominated Hon. John J. Seerley of Burlington.

Mr. Walters of Tama, seconded the nomination of Mr. Seerley.

There being no other nominations, the roll call was ordered.

Those voting for Mr. Dolliver were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassell, Cheney, Christianson, Clarke, Coburn, Cowles, Crouse, Cummings, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hughes, Hurn, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolt-hoff, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Walden, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—83.

Those voting for Mr. Seerley were:

Messrs. Colclo, Cruikshank, Davenport, Dodds, Frudden, Hertert, Hufschmidt, Jaeger, Koontz, Langan of Clinton, Marshall, Mordhorst, Springer, Utterback, Walters, Whiting - 16.

Absent:

Mr. Gilchrist.

Hon. Jonathan P. Dolliver, having received a constitutional majority, was declared elected by the House as United States Senator for the short term.

Mr. Jones of Mahaska offered the following resolution and moved its adoption:

*Be it Resolved*, By the House, the Senate concurring: That a joint-convention be held in the House on Wednesday, January 22, 1902, at 12 o'clock.

The rules were suspended and the resolution adopted.

Mr. Flenniken of Clayton offered the following resolution, and moved its adoption:

*Resolved*, By the House the Senate concurring: That the secretary of state be and is hereby directed to have printed in pamphlet form fifteen thousand (15,000) copies of the inaugural address of Governor A. B. Cummins for general distribution.

The rules were suspended and the resolution adopted.

Mr. Kerr of Grundy offered the following resolution, and moved its adoption:

*Resolved*, That the House extend a vote of thanks to the joint committee on inauguration of governor and lieutenant-governor for the very excellent manner in which they performed their duty, thus furnishing to the state one of the most successful and pleasant inaugural ceremonies in the history of Iowa.

The rules were suspended and the resolution adopted.

J. P. Spaulding appeared and was sworn in as assistant bill clerk.

Mr. Black of Mills moved that the House take a recess of twenty minutes.

Carried.

House reconvened at 3 o'clock.

Mr. Wise of Blackhawk moved that the House take a recess until 4:30 o'clock.

Carried.

H. M. Belvel, representing the Des Moines Democrat and a syndicate of thirteen papers, was assigned to reporter's desk No. 112.

J. C. Byram, representing the Iowa Unionist, Des Moines, was assigned to reporter's desk No. 106.

House reconvened at 4:30 o'clock.

Mr. Teachout of Polk moved that the House take a recess until 5 o'clock.

Carried.

House reconvened at 5 o'clock.

Speaker Eaton in the chair.

The Speaker announced the following standing committees, in accordance with the rules of the House:

#### WAYS AND MEANS.

Temple of Clarke,  
Hughes of Iowa,  
Clarke of Dallas,  
Graff of Page,  
Cowles of Kossuth,  
Sokol of Jones,  
Wright of Guthrie,  
Head of Greene,  
Hilsinger of Jackson,  
Sweet of Bremer,  
Wilson of Buena Vista,  
Buchanan of Wapello,  
Barkley of Boone,  
Stuckslager of Linn,

Kendall of Monroe,  
English of Polk,  
Carden of Henry,  
Gilchrist of Pocahontas,  
Cummings of Marshall,  
Larrabee of Fayette,  
Freeman of Pottawattamie,  
Greene of Madison,  
McClurkin of Louisa,  
Walden of Wayne,  
Willett of Woodbury,  
Dodds of Des Moines,  
Whiting of Monona,  
Hufschmidt of Allamakee,

#### JUDICIARY.

Clarke of Dallas,  
Temple of Clarke,  
Hurn of Cerro Gordo,  
Dunham of Delaware,  
Lyman of Poweshiek,  
Kendall of Monroe,  
Edwards of Butler,  
Payne of Appanoose,  
Jones of Mahaska,  
Wilson of Washington,  
Furry of Hardin,  
Kerr of Grundy,  
Warren of Marion,

Hilsinger of Jackson,  
Sweet of Bremer,  
Barker of Howard,  
Campbell of Fremont,  
Hamann of Scott,  
Sweeley of Woodbury,  
Cummings of Marshall,  
Gilchrist of Pocahontas,  
Marshall of Lee,  
Springer of Buchanan,  
Langan of Clinton,  
Walters of Tama,  
Davenport of Union.

## APPROPRIATIONS.

Hughes of Iowa,  
 Cowles of Kossuth,  
 Stuckslager of Linn,  
 Graff of Page,  
 Payne of Appanoose,  
 Hurn of Cerro Gordo,  
 Wilson of Washington,  
 Hasselquist of Lucas,  
 Patton of Franklin,  
 Hawk of Jasper,  
 Boysen of Audubon,  
 Wise of Blackhawk,  
 Crouse of Adams,  
 Warren of Marion,

Jenks of Pottawattamie,  
 Teachout of Polk,  
 Mattes of Sac,  
 Flenniken of Clayton,  
 Greeley of Story,  
 Pipher of Cass,  
 Langan of Crawford,  
 Nagle of Van Buren,  
 Secor of Winnebago,  
 McClure of Adair,  
 Koontz of Johnson,  
 Jaeger of Des Moines,  
 Frudden of Dubuque,  
 Colclo of Carroll.

## RAILROADS AND COMMERCE.

Wise of Blackhawk,  
 Kendall of Monroe,  
 Hurn of Cerro Gordo,  
 Boysen of Audubon,  
 Hasselquist of Lucas,  
 Edwards of Butler,  
 Sokol of Jones,  
 Stratton of Montgomery,  
 Anderson of Warren,  
 Black of Mills,  
 Eiker of Decatur,  
 Kerr of Grundy,  
 Meservey of Webster,  
 Bealer of Linn,  
 Calderwood of Scott,

Donahue of O'Brien,  
 Kolthoff of Chickasaw,  
 Pipher of Cass,  
 English of Polk,  
 Barker of Howard,  
 Christianson of Hamilton,  
 Fields of Plymouth,  
 Walden of Wayne,  
 Keagy of Dubuque,  
 Nichols of Muscatine,  
 Pritchard of Wright,  
 Robinson of Emmet,  
 Cruikshank of Lee,  
 Marshall of Lee,  
 Mordhorst of Clinton.

## MUNICIPAL CORPORATIONS.

Carter of Sioux,  
 Temple of Clarke,  
 Sweet of Bremer,  
 Furry of Hardin,  
 Lyman of Poweshiek,  
 Clarke of Dallas,  
 Buchanan of Wapello,  
 Dunham of Delaware,  
 Boysen of Audubon,  
 Blakemore of Taylor,  
 Payne of Appanoose,

Jones of Mahaska,  
 Sweeley of Woodbury,  
 Meservey of Webster,  
 Bealer of Linn,  
 Hamann of Scott,  
 Teachout of Polk,  
 Jaeger of Des Moines,  
 Koontz of Johnson,  
 Marshall of Lee,  
 Frudden of Dubuque,  
 Langan of Clinton.

## BANKS AND BANKING.

Wilson of Buena Vista,  
 Jenks of Pottawattamie,  
 Head of Greene,  
 Wise of Blackhawk,  
 Lyman of Poweshiek,  
 Sweet of Bremer,  
 Stuckslager of Linn,  
 Boysen of Audubon,  
 Hilsinger of Jackson,  
 Barkley of Boone,  
 Walden of Wayne,  
 McClurkin of Louisa,  
 Greeley of Story,

Calderwood of Scott,  
 Nagle of Van Buren,  
 Robinson of Emmet,  
 Teachout of Polk,  
 Freeman of Pottawattamie,  
 Carden of Henry,  
 Pritchard of Wright,  
 Cruikshank of Lee,  
 Davenport of Union,  
 Hufschmidt of Allamakee,  
 Frudden of Dubuque,  
 Whiting of Monona.

## PRIVATE CORPORATIONS.

Head of Greene,  
 Temple of Clarke,  
 Jenks of Pottawattamie,  
 Roome of Winneshiek,  
 Coburn of Cherokee,  
 Keagy of Dubuque,  
 Christianson of Hamilton,  
 Fields of Plymouth,

Mattes of Sac,  
 Donahue of O'Brien,  
 Campbell of Fremont,  
 Flenniken of Clayton,  
 English of Polk,  
 Langan of Clinton,  
 Hertert of Shelby.

## LABOR.

Buchanan of Wapello,  
 Temple of Clarke,  
 Jones of Mahaska,  
 Carter of Sioux,  
 Hawk of Jasper,  
 Blakemore of Taylor,  
 Kendall of Monroe,  
 Calderwood of Scott,  
 Kolthoff of Chickasaw,

Kling of Harrison,  
 Mattes of Sac,  
 McClurkin of Louisa,  
 Nichols of Muscatine,  
 Robinson of Emmet,  
 Sweeley of Woodbury,  
 Jaeger of Des Moines,  
 Cruikshank of Lee,  
 Mordhorst of Clinton.

## CLAIMS.

Stuckslager of Linn,  
 Carter of Sioux,  
 Head of Greene,  
 Black of Mills,  
 Buchanan of Wapello,  
 Keagy of Dubuque,  
 Bailey of Ringgold,  
 McNie of Benton.

Bealer of Linn,  
 Cheney of Clay,  
 Christianson of Hamilton,  
 Cummings of Marshall,  
 Langan of Crawford,  
 Leech of Cedar,  
 Hertert of Shelby.

## COMPENSATION OF PUBLIC OFFICERS.

Hurn of Cerro Gordo,  
 Barkley of Boone,  
 Carter of Sioux,  
 Townsend of Calhoun,  
 Clarke of Dallas,  
 Buchanan of Wapello,  
 Bealer of Linn,  
 Barker of Howard,  
 Christianson of Hamilton,  
 Cummings of Marshall,

English of Polk,  
 Fields of Plymouth,  
 Donahue of O'Brien,  
 Keagy of Dubuque,  
 Langan of Crawford,  
 McClure of Adair,  
 Willett of Woodbury,  
 Dodds of Des Moines,  
 Marshall of Lee,  
 Springer of Buchanan.

## SUPPRESSION OF INTEMPERANCE.

Stratton of Montgomery,  
 Hawk of Jasper,  
 Hurn of Cerro Gordo,  
 Patton of Franklin,  
 Townsend of Calhoun,  
 Wright of Guthrie,  
 Black of Mills,  
 Anderson of Warren,  
 Robinson of Emmet,

Powers of Floyd,  
 Langan of Crawford,  
 Mattes of Sac,  
 Nagle of Van Buren,  
 Kling of Harrison,  
 Dodds of Des Moines,  
 Davenport of Union,  
 Mordhorst of Clinton.



## PRINTING.

Anderson of Warren,  
 Patton of Franklin,  
 Blakemore of Taylor,  
 Wilson of Buena Vista,  
 Hilsinger of Jackson,  
 Boysen of Audubon,  
 Wilson of Washington,  
 Lyman of Poweshiek.

McNie of Benton,  
 McClure of Adair,  
 Pritchard of Wright,  
 English of Polk,  
 Kling of Harrison,  
 Colclo of Carroll,  
 Hufschmidt of Allamakee.

## ELECTIONS.

Cowles of Kossuth,  
 Anderson of Warren,  
 Jones of Mahaska,  
 Kerr of Grundy,  
 Head of Greene,  
 Sweeley of Woodbury,  
 Hamann of Scott,

Cassel of Jefferson,  
 Campbell of Fremont,  
 Freeman of Pottawattamie,  
 Greene of Madison,  
 Kling of Harrison,  
 Hertert of Shelby,  
 Langan of Clinton.

## CONGRESSIONAL DISTRICTS.

Furry of Hardin,  
 Wilson of Washington,  
 McClurkin of Louisa,  
 Hughes of Iowa,  
 Hilsinger of Jackson,  
 Sweet of Bremer,  
 Larrabee of Fayette,  
 Hurn of Cerro Gordo,  
 Kerr of Grundy,  
 Leech of Cedar,  
 Buchanan of Wapello,  
 Hawk of Jasper,  
 Warren of Marion,  
 Clarke of Dallas,

Graff of Page,  
 Hasselquist of Lucas,  
 McClure of Adair,  
 Jenks of Pottawattamie,  
 Meservey of Webster,  
 Barkley of Boone,  
 Wilson of Buena Vista,  
 Sweeley of Woodbury,  
 Cruikshank of Lee,  
 Frudden of Dubuque,  
 Whiting of Monona,  
 Walters of Tama,  
 Utterback of Keokuk.

## SENATORIAL DISTRICTS.

Hilsinger of Jackson,  
 Hurn of Cerro Gordo,  
 Crouse of Adams,  
 Wright of Guthrie,  
 Jenks of Pottawattamie,  
 Carter of Sioux,  
 Cowles of Kossuth,  
 Payne of Appanoose,

Walden of Wayne,  
 Nichols of Muscatine,  
 Flenniken of Clayton,  
 Freeman of Pottawattamie,  
 Greeley of Story,  
 Dodds of Des Moines,  
 Hertert of Shelby.

## REPRESENTATIVE DISTRICTS.

Hasselquist of Lucas,  
 Temple of Clarke,  
 Stratton of Montgomery,  
 Black of Mills,  
 Blakemore of Taylor,  
 Coburn of Cherokee,  
 Cummings of Marshall,  
 English of Polk,

Anderson of Warren,  
 Donahue of O'Brien,  
 Gilchrist of Pocahontas,  
 Pritchard of Wright,  
 Langan of Crawford,  
 Hufschmidt of Allamakee,  
 Springer of Buchanan.

## MINES AND MINING.

Kendall of Monroe,  
Graff of Page,  
Hasselquist of Lucas,  
Buchanan of Wapello,  
Wilson of Washington,  
Hawk of Jasper,  
Lyman of Poweshiek,  
Warren of Marion,

Meservey of Webster,  
Teachout of Polk,  
Sweeley of Woodbury,  
Comings of Marshall,  
Koontz of Johnson,  
Jaeger of Des Moines,  
Frudden of Dubuque.

## PHARMACY.

Hawk of Jasper,  
Roome of Winneshiek,  
Townsend of Calhoun,  
Coburn of Cherokee,  
Sokol of Jones,  
Kendall of Monroe,  
Eiker of Decatur,  
Pipher of Cass,  
Bailey of Ringgold,

McClurkin of Louisa,  
Flenniken of Clayton,  
Calderwood of Scott,  
Mattes of Sac,  
Nichols of Muscatine,  
Leech of Cedar,  
Walters of Tama,  
Hufschmidt of Allamakee.

## CONSTITUTIONAL AMENDMENTS.

Sweet of Bremer,  
Temple of Clarke,  
Kerr of Grundy,  
Blakemore of Taylor,  
Barkley of Boone,  
Roome of Winneshiek,  
Payne of Appanoose,

Black of Mills,  
Baker of Howard,  
Fields of Plymouth,  
Gilchrist of Pocahontas,  
Willett of Woodbury,  
Langan of Clinton,  
Walters of Tama.

## PUBLIC HEALTH.

Eiker of Decatur,  
Hawk of Jasper,  
Townsend of Calhoun,  
Roome of Winneshiek,  
Anderson of Warren,  
Head of Greene,  
Leech of Cedar,  
Cassel of Jefferson,

Kolthoff of Chickasaw,  
Campbell of Fremont,  
Fields of Plymouth,  
Kling of Harrison,  
Langan of Clinton,  
Springer of Buchanan,  
Walters of Tama.

## RETRENCHMENT AND REFORM.

Townsend of Calhoun,  
Hasselquist of Lucas,  
Crouse of Adams,  
Jones of Mahaska,  
Bailey of Ringgold,  
McNie of Benton,

Cheney of Clay,  
Greeley of Story,  
McClurkin of Louisa,  
Moore of Davis,  
Koontz of Johnson,  
Hertert of Shelby.

## WOMAN SUFFRAGE.

Roome of Winneshiek,  
Wilsou of Buena Vista,  
Hasselquist of Lucas,  
Payne of Appanoose,  
Coburn of Cherokee,  
Gilchrist of Pocahontas,

Moore of Davis,  
Bailey of Ringgold,  
Eiker of Decatur,  
Christianson of Hamilton,  
Marshall of Lee,  
Davenport of Union.

## STATE UNIVERSITY.

Payne of Appanoose,  
Hilsinger of Jackson,  
Carter of Sioux,  
Eiker of Decatur,  
Edwards of Butler,  
Meservey of Webster,  
Greene of Madison,  
Larrabee of Fayette,

Flenniken of Clayton,  
Gilchrist of Pocahontas,  
Hamann of Scott,  
Leech of Cedar,  
Nagle of Van Buren,  
Koontz of Johnson,  
Dodds of Des Moines,  
Whiting of Monona.

## AGRICULTURE.

Wright of Guthrie,  
Black of Mills,  
Blakemore of Taylor,  
Patton of Franklin,  
Crouse of Adams,  
Cowles of Kossuth,  
Carter of Sioux,  
Bailey of Ringgold,  
Cassel of Jefferson,  
Koltoff of Chickasaw,

McNie of Benton,  
Nichols of Muscatine,  
Powers of Floyd,  
Pritchard of Wright,  
Greene of Madison,  
Secor of Winnebago,  
Mordhorst of Clinton,  
Hufschmidt of Allamakee,  
Uterback, Keokuk.

## PUBLIC LIBRARIES.

Barkley of Boone,  
Kendall of Monroe,  
Kerr of Grundy,  
Wilson of Washington,  
Wise of Blackhawk,  
Roomer of Winneshiek,

Meservey of Webster,  
Bealer of Linn,  
English of Polk,  
Larrabee of Fayette,  
Pipher of Cass,  
Cruikshank of Lee.

## PARDONS.

Wilson of Washington,  
Townsend of Calhoun,  
Kerr of Grundy,  
Eiker of Decatur,  
Edwards of Butler,  
Payne of Appanoose,  
Sweet of Bremer,  
Warren of Marion,  
Dunham of Delaware,

Anderson of Warren,  
Hasselquist of Lucas,  
Hamaun of Scott,  
Larrabee of Fayette,  
Teachout of Polk,  
McClure of Adair,  
Dodds of Des Moines,  
Springer of Buchanan,  
Davenport of Union.

## INSURANCE.

Warren of Marion,  
Edwards of Butler,  
Blakemore of Taylor,  
Patton of Franklin,  
Wilson of Buena Vista,  
Townsend of Calhoun,  
Dunham of Delaware,  
Clarke of Dallas,  
Hughes of Iowa,  
Keagy of Dubuque,  
Sweet of Bremer,

Bailey of Ringgold,  
Flenniken of Clayton,  
Pipher of Cass,  
Pritchard of Wright,  
Barker of Howard,  
Carden of Henry,  
Willett of Woodbury,  
Mordhorst of Clinton,  
Walters of Tama,  
Whiting of Monona.

## ENROLLED BILLS.

Cyman of Poweshiek,  
Larke of Dallas,  
Sweet of Bremer,  
Dunham of Delaware,

Carden of Henry,  
Greeley of Story,  
Davenport of Union,  
Springer of Buchanan.

## BUILDING AND LOAN.

Walden of Wayne,  
Graff of Page,  
Lyman of Poweshiek,  
Stuckslager of Linn,  
Jenks of Pottawattamie,  
Wise of Blackhawk,  
Hughes of Iowa,

Hamann of Scott,  
Nichols of Muscatine,  
Campbell of Fremont,  
McClure of Adair,  
Nagle of Van Buren,  
Marshall of Lee,  
Utterback of Keokuk.

## DOMESTIC MANUFACTURES.

Patton of Franklin,  
Anderson of Warren,  
Stratton of Montgomery,  
Wise of Blackhawk,  
Cassel of Jefferson,  
Powers of Floyd,

Carden of Henry,  
Greene of Madison,  
Moore of Davis,  
Jaeger of Des Moines,  
Dodds of Des Moines,  
Utterback of Keokuk.

## COUNTY AND TOWNSHIP ORGANIZATION.

Blakemore of Taylor,  
Jenks of Pottawattamie,  
Sokol of Jones,  
Cowles of Kossuth,  
Christianson of Hamilton,  
Keagy of Dubuque,

Kolthoff of Chickasaw,  
English of Polk,  
Langan of Crawford,  
Jaeger of Des Moines,  
Davenport of Union,  
Hertert of Shelby.

## SCHOOLS AND TEXT-BOOKS.

Dunham of Delaware,  
Furry of Hardin,  
Hawk of Jasper,  
Sokol of Jones,  
Cowles of Kossuth,  
Edwards of Butler,  
Keagy of Dubuque,  
Robinson of Emmet,  
Secor of Winnebago,  
Meservey of Webster,  
Walden of Wayne,

Nagle of Van Buren,  
Barker of Howard,  
Cheney of Clay,  
Gilchrist of Pocahontas,  
Greeley of Story,  
Donahue of O'Brien,  
Powers of Floyd,  
Koontz of Johnson,  
Whiting of Monona,  
Colclo of Carroll,  
Davenport of Union.

## ROADS AND HIGHWAYS.

Coburn of Cherokee,  
Black of Mills,  
Furry of Hardin,  
Crouse of Adams,  
Patton of Franklin,  
Carter of Sioux,  
Lyman of Poweshiek,  
Stratton of Montgomery,  
Wright of Guthrie,  
Flenniken of Clayton,  
Bailey of Ringgold,  
Calderwood of Scott,

Cassel of Jefferson,  
Kolthoff of Chickasaw,  
Larrabee of Fayette,  
Powers of Floyd,  
Secor of Winnebago,  
Carden of Henry,  
Cheney of Clay,  
Dodds of Des Moines,  
Colclo of Carroll,  
Utterback of Keokuk,  
Mordhorst of Clinton,  
Walters of Tama.

## ANIMAL INDUSTRY.

Crouse of Adams,  
Patton of Franklin,  
Wright of Guthrie,  
Stratton of Montgomery,  
Coburn of Cherokee,  
Cassel of Jefferson

Kolthoff of Chickasaw,  
Powers of Floyd,  
Kling of Harrison,  
Moore of Davis,  
Mordhorst of Clinton,  
Utterback of Keokuk.

## NORMAL SCHOOLS.

Kerr of Grundy,  
 Stuckslager of Linn,  
 Temple of Clarke,  
 Cowles of Kossuth,  
 Payne of Appanoose,  
 Wise of Blackhawk,  
 Stratton of Montgomery,  
 Eiker of Decatur,  
 Warren of Marion,  
 Wilson of Buena Vista,  
 Furry of Hardin,

Hughes of Iowa,  
 Wright of Guthrie,  
 Keagy of Dubuque,  
 Willett of Woodbury,  
 Mattes of Sac,  
 Larrabee of Fayette,  
 Pipher of Cass,  
 Cruikshank of Lee,  
 Jaeger of Des Moines,  
 Hufschmidt of Allamakee,  
 Springer of Buchanan.

## PUBLIC LANDS AND BUILDINGS.

Meservey of Webster,  
 Townsend of Calhoun,  
 Wilson of Buena Vista,  
 Carter of Sioux,  
 Jones of Mahaska,  
 Robinson of Emmet,  
 Donahue of O'Brien,  
 Campbell of Fremont,

Carden of Henry,  
 Fields of Plymouth,  
 Greene of Madison,  
 Langan of Crawford,  
 Willett of Woodbury,  
 Hertert of Shelby,  
 Whiting of Monona.

## PENITENTIARIES.

Sokol of Jones,  
 Stratton of Montgomery,  
 Jones of Mahaska,  
 Calderwood of Scott,  
 Cassel of Jefferson,

McNie of Benton,  
 Cheney of Clay,  
 Kling of Harrison,  
 McClure of Adair,  
 Cruikshank of Lee.

## TELEGRAPH, TELEPHONE AND EXPRESS.

Edwards of Butler,  
 Buchanan of Wapello,  
 Stuckslager of Linn,  
 Coburn of Cherokee,  
 Warren of Marion,  
 Mattes of Sac,  
 Robinson of Emmet,  
 McClure of Adair,  
 Larrabee of Fayette,  
 Hamann of Scott,

Greene of Madison,  
 Nagle of Van Buren,  
 Secor of Winnebago,  
 Flenniken of Clayton,  
 Gilchrist of Pocahontas,  
 Walden of Wayne,  
 Koontz of Johnson,  
 Hufschmidt of Allamakee,  
 Davenport of Union,  
 Colclo of Carroll.

## HORTICULTURE.

Secor of Winnebago,  
 Wilson of Washington,  
 Black of Mills,  
 Wright of Guthrie,  
 Calderwood of Scott,

Freeman of Pottawattamie,  
 Cassel of Jefferson,  
 Greene of Madison,  
 Whiting of Monona,  
 Mordhorst of Clinton.

## INDUSTRIAL SCHOOLS.

Boysen of Audubon,  
 Furry of Hardin,  
 Eiker of Decatur,  
 Christianson of Hamilton,  
 Moore of Davis,

Teachout of Polk,  
 Donahue of O'Brien,  
 Carden of Henry,  
 Whiting of Monona.

## MILITARY.

Moore of Davis,  
Wilson of Washington,  
Hughes of Iowa,  
Black of Mills,  
Payne of Appanoose,  
Barkley of Boone,  
Larrabee of Fayette,

Cheney of Clay,  
Greeley of Story,  
Barker of Howard,  
Donahue of O'Brien,  
Utterback of Keokuk,  
Frudden of Dubuque.

## SOLDIERS' AND ORPHANS' HOME.

Cummings of Marshall,  
Graff of Page,  
Lyman of Poweshiek,  
Blakemore of Taylor,  
Head of Greene,  
Calderwood of Scott,

Pritchard of Wright,  
Bealer of Linn,  
Cheney of Clay,  
Moore of Davis,  
Leech of Cedar,  
Springer of Buchanan.

## BOARD OF PUBLIC CHARITIES.

Teachout of Polk,  
Sokol of Jones,  
Coburn of Cherokee,  
Head of Greene,

McNie of Benton,  
Freeman of Pottawattamie,  
McClurkin of Louisa,  
Utterback of Keokuk.

## FISH AND GAME.

Cruikshank of Lee,  
Hilinger of Jackson,  
Hurn of Cerro Gordo,  
Wilson of Buena Vista,  
Crouse of Adams,  
Boysen of Audubon,  
Donahue of O'Brien,

Sweeley of Woodbury,  
Christianson of Hamilton,  
Robinson of Emmet,  
Barker of Howard,  
Colelo of Carroll,  
Frudden of Dubuque.

## POLICE REGULATIONS.

Jones of Mahaska,  
Wise of Blackhawk,  
Powers of Floyd,  
Freeman of Pottawattamie,

Secor of Winnebago,  
Hamann of Scott,  
Teachout of Polk,  
Frudden of Dubuque.

## HOSPITAL FOR THE INSANE.

Graff of Page,  
Hawk of Jasper,  
Coburn of Cherokee,  
Eiker of Decatur,  
Roome of Winneshiek,

Carden of Henry,  
Fields of Plymouth,  
Leech of Cedar,  
Willett of Woodbury,  
Marshall of Lee.

## INSTITUTE FOR THE FEEBLE-MINDED.

Black of Mills,  
Bailey of Ringgold,  
Boysen of Audubon,

Cheney of Clay,  
Wright of Guthrie,  
Hertert of Shelby.

## FEDERAL RELATIONS.

Jaeger of Des Moines,  
Furry of Hardin,  
Hughes of Iowa,  
Barkley of Boone,

Campbell of Fremont,  
Freeman of Pottawattamie,  
McClurkin of Louisa,  
Cruikshank of Lee.

## COLLEGE FOR THE BLIND.

McNie of Benton,  
Dunham of Delaware,  
Crouse of Adams  
Keagy of Dubuque,

Campbell of Fremont,  
English of Polk,  
Fremman of Pettawattamie,  
Colclo of Carroll.

## AGRICULTURAL COLLEGE.

Greeley of Story,  
Sokol of Jones,  
Dunham of Delaware,  
Stuckslager of Linn,  
Head of Greene,  
Pipher of Cass,  
Bealer of Linn,  
Walden of Wayne,

Secor of Winnebago,  
Calderwood of Scott,  
Nichols of Muscatine,  
Kolthoff of Chickasaw,  
Mattes of Sac,  
Jaeger of Des Moines,  
Walters of Tama,  
Colclo of Carroll.

## INSTITUTE FOR DEAF AND DUMB.

Jenks of Pottawattamie,  
Graff of Page,  
Roome of Winneshiek,  
Powers of Floyd,

Kling of Harrison,  
Langan of Crawford,  
Leech of Cedar,  
Pritchard of Wright.

## ENGROSSED BILLS.

Langan of Crawford,  
Kendall of Monroe,  
Walden of Wayne,  
Willett of Woodbury,

Nagle of Van Buren,  
Fields of Plymouth,  
Pipher of Cass,  
Hufschmidt of Allamakee.

## JUDICIAL DISTRICTS.

Sweeley of Woodbury,  
Jones of Mahaska,  
Edwards of Butler,  
Payne of Appanoose,  
McNie of Benton,  
Nichols of Muscatine,

Bealer of Linn,  
Moore of Davis,  
Pipher of Cass,  
Walters of Tama,  
Langan of Clinton.

## RULES.

Koontz of Johnson,  
Stuckslager of Linn,  
Temple of Clarke,  
Clarke of Dallas,  
Kendall of Monroe,  
Meservey of Webster,

Cummings of Marshall,  
Nagle of Van Buren,  
Marshall of Lee,  
Springer of Buchanan,  
Mr. Speaker.

Mr. Willett, on request, was excused until next Friday morning.

Mr. Teachout of Polk offered the following resolution, and moved its adoption under a suspension of the rules:

*Resolved*, By the House, the Senate concurring: That an invitation is hereby extended to the Hon. Phineas M. Cassidy, of Des Moines, one of the few surviving members of the Second General Assembly of the state, the only one which, prior to the Twenty-ninth, has been called upon to fill both seats in the United States Senate, to attend the joint convention of the present General Assembly which meets at noon on January 22d inst.

and that a committee of one member each from the House and Senate be appointed to personally extend the invitation and escort Mr. Cassidy to the Hall of the House of Representatives.

Adopted.

Mr. Kendall of Monroe moved that the House adjourn until tomorrow morning at 10 o'clock.

Motion prevailed and the House adjourned.



HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, January 22, 1902.

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. Alexander Corkey of Malvern, Iowa.

The Journal of January 21st was corrected and approved.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in the following concurrent resolution, in which the concurrence of the Senate was asked:

Concurrent resolution relative to joint session to elect United States Senators in Congress.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in the following concurrent resolution, in which the concurrence of the Senate was asked:

Concurrent resolution relative to printing copies of the governor's inaugural address.

GEO. A. NEWMAN,  
*Secretary.*

The Speaker announced as the committee to grant, assign and arrange committee clerks Messrs. Warren of Marion, Wilson of Washington and Wright of Guthrie.

PETITIONS AND MEMORIALS.

Mr. Hasselquist of Lucas presented remonstrance of citizens of Lucas county relating to a parole or pardon of one Byron Winn.

Referred to committee on Pardons.

Mr. Kendall moved that no petitions or remonstrances be received until the subject they are intended to affect is under consideration by the House.

Carried.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in the following concurrent resolution in which the concurrence of the Senate was asked:

Concurrent resolution relative to extending invitation to Hon. Phineas M. Casady to attend the joint convention to elect United States Senators in congress, and appointing a committee to extend such invitation, and naming Senator Dowell as member of said committee on the part of the Senate.

GEO. A. NEWMAN,  
*Secretary.*

The Speaker appointed as House member of this committee Mr. English of Polk.

INTRODUCTION OF BILLS.

By Mr. Black of Mills, House file No. 1, a bill for an act to amend sections 417 and 418 of the code relating to the supervisor districts and the election of members thereof.

Read first and second time and referred to committee on Elections.

By Mr. Blakemore of Taylor, House file No. 2, a bill for an act to amend section 4740 of the code relative to the execution of persons under sentence of death.

Read first and second time and referred to committee on Judiciary.

By Mr. Buchanan of Wapello, House file No. 3, a bill for an act relative to the use of streets and highways by automobiles or motor vehicles.

Read first and second time and referred to committee on Roads and Highways.

By Mr. Dodds of Des Moines, House file No. 4, a bill for an act to amend section 1532, chapter 1, of the code, relating to public roads.

Read first and second time and referred to committee on Roads and Highways.

By Mr. English of Polk, House file No. 5, a bill for an act to repeal sections 2566 and 2567 of the code, and to enact substitutes therefor relating to vital statistics.

Read first and second time and referred to committee on Judiciary.

By Mr. English of Polk, House file No. 6, a bill for an act relating to assessment and collection of the collateral inheritance tax, and repealing chapter 4, title 7, of the code, and chapter 37 of the acts of the Twenty-seventh General Assembly and chapter 51 of the acts of the Twenty-eighth General Assembly.

Read first and second time and referred to committee on Ways and Means.

By Mr. Frudden of Dubuque, House file No. 7, a bill for an act for the better protection of life and property against injury or damage resulting from the operation of steam engines and boilers by incompetent engineers and others.

Read first and second time and referred to committee on Police Regulations.

By Mr. Greene of Madison, House file No. 8, a bill for an act providing for the nomination of officers and the election of delegates to conventions of political parties or organizations by a primary election.

Read first and second time and referred to committee on Elections.

By Mr. Head of Greene, House file No. 9, a bill for an act to legalize the formation of the independent school district of Ralston, part of which is in Carroll and part in Greene counties.

Read first and second time and referred to committee on Judiciary, and on request of the author, by unanimous consent, was referred without printing.

By Mr. Jenks of Pottawattamie, House file No. 10, a bill for an act to authorize the appointment of state and savings banks, and loan and trust companies, organized under the laws of Iowa, as administrators, executors, guardians, trustees, receivers and assignees.

Read first and second time and referred to committee on Banks and Banking.

By Mr. Jones of Mahaska, by request, House file No. 11, a bill for an act to repeal section 458 and amend section 459 of the code, relating to the disposition of the fund derived from the taxation of dogs.

Read first and second time and referred to committee on Ways and Means.

By Mr. Kendall of Monroe, House file No. 12, a bill for an act to amend chapter 9, title 12 of the code, relating to mines and mining.

Read first and second time and referred to committee on Mines and Mining.

By Mr. Kendall of Monroe, House file No. 13, a bill for an act to amend section 2489 of the code, relating to mines and mining.

Read first and second time and referred to committee on Mines and Mining.

By Mr. Kendall of Monroe, House file No. 14, a bill for an act to add to and amend section 2489 of the code, relating to mines and mining.

Read first and second time and referred to committee on Mines and Mining.

By Mr. Koontz of Johnson, House file No. 15, a bill for an act to repeal chapter 97 of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor.

Read first and second time and referred to committee on Ways and Means.

By Mr. Secor of Winnebago, House file No. 16, a bill for an act to repeal sections 111, 112, 113 and 114 of the code, and authorizing the establishment of a depository or depositories for state funds.

Read first and second time and referred to committee on Banks and Banking.

By Mr. Sweet of Bremer, House file No. 17, a bill for an act to reimburse Louis Case for money paid by him for clothing to

equip a portion of the Ninth regiment, Iowa volunteers, in the war of the rebellion.

Read first and second time and referred to committee on Claims.

By Mr Teachout of Polk, House file No. 18, a bill for an act to provide a water supply for military reservations of the United States in this state.

Read first and second time and referred to committee on Military.

By Mr. Teachout of Polk, House file No. 19, a bill for an act to authorize the loaning of funds accumulated under chapter 1 of the acts of the Twenty-sixth General Assembly, or under section 742 of the code.

Read first and second time and referred to committee on Judiciary.

By Mr. Warren of Marion, House file No. 20, a bill for an act to create an additional State Normal school in the state institution formerly occupied as the Industrial Home for the Blind at Knoxville, in Marion county, and to convert said property to said uses and purposes, and provide for the maintenance, equipment and improvement thereof.

Read first and second time and referred to committee on Normal Schools.

By Mr. Warren of Marion, House file No. 21, a bill for an act to amend chapter 102 of the acts of the Twenty-eighth General Assembly, relating to the Iowa Industrial Reformatory for Females, and to make appropriation therefor.

Read first and second time and referred to committee on Industrial Schools.

By Mr. Wilson of Washington, House file No. 22, a bill for an act to amend section 1332 of the code relating to taxation of telegraph lines.

Read first and second time and referred to committee on Judiciary.

By Mr. Wise of Blackhawk, House file No. 23, a bill for an act making an appropriation for the State Normal school.

Read first and second time and referred to committee on Appropriations.

By Mr. Greeley of Story, House file No. 24, a bill for an act making an appropriation for the Iowa State Agricultural College and Mechanic Arts.

Read first and second time and referred to committee on Appropriations.

By Mr. Cassel of Jefferson, House file No. 25, a bill for an act to legalize the acts of the board of supervisors of Jefferson county, Iowa, relating to the levying of tax.

Read first and second time and referred to committee on Judiciary.

By Mr. Anderson of Warren, House file No. 26, a bill for an act to legalize and confirm the acts of Geo. C. Murtry and Herbert J. McMurtrie, notaries public of the state of Iowa.

Read first and second time and referred to committee on Judiciary.

By Mr. Anderson of Warren, House file No. 27, a bill for an act to amend sections 118 and 119 of the code, defining the duties of state printer and state binder.

Read first and second time and referred to committee on Printing.

By Mr. Anderson of Warren, House file No. 28, a bill for an act to amend section 1272 of the code, relating to the appointment of city officers to fill vacancies.

Read first and second time and referred to committee on Municipal Corporations.

By Mr. Campbell of Fremont, House file No. 29, a bill for an act to amend section 2799, chapter 14, title 13 of the code of 1897, relating to uniting independent districts.

Read first and second time and referred to committee on Schools and Text-Books.

By Mr. Koontz of Johnson, House file No 30, a bill for an act making appropriations to the State University of Iowa.

Read first and second time and referred to committee on Appropriations.

By Mr. Buchanan of Wapello, House file No. 31, a bill for an act relating to the sale of cocaine and providing punishment for the illegal sale thereof.

Read first and second time and referred to committee on Public Health.

On motion of Mr. Warren of Marion, the House took a recess until 11:50.

House reconvened.

Speaker Eaton in the chair.

The Speaker appointed as a committee to notify the Senate that the House is in readiness to receive them in joint convention, Messrs. Edwards of Butler, Leach of Cedar and Langan of Clinton.

The committee reported duty performed, and was discharged.

Mr. Bailey of Ringgold was excused after tomorrow till Monday.

The sergeant-at-arms announced the arrival of the honorable body of the Senate, who took seats on the west side of the House vacated for their use.

#### JOINT CONVENTION.

The joint convention was called to order by Lieutenant-Governor Herriott, president of the joint convention, at 12 o'clock noon.

The roll was then called and the following named Senators and Representatives were disclosed as present:

Messrs. Alexander, Allyn, Anderson, Arthaud, Bailey, Ball, Barker, Barkley, Bealer, Bishop, Black, Blakemore, Blanchard, Boysen, Brighton, Brooks, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Classen, Coburn, Colclo, Courtright, Cowles, Craig, Crawford, Crossley, Crouse, Cruiksnank, Cummings, Davenport, Dodds, Donahue, Dowell, Dunham, Eaton, Edwards, Eiker, Emmert, English, Fields, Fitchpatrick, Flenniken, Freeman, Frudden, Furry, Garst, Graff,

Greeley, Greene, Griswold, Hamann, Harper, Harriman, Hartshorn, Hasselquist, Hawk, Hayward, Hazelton, Head, Hertert, Hilsinger, Hobart, Hogue, Hopkins, Hubbard, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Junkin, Keagy, Kendall, Kerr, Kling, Kolt-hoff, Koontz, Lambert, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lewis, Lister, Lyman, Lyons, McClure, McClurkin, McNie, Mardis, Marshall, Mattes, Maytag, Meservey, Moffit, Molsberry, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Porter, Powers, Pritchard, Robinson, Roome, Secor, Smith of Des Moines, Smith of Mitchell, Sokol, Spaulding, Springer, Stratton, Stuckslager, Sweeley, Sweet, Tallman, Teachout, Temple, Townsend of Calhoun, Townsend of Monroe, Trewin, Utterback, Walden, Warren, Whipple, Whiting, Wilson of Buena Vista, Wilson of Clinton, Wilson of Washington, Winne, Wise, Wright, Young of Lee, Young of Washington—145.

Absent or not voting:

Messrs. Bachman, Gilchrist, Healy, Walters, Willett—5.

President Herriott announced the joint convention duly organized with a quorum present.

The joint committee appointed by the House and Senate to invite Judge P. M. Casady, of Des Moines, a member of the Second General Assembly, to be present at this joint convention, appeared and escorted Mr. Casady to the chair, who responded to the warm greeting of the joint convention in a short speech.

The Secretary of the Senate then proceeded to read that part of the Journal of the Senate for Tuesday, January 21, 1902, pertaining to the vote for United States senators in congress.

The Chief Clerk of the House then read that part of the House Journal for Tuesday, January 21, 1902, pertaining to the vote for United States senators in congress.

From the reading of the Journals it appeared that on Tuesday, January 21, 1902, the Senate and House of Representatives balloted separately for United States senators in congress with the following results:

IN THE SENATE.

Wm. B. Allison received.....	36
E. H. Thayer received.....	10
Absent or not voting.....	4



IN THE HOUSE.

Wm. B. Allison received.....	83
E. H. Thayer received .....	16
Absent or not voting.....	1

Hon. Wm. B. Allison was then declared duly elected by the Twenty-ninth General Assembly of the state of Iowa as United States senator in congress for the term of six years beginning March 4, 1903.

In the matter of the selection of a senator for the short term the result was as follows:

IN THE SENATE.

Jonathan P. Dolliver received.....	36
John J. Seerley received.....	10
Absent or not voting.....	4

IN THE HOUSE.

Jonathan P. Dolliver received. ....	83
John J. Seerley received.....	10
Absent or not voting.....	7

Hon. Jonathan P. Dolliver was then declared duly elected by the Twenty-ninth General Assembly of the state of Iowa as United States senator in congress for the unexpired term, commencing March 4, 1901.

The following certificates of election were then signed and read in the presence of the joint convention:

STATE OF IOWA,  
 HALL OF THE HOUSE OF REPRESENTATIVES, }  
 January 22, 1902.

This is to certify that at a meeting of the two houses of the general assembly of the state of Iowa, in joint convention held on Wednesday, the 22d day of January, at noon, a majority of all the members being present, it was found upon examination of the Journals of the Houses that upon the day before, the same being the second Tuesday after the meeting and organization of the general assembly, each house had, by roll call of the members present, named William B. Allison for senator in congress for the state of Iowa for the term commencing on the 4th day of March, 1903; and the same person, to-wit, William B. Allison, had received a majority of all the votes in each house. Whereupon, said joint convention formally declared said William B. Allison, of Dubuque county, duly elected senator

to represent the state of Iowa in the congress of the United States, for the term of six years, beginning on the 4th day of March, 1903.

GEO. A. NEWMAN,  
*Secretary of Senate.*

JOHN HERRIOTT,  
*President of Senate and Joint Convention.*

C. R. BENEDICT,  
*Clerk of House of Representatives.*

WILLARD L. EATON,  
*Speaker of the House.*

STATE OF IOWA,  
HALL OF THE HOUSE OF REPRESENTATIVES, }  
January 22, 1903.

This is to certify that at a meeting of the two houses of the general assembly of the state of Iowa, in joint convention held on Wednesday, the 22d day of January, at noon, a majority of all the members being present, it was found upon examination of the Journals of the Houses that upon the day before, the same being the second Tuesday after the meeting and organization of the general assembly, each house had, by roll call of the members present, named Jonathan Prentice Dolliver for senator in congress for the state of Iowa for the unexpired term commencing on the 4th day of March, 1901; and the same person, to-wit, Jonathan Prentice Dolliver, had received a majority of all the votes in each house. Whereupon, said joint convention formally declared said Jonathan Prentice Dolliver, of Webster county, duly elected senator to represent the state of Iowa in the congress of the United States for the unexpired term of six years, beginning on the 4th day of March, 1901.

GEO. A. NEWMAN,  
*Secretary of Senate.*

JOHN HERRIOTT,  
*President of Senate and Joint Convention.*

C. R. BENEDICT,  
*Clerk of House of Representatives.*

WILLARD L. EATON,  
*Speaker of the House.*

President Herriott appointed the following committee to notify Hon. Wm. B. Allison and Hon. J. P. Dolliver, senators-elect, of their election, and to invite them to appear before the joint convention: Senator Blanchard of Mahaska and Representatives Moore of Davis and Springer of Buchanan

At 12:30 P. M. this committee appeared and conducted Hon. J. P. Dolliver to the Speaker's desk, Hon. Wm. B. Allison being unavoidably absent from the city.

Senator Dolliver was presented to the joint convention by President Herriott and responded in a brief speech.

Senator Trewin of Allamakee, moved that this joint convention do now proceed to the election of an editor of the code supplement, also state binder and state printer.

Carried

Senator Trewin offered the following resolution, and moved its adoption:

*Resolved*, By the joint convention of the Twenty-ninth General Assembly, that John R. Carter be and is hereby elected editor of the code supplement; that Bernard Murphy be and is hereby elected state printer for the term beginning January 1, 1903, and that Howard Tedford be and is hereby elected state binder for the term beginning January 1, 1903.

The roll call being demanded, the clerk called the roll.

On the question, Shall the resolution be adopted?

The yeas were:

JOINT ROLL CALL.

Messrs. Alexander, Allyn, Anderson, Arthaud, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Blanchard, Boysen, Brighton, Brooks, Buchanan, Calderwood, Campbell, Carden, Carter, Casel, Cheney, Christianson, Clarke, Classen, Coburn, Courtright, Cowles, Craig, Crawford, Crossley, Crouse, Cummings, Donahue, Dowell, Dunham, Eaton, Edwards, Eiker, English, Fields, Fitchpatrick, Flenniken, Furry, Garst, Graff, Greeley, Greene, Griswold, Hamann, Harriman, Hartshorn, Hawk, Hazelton, Head, Hilsinger, Hobart, Hogue, Hopkins, Hubbard, Hughes, Hurn, Jenks, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Crawford, Larrabee, Leech, Lewis, Lister, Lyman, McClure, McClurkin, McNie, Mardis, Mattes, Maytag, Meservey, Moffit, Molsberry, Moore, Nagle, Nichols, Patten, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Smith of Mitchell, Sokol, Spaulding, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend of Calhoun, Trewin, Walden, Whipple, Wilson of Buena Vista, Wilson of Washington, Winne, Wise, Wright, Young of Washington—112.

The nays were:

Messrs. Colclo, Cruikshank, Emmert, Freeman, Lambert, Langan of Clinton, Marshall, Mordhorst, Smith of Des Moines, Springer, Tallman, Utterback, Whiting, Wilson of Clinton, Young of Lee—15.

Absent or not voting:

Messrs. Bachman, Ball, Bishop, Davenport, Dodds, Frudden, Gilchrist, Harper, Hasselquist, Hayward, Healy, Hertert, Hufschmidt, Jaeger, Jones, Junkin, Koontz, Lyons, Porter, Townsend of Monroe, Walters, Warren, Willett—23.

So the resolution was declared adopted.

President Herriott announced that Bernard Murphy, having received a majority of all the votes cast and a majority of all the votes of the joint convention, was declared duly elected state printer; and, in like manner, Howard Tedford, having received a majority of all the votes in the joint convention, was declared duly elected state binder; also, John R. Carter, having received a majority of all the votes cast in the joint convention was declared duly elected editor of the code supplement.

The following certificates of election were then signed and read in the presence of the joint convention:

STATE OF IOWA,  
HALL OF THE HOUSE OF REPRESENTATIVES, }  
January 22, 1902

This is to certify that at an election by the two houses of the Twenty-ninth General Assembly of the state of Iowa in joint convention, on the 22d day of January, 1902, for the purpose of electing a state printer, Bernard Murphy having received a majority of all the votes cast for said office, was declared duly elected state printer for the term of two years from and after the expiration of the term of the present incumbent and until his successor is elected and qualified.

Signed in the presence of the joint convention this 22d day of January, A. D. 1902.

GEO. A. NEWMAN,

*Secretary of Senate.*

C. R. BENEDICT,

*Clerk of House of Representatives.*

JOHN HERRIOTT,

*President of Senate and Joint Convention.*

WILLARD L. EATON,

*Speaker of the House.*

STATE OF IOWA,  
HALL OF THE HOUSE OF REPRESENTATIVES, }  
January 22, 1902.

This is to certify that at an election of the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 22d day of January, 1902, for the purpose of electing a state binder, Howard Tedford having received a majority of all the votes cast for said office, was declared duly elected state binder for the term of two years from and after the expiration of the term of the present incumbent and until his successor is elected and qualified.

Signed in the presence of the joint convention this 22d day of January, A. D. 1902.

GEO. A. NEWMAN, <i>Secretary of Senate.</i>	JOHN HERRIOTT, <i>President of Senate and Joint Convention.</i>
C. R. BENEDICT, <i>Clerk of House of Representatives.</i>	WILLARD L. EATON, <i>Speaker of the House.</i>

STATE OF IOWA,  
HALL OF THE HOUSE OF REPRESENTATIVES, }  
January 22, 1902.

This is to certify that at an election of the two houses of the Twenty ninth General Assembly of the state of Iowa, in joint convention, on the 22d day of January, 1902, for the purpose of electing an editor of the code supplement, John R. Carter having received a majority of all the votes cast for said office, was declared duly elected editor of the code.

Signed in the presence of the joint convention this 22d day of January, A. D. 1902.

GEO. A. NEWMAN, <i>Secretary of Senate.</i>	JOHN HERRIOTT, <i>President of Senate and Joint Convention.</i>
C. R. BENEDICT, <i>Clerk of House of Representatives.</i>	WILLARD L. EATON, <i>Speaker of the House.</i>

The Journal of the joint convention was then read and approved.

Senator Blanchard of Mahaska moved that the joint convention be now dissolved.

Carried.

House resumed its session.

Mr. Teachout moved that the House take a recess until 3 o'clock P. M.

Carried.

House reconvened at 3 o'clock.

Speaker Eaton in the chair.

Mr. Wilson of Buena Vista offered the following resolution, and moved its adoption:

*Resolved*, That the Speaker appoint a committee of three to assign rooms and time of meeting of the various committees.

The resolution was adopted.

Mr. Eiker of Decatur offered the following resolution, and moved the suspension of the rules and the adoption of the resolution:

*Resolved*, That Arthur Crook be employed as telephone page of the House at the same salary as other pages.

The resolution was adopted.

Arthur Crook signed the oath as a page of the House.

Mr. Head of Greene moved that House file No. 9 be recalled from the committee on Judiciary.

Carried.

On motion of Mr. Head of Greene, the rule was suspended and House file No. 9, a bill for an act legalizing the formation of the Independent school district of Ralston, part of which is in Carroll and part in Greene counties, was taken up and considered now.

Mr. Hughes of Iowa offered the following amendment:

Add to section two (2) the words, "Without expense to the state."

Adopted.

Mr. Head moved that the rule be suspended, and that the bill be considered engrossed and read a third time now and put on its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—95.

The nays were:

None.

Absent or not voting:

Messrs. Dunham, Gilchrist, Hasselquist, Meservey, Willett—5,

Speaker *pro tem* Kendall took the chair.

Mr. Bealer of Linn offered the following concurrent resolution:

*Resolved*, By the House, the Senate concurring: That the secretary of state be and is hereby directed to have printed in pamphlet form fifteen thousand (15,000) copies of the report to the Governor, L. M. Shaw, by the Vicksburg Park commission, for general distribution.

Mr. Bealer moved that the rules be suspended and the resolution be adopted.

Carried, and the resolution was adopted.

Speaker Eaton in the chair.

Mr. Warren of Marion offered the following:

#### REPORT OF COMMITTEE.

**MR. SPEAKER**—Your committee, appointed to grant, assign and arrange the clerks for the standing committees of the House, beg leave to report as follows:

Ways and Means, one clerk.

Judiciary, one clerk.

Appropriations, one clerk.

Railroads and Commerce, one clerk.

Municipal Corporations, one clerk.

Banks and Banking, one clerk.

Labor, one clerk.

Claims, one clerk.

Compensation of Public Officers, one clerk.

Congressional Districts, one clerk.

Mines and Mining, one clerk.

Agriculture, one clerk.

Pardons, one clerk.

Insurance, one clerk.

Enrolled Bills, one clerk.

Schools and Text-Books, one clerk.

Normal Schools, one clerk.

Telegraph, Telephone and Express, one clerk.

Private Corporations, a clerk who shall also act as clerk for the committee on Penitentiaries.

Suppression of Intemperance, a clerk who shall also act as clerk for the committee on Federal Relations.

Printing, a clerk who shall also act as clerk for the committee on Building and Loan.

Elections, a clerk who shall also act as clerk for the committee on Agricultural College.

Senatorial Districts, a clerk who shall also act as clerk for the committee on Public Lands and Buildings.

Representative Districts, a clerk who shall also act as clerk for the committee on Horticulture.

Pharmacy, a clerk who shall also act as clerk for the committee on Hospital for the Insane.

Constitutional Amendments, a clerk who shall also act as clerk for the committee on Judicial Districts.

Public Health, a clerk who shall also act as clerk for the committee on Board of Public Charities.

Retrenchment and Reform, a clerk who shall also act as clerk for the committee on Animal Industry.

State University, a clerk who shall also act as clerk for the committee on Military.

Public Libraries, a clerk who shall also act as clerk for the committee on Soldiers' and Orphans' Home.

Domestic Manufactures, a clerk who shall also act as clerk for the committee on College for the Blind.

County and Township Organization, a clerk who shall also act as clerk for the committee on Woman's Suffrage.

Roads and Highways, a clerk who shall also act as clerk for the committee on Engrossed Bills.

Industrial Schools, a clerk who shall also act as clerk for the committee on Institute for the Deaf and Dumb.



Fish and Game, a clerk who shall also act as clerk for the committee on Rules.

Institute for Feeble-Minded, a clerk who shall also act as clerk for the committee on Police Regulations.

It is recommended that the chairman of each committee to which the clerk is assigned select his clerk, and where grouped with other committees, the clerk shall attend each of the committees in said group as a clerk, and it is further recommended that no clerk be allowed extra pay by reason of performing the duties of clerk for more than one committee.

All of which is respectfully submitted,

J. L. WARREN,  
C. J. WILSON,  
NATE WRIGHT,  
*Committee.*

Mr. Warren moved that the report be adopted.

Adopted.

The following committee clerks were appointed and signed the following oath at the chief clerk's desk:

STATE OF IOWA, }  
POLK COUNTY, } ss.

January 22, 1902.

I do solemnly swear that I will support the constitution of the United States, and that of the state of Iowa; that I will perform the duties of the office to which I have been chosen to the best of my knowledge and ability, so help me God.

Eleanor E. Leahy, Railroads and Commerce.

John Snure, Public Libraries.

Jos. E. Morcombe, Normal Schools.

Wm. H. Jayne, Judiciary.

Inez Black, Pardons.

Jennie Wharton, Mines and Mining.

Ella Clarkson, Pharmacy.

Marie Stegeman, Insurance.

Maude Westlake, Compensation of Public Officers.

Vinnie F. Brown, Labor.

James W. Barrett, Appropriations.

Geo. L. Carter, Municipal Corporations.

J. J. Allison, Congressional Districts.

A. L. Humphries, Banks and Banking.

Frank Wells, Senatorial Districts.

Geo. Weston, State University.

J. S. Elliott, Suppression of Intemperance.

J. E. Graves, Ways and Means.

Mr. Stratton moved that the House adjourn till 10 A. M. Friday.

Carried.

House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, {  
DES MOINES, Friday, January 24, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. Henry McCraven of Des Moines.

Journal of January 22d was corrected and approved.

Mr. Gilchrist of Pocahontas desired the Journal to show that had it been possible for him to have been present on Tuesday, January 21st, he would have voted for Hon. Wm. B. Allison and Hon. J. P. Dolliver for senators in congress, and on Wednesday, January 22d, at the joint convention, that he would have voted "aye" on the election of state printer, state binder and editor of the code supplement.

Mr. Willett desired that the Journal show that he also would have voted "aye" on the election of state printer, state binder and editor of the code supplement, had it been possible for him to have been present on Wednesday, January 22d, at the joint convention.

The Speaker announced as the committee to assign rooms and times of meeting for the various standing committees Messrs. Buchanan of Wapello, Payne of Appanoose and Clarke of Dallas.

On request of Mr. Sweet of Bremer, leave of absence was granted Mr. Nichols until Monday noon.

On request of Mr. Wilson of Buena Vista, leave of absence was granted Mr. Meservey of Webster for today.

On request of Mr. Roome of Winneshiek, leave of absence was granted Mr. Graff until next Tuesday.

Mr. Davenport was granted leave of absence after today until next Tuesday.

Mr. Dodds was granted leave of absence until next Monday noon.

Mr. Sweeley was granted leave of absence after today until Tuesday morning.

Mr. Buchanan of Wapello offered the following

REPORT OF COMMITTEE:

MR. SPEAKER—Your committee on the assignment of rooms and time of meeting of the various standing committees of the House, respectfully submit the following report:

	Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	Saturday.
<b>Room 1—</b>						
Ways and Means.....		2 p. m.		2 p. m.		
Judiciary.....	3 p. m.		2 p. m.		3 p. m.	
Agriculture.....		3 p. m.				2 p. m.
Railroads and Commerce.....		2 p. m.		2 p. m.		
Printing.....		4 p. m.				4 p. m.
<b>Room 6—</b>						
Appropriations.....			2 p. m.	2 p. m.	2 p. m.	
Mines and Mining.....	2 p. m.					2 p. m.
Animal Industry.....		2 p. m.				
Judicial Districts.....	3 p. m.			3 p. m.		
<b>Room 27—</b>						
Elections.....		2 p. m.				
Schools and Text-Books.....	3 p. m.			3 p. m.		
Constitutional Amendments.....		3 p. m.			3 p. m.	
Public Health.....			2 p. m.			2 p. m.
<b>Room 10—</b>						
Congressional Districts.....		2 p. m.		2 p. m.		
Penitentiaries.....			3 p. m.			3 p. m.
Engrossed Bills.....	2 p. m.				2 p. m.	
Pardons.....		3 p. m.		3 p. m.		
State University.....	4 p. m.			4 p. m.		
<b>Room 11—</b>						
Pharmacy.....		2 p. m.			2 p. m.	
Roads and Highways.....		3 p. m.			3 p. m.	
Normal Schools.....	4 p. m.			4 p. m.		
College for the Blind.....			2 p. m.			2 p. m.
<b>Room 2—</b>						
Labor.....		4 p. m.			4 p. m.	
Woman Suffrage.....			4 p. m.	4 p. m.		
Retrenchment and Reform.....			2 p. m.			2 p. m.
Military.....	2 p. m.			2 p. m.		
Enrolled Bills.....		3 p. m.			3 p. m.	
<b>Room 9—</b>						
Institution for Feeble-Minded.....	4 p. m.				4 p. m.	
Institution for Deaf and Dumb.....	2 p. m.				2 p. m.	
Hospital for Insane.....		4 p. m.		4 p. m.		
Public Charities.....			4 p. m.			
<b>Room 8—</b>						
Claims.....	3 p. m.		3 p. m.			
Building and Loan.....			3 p. m.		3 p. m.	
Compensation Public Officers.....		4 p. m.		4 p. m.		
Private Corporations.....			2 p. m.			2 p. m.
<b>Room 12—</b>						
Representative Districts.....	2 p. m.				2 p. m.	
Domestic Manufactures.....	3 p. m.				3 p. m.	
County and Twp. Organizations.....		4 p. m.		4 p. m.		
Telegraph, Telephone and Exp.....			3 p. m.	3 p. m.		

	Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	Saturday.
<b>ROOM 13—</b>						
Industrial Schools .....		3 p. m.		3 p. m.		
Senatorial Districts .....	4 p. m.			4 p. m.		
Horticulture .....		2 p. m.			2 p. m.	
Agricultural College .....			2 p. m.			
<b>ROOM 14—</b>						
Soldiers' and Orphans' Home ..	2 p. m.			2 p.		
Federal Relations .....		2 p. m.			2 p. m.	
Fish and Game .....		3 p. m.			3 p. m.	
Police Regulations .....	3 p. m.			3 p. m.		
<b>SPEAKER'S ROOM—</b>						
Committee on Rules .....						
<b>ROOM 7—</b>						
Suppression of Intemperance .....		4 p. m.			4 p. m.	
Public Landstand Buildings .....	2 p. m.			2 p. m.		
Public Libraries .....			2 p. m.			
<b>ROOM 15—</b>						
Insurance .....			4 p. m.		4 p. m.	
Banks and Banking .....		2 p. m.		2 p. m.		
Municipal Corporations .....		4 p. m.		4 p. m.		

Room 5—Chief Clerk.

Room 3—File Clerk.

Room 4—Journal Clerk.

We further recommend that the report be printed and each member be supplied with a copy.

A. W. BUCHANAN,  
G. W. CLARKE,  
FRANK S. PAYNE,  
*Committee.*

On motion of Mr. Buchanan, report was adopted.

#### INTRODUCTION OF BILLS.

By Mr. Anderson of Warren, House file No. 32, a bill for an act to prevent any white person from marrying any person having one-eighth part or more of negro blood, and to prevent any person having one-eighth part or more of negro blood from marrying any white person, and amending section 3141 of the code.

Read first and second time and referred to committee on Judiciary.

By Mr. Bealer of Linn, House file No. 33, a bill for an act to amend section 1850, chapter 10, title 9, paragraph 4 of the code, relating to investment of funds of savings banks.

Read first and second time and referred to committee on Banks and Banking.

By Mr. Blakemore of Taylor, House file No. 34, a bill for an act to legalize the ordinances of the town of Conway, Taylor county, Iowa.

Read first and second time and referred to committee on Judiciary.

By Mr. Cummings of Marshall, House file No. 35, a bill for an act to amend section 254 of the code, relating to compensation of shorthand reporters.

Read first and second time and referred to committee on Compensation of Public Officers.

By Mr. Davenport of Union, House file No. 36, a bill for an act to amend section 4295 of the code relating to releasing real estate mortgages on the county records.

Read first and second time and referred to committee on Judiciary.

By Mr. Hamann of Scott, House file No. 37, a bill for an act making appropriations for the Iowa Soldiers' Orphans' Home at Davenport.

Read first and second time and referred to committee on Soldiers' and Orphans' Home.

By Mr. Hamann of Scott, House file No. 38, a bill for an act to amend section 2764 of the code, relating to the taking of the school census.

Read first and second time and referred to committee on Schools and Text-Books.

By Mr. Hamann of Scott, House file No. 39, a bill for an act to amend section 1, of chapter 141, of the laws of the Twenty-eighth General Assembly, relating to the salary of the chief executive officer of the Iowa Soldiers' Orphans' Home.

Read first and second time and referred to committee on Compensation of Public Officers.

By Mr. Hasselquist of Lucas, House file No. 40, a bill for an act to amend section 1530 of the code, relating to the working of highways.

Read first and second time and referred to committee on Roads and Highways.

By Mr. Jaeger of Des Moines, House file No. 41, a bill for an act to amend sections 851 and 852 of the code, as amended by chapter 30 of the acts of the Twenty-eighth General Assembly, relating to the park commissioners in certain cities.

Read first and second time and referred to committee on Municipal Corporations.

By Mr. Jaeger of Des Moines; House file No. 42, a bill for an act to amend chapter 44 of the laws of the session of the legislature of the territory of Iowa, approved December 18, 1843, incorporating the Aspen Grove Cemetery association, of Burlington, Iowa, conferring upon the said association all the rights, powers and privileges now possessed, or hereafter conferred by the statutes of Iowa upon corporations not for pecuniary profit.

Read first and second time and referred to committee on Judiciary.

By Mr. Jones of Mahaska, House file No. 43, a bill for an act to amend section 1304 of the code, in reference to exemption from taxes.

Read first and second time and referred to committee on Ways and Means.

By Mr. Powers of Floyd, House file No. 44, a bill for an act to amend section 1272 of the code, relating to the appointment to fill vacancies in city councils.

Read first and second time and referred to committee on Municipal Corporations.

By Mr. Powers of Floyd, House file No. 45, a bill for an act providing for the transportation of children and giving state aid to rural schools.

Read first and second time and referred to committee on Schools and Text-Books.

By Mr. Sweeley of Woodbury, House file No 46, a bill for an act to amend sections 720, 724 and 725 of the code, relating to the powers of cities and towns and to authorize cities and towns to manage and sell telephone plants or systems, and to fix and regulate telephone rates and service.

Read first and second time and referred to committee on Municipal Corporations.

Mr. Greene of Madison offered the following resolution, and moved that the rules be suspended and the resolution be adopted:

*Resolved*, By the House, the Senate concurring: That the secretary of state be directed to furnish to the first assistant clerk of the House and to the first assistant secretary of the Senate a copy of the code and of the session laws of the Twenty-seventh and Twenty-eighth General Assemblies.

Carried, and the resolution was adopted.

Mr. Kerr of Grundy moved that the House adjourn until 2 o'clock this afternoon.

Carried.

Adjourned.

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#### AFTERNOON SESSION.

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The House reconvened at 2 P. M., pursuant to adjournment, with Speaker Eaton in the chair.

Mr. Boysen offered the following resolution, and moved its adoption:

*Resolved*, That the democratic minority be permitted to select one clerk in addition to one clerk now assigned to the committee on Fish and Game.

Adopted.

Mr. Kendall of Monroe offered the following

#### REPORT OF COMMITTEE:

**MR. SPEAKER**—Your committee, appointed to present appropriate resolutions respecting the life, character and public services of the late Hon. James Hilton, of Monroe county, beg leave to submit the following report:

WHEREAS, The Hon. James Hilton an honored and distinguished member of the Fourteenth General Assembly, departed his life at his home at Hilton, Monroe county, Iowa, on January 9, 1902; therefore, be it

*Resolved*, That in his death his children are bereaved of an affectionate father, the community of a kind and generous neighbor and the state of a useful, capable and patriotic citizen.

*Resolved*, That we extend to his children our sincere sympathy in their sorrow and affliction, and the clerk of the House is hereby instructed to



mail an engrossed copy of these resolutions to them and to enter the same upon the Journal of the House.

N. E. KENDALL,  
S. A. MOORE,  
M. L. TEMPLE,  
*Committee.*

On motion the report was adopted.

Mr. Kendall, in presenting his report, spoke feelingly in tribute to the deceased as follows, the speech being ordered printed in the Journal on motion of Mr. Sweet:

MR. SPEAKER—In reporting the resolutions which are now submitted for consideration, I entreat the brief indulgence of the House while I pronounce an humble tribute to the departed.

James Hilton was born in Orange county, New York, on July 15, 1816, and died in Monroe county, Iowa, on January 9, 1902. More than four score and five years were the length of his days upon earth and among men. With no capital but conscience and character, with no assets but intelligence, integrity and industry, with no adventitious advantages but a clear brain, a clean heart and a willing hand, he abandoned the ease and luxury of eastern life more than sixty years ago, and adopting the memorable suggestion of Horace Greeley before it was offered, he came to contribute his share toward the establishment of an empire west of the Mississippi river. From New York City, then, as now, on this continent, the center of wealth and influence, he removed to the unbroken prairies, the unexplored forests of primitive Iowa. What a transition! We, of this generation, sparingly appreciate, for we scantily understand, the tremendous obligation we owe to the stalwart pioneers who, with undaunted courage and intrepid spirit, endured the perils of privation and adventure necessary to subdue the savagery of the wilderness, and to appropriate its natural resources to the purposes of civilization. There were giants in those irreclaimable days, and one of the worthiest of the worthy was the modest but heroic personality who is the subject of the resolutions now presented. He emigrated to Iowa in 1841, three years after it was organized as a territory and five years before it was admitted as a state, and he remained its honored citizen until his death. He witnessed its development from a few feeble and scattered frontier settlements into the proudest commonwealth in all the sisterhood of American states. He saw its population, its wealth, its manufactures, its mining industries, its agricultural products, its educational facilities, multiply and multiply into colossal magnitude, and his latest glance at the beloved state with whose history he was so proudly and intimately connected revealed her at the very climax of her national prestige and power.

Judge Hilton never aspired to official station, but his countrymen speedily recognized his exceptional qualifications for public service. As county judge in 1857, as a member of this body in the Fourteenth General Assembly his duties were always discharged with unqualified acceptability to all his constituents. His religion was too wholesome and expansive to be comprehended within the narrow definitions of any written creed, but it

was deep and genuine and earnest, not exploited in empty profession, but exemplified in his daily walk and conversation. In politics he was a Jacksonian democrat of the old school, but his partisanship never degenerated into bigotry. His reading was wide and thorough, ranging all the way from humor to tragedy, and including all that intervenes. His acquaintance with the classics was familiar, and I have known few who could overmatch him in off-hand rendering of the best there is in modern fiction. His frankness and candor were proverbial. He despised hypocrisy and the hypocrite with an intensity amounting almost to prejudice, and he acknowledged no allegiance to any sham, however ancient or respectable its lineage. His public career was distinguished by the most unwavering fidelity to exalted ideals, and his private life was rendered resplendent by unsurpassed generosity of heart, by unexcelled purity of motive, by unrivalled sincerity of friendship.

For weeks preceding his death he was clearly conscious of the approaching end, but his complacent soul never faltered or repined. With uncomplaining patience, with philosophic composure, he calmly awaited the inevitable messenger with the inverted torch, and when the final hour of dissolution came, he peacefully folded his weary hands across his faithful breast and lapsed into that sweet and dreamless sleep which shall be awakened only at the judgment day.

Mr. Speaker, the death of Judge Hilton is to me an inexpressible personal bereavement, and I cannot allow to pass unembraced, this opportunity to record my sincere affection for the man, and my profound reverence for his memory.

Under the same motion of Mr. Sweet the following tribute to Hon. James Hilton by Mr. Moore of Davis was ordered printed in the Journal:

MR. SPEAKER—I beg the indulgence of the House for a few moments while I bring my tribute of respect to the memory of Judge Hilton whose life, character and public services are so kindly remembered by many of the pioneers of Davis county, and to which the gentleman from Monroe has so touchingly and tenderly called our attention.

When a little lad of eight years he had the honor of shaking hands with General LaFayette, who was then on a visit to the United States as the honored guest of the nation. When a young man of twenty-five years, living in the state of New York, he had obtained a position in the American Fur Company, then operating in the great northwest; but the means of transportation were so rude and primitive and the delays so frequent that he failed to reach St. Louis in time to join the expedition.

Coming to Iowa in 1841, he resided for a time at Keokuk, in what was known as the Black Hawk purchase, a strip fifty miles wide bordering on the Mississippi. He became acquainted with a large number of young men who had come from the older states and were waiting for the treaty of peace with the Sac and Fox Indians, which was concluded at Agency, in Wapello county, in 1842, which gave to the government all that vast territory lying west of the Black Hawk purchase extending to the Missouri river. Judge Hilton was present at the treaty, and in after years often

spoke of the Sac and Fox Indians there present as "the embodiment of courage, grace and dignity, presenting an exhibition of magnificent manhood of the Indian race which will never be witnessed again."

He very early formed the acquaintance of some young men who, in after years, became distinguished in the state and nation, and in talking with his friends of the pioneer days he mentioned tenderly and lovingly the names of Charles Mason, James Grimes, Edward Johnston, A. C. Dodge, J. C. Hall, Geo. G. Wright, Dr. Elbert, James B. Howell, J. C. Knapp and many others.

He located his claim in what is now known as Monroe county in 1843—built his cabin where the song birds built their nests, and where the wild roses and trailing vines were creeping over the rustic arbors in the mossy nooks, and where the rivulets were winding their way to the sea. In this beautiful spot of Iowa, "the beautiful," full of hope and courage, he laid the foundation of his future home.

He married Miss E. Rankin, the beautiful and accomplished daughter of William Rankin of Davis county, one of the earliest pioneers of the territory, in 1845, and the same year received the appointment of clerk of the district court from Judge Charles Mason, territorial judge.

The first term of court in what was known as Monroe county was held in 1846, in a cabin which was used as a stable for the horses of the judge and the lawyers attending court on their arrival at the village. The next morning the horses were removed and hitched to the trees. The sheriff provided table and chairs for the comfort and convenience of the court and attorneys, and the court proceeded to try the only case on the docket, and then court adjourned. Judge Hilton, the clerk, was instructed by the court to use the eagle side of the American half dollar as a seal in making up the records of the court.

Judge Hilton lived for fifty-seven years on the claim made in the morning of his early manhood. He was a good citizen—a brave manly man through all the years of his long eventful life. The cabin of the pioneer gave way to modern buildings with more stately surroundings, but from my own experience, and my knowledge of the character of Judge Hilton, I am sure that if he were permitted to own in after years a stately mansion, with gilded mirrors and brussels carpets, rosewood sets and silken curtains, frescoed walls and alabaster lamps; all these would fade away in the memory of the little cabin home where the first babe came and nestled in the arms of the young mother like a weary dove, bringing a spirit of contentment and blessing to the cottage home, that the revenue of an empire could not purchase. Only a cabin home, but to the young pioneer as grand and picturesque as to Scotland's bard were "the banks and braes of Bonnie Doon."

My friend from Monroe has spoken of the religion of Judge Hilton. His life was guided by the teachings of the Nazarine, who trod with weary feet the shores of Galilee and the Jordan, and in his mission of love and peace on earth stopped not to inquire of a man his country or his creed. Judge Hilton like myself and many others who had been in Iowa for more than half a century had witnessed the primitive forms of worship in the cabin of the pioneer where the services were conducted with that simple, but sublime earnestness, that thrilled the tenderest emotions of the human heart, as full of pathos, the voice of the great strong man in his prayer was

bearing on the wings of his supplication the grief and sorrows of his neighbors and himself. The tones of his voice would become silken as a lute, and he would leave his hearers resting on the bosom of the Infinite Father.

The religious sentiment of the pioneers, without reference to creeds and forms and ceremonies was stimulated by the beauty and grandeur of the landscape. The prairies seemed boundless, stretching far away beyond the vision, and in their wideness were like "the wideness of the sea." The wild grass kissed by the summer winds would rise and fall in graceful undulations, glinting in the sunlight or seen by the light of a full moon on a summer night, when the stars were gemming the sky in all their splendor, the scene was beautiful beyond description—grand and glorious as the prophet's vision of "a sea of glass, mingled with fire."

Judge Hilton filled the full measure and stature of a manly man, to whom grief, or sorrow or distress never appealed in vain. And while the future is veiled from mortal vision it is a pleasing thought that in the dim twilight of his earthly life, what men called death was only transition; and that to his enraptured vision the gates of the eternal city were standing ajar, and through their open portals the friends of his early manhood were greeting him from their mansions amid the everlasting light.

Like a reaper in the harvest field his day's work was done—the sun gone down—he answered the roll-call of the Master—gathered up his sheaves of ripened grain and bore them to the eternal garner, singing his harvest song.

#### INTRODUCTION OF BILLS.

By Mr. Hilsinger of Jackson, House file No. 47, a bill to amend section 3439, chapter 11, and section 3447 of chapter 2, of title 18 of the code of 1897, in relation to the limitation of actions or judgments.

Read first and second time and referred to committee on Judiciary.

By Mr. Hilsinger, House file No. 48, a bill for an act to fix the compensation of appraisers of property.

Read first and second time and referred to committee on Compensation of Public Officers.

By Mr. Powers of Floyd, House file No. 49, a bill for an act relating to the appointment of assessor, city clerk, city treasurer or member of the council in case of vacancies.

Read first and second time and referred to committee on Municipal Corporations.

By Mr. Wilson of Washington, House file No. 50, a bill for an act to repeal chapter 109 of the acts of the Twenty-eighth General Assembly, relative to the teaching of vocal music in the public schools.

Read first and second time and referred to committee on Schools and Text-Books.

By Mr. Mordhorst of Clinton, House file No. 51, a bill for an act to amend section 1326, chapter 1, title 7, of the code of Iowa of 1897, relating to stock of building and loan associations.

Read first and second time and referred to committee on Building and Loan.

By Mr. Campbell of Fremont, House file No. 52, a bill for an act making it a crime to advise, counsel or employ another to commit murder, and fixing the punishment therefore.

Read first and second time and referred to committee on Judiciary.

Mr. Warren of Marion, offered the following concurrent resolution:

CONCURRENT RESOLUTION.

WHEREAS, The state of Iowa, by virtue of its sovereignty, became, at the date of its admission into the Union, the owner of a large number of meandered lake beds in this state, containing at the present time many thousand acres of land, which, by reason of the recession of the water therefrom, have in recent years become valuable farm land; and,

WHEREAS, The state of Iowa has never released or surrendered its claim to title and ownership of said land, but claims at the present time to be the owner thereof; and

WHEREAS, The title to said land has in many cases become involved in controversy between the state of Iowa and persons seeking to enter said land under the original land grant and to secure a patent therefor from the general government to the great prejudice of the rights of the state of Iowa in all said property; therefore, be it

*Resolved*, That the state of Iowa hereby asserts its rightful claim to the unqualified ownership of all the land in this state originally designated as meandered lake beds, and we memorialize the congress of the United States to preserve and protect all its rights and interest in said lands by appropriate legislation.

On motion of Mr. Warren, the rules were suspended and the resolution was referred to the committee on Judiciary.

The following committee clerks were sworn in and signed the following oath:

STATE OF IOWA, }  
POLK COUNTY. } ss.

January 24, 1902.

I do solemnly swear that I will support the constitution of the United States, and that of the state of Iowa; that I will perform

the duties of the office to which I have been chosen to the best of my knowledge and ability, so help me God.

Allan S. Graham, Schools and Text-Books.

Walter C. Ramsay, Domestic Manufactures.

T. E. Grisell, Agriculture.

R. Shaver, Claims,

Eva Anderson, Printing.

O. Williams, Industrial Schools.

Jas. B. Hayes, Constitutional Amendments.

E. H. Lewis, Representative Districts.

B. G. Evans, County and Township Organizations.

Chas. A. McClure, Telegraph, Telephone and Express.

Mrs. Fred E. McCausland, extra clerk.

On motion of Mr. Lyman of Poweshiek, the House adjourned till 10 A. M. tomorrow.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, Saturday, January 25, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Journal of Friday, Jan. 24th, was corrected and approved.

Prayer was offered by the Rev. T. J. Dow of Des Moines.

Mr. Kendall, of Monroe moved to reconsider the vote on his motion that no petitions or remonstrances be received until the subject they are intended to affect is under consideration by the House.

Carried unanimously.

Mr. Kendall asked unanimous consent to withdraw the resolution, which was granted and the resolution withdrawn.

On request of Mr. Hurn of Cerro Gordo, leave of absence was granted Mr. Temple of Clarke until next Monday noon.

On request of Mr. Carden of Henry, leave of absence was granted Mr. McClurkin of Louisa until next Monday.

On request of Mr. Frudden of Dubuque, leave of absence was granted Mr. Springer of Buchanan until Monday.

On request of Mr. Kolthoff, leave of absence was granted Mr. Freeman until Monday.

Mr. Fields of Plymouth was granted leave of absence until next Wednesday.

Mr. McClure of Adair was granted leave of absence until Monday morning.

Mr. Warren of Marion asked unanimous consent to withdraw his concurrent resolution relating to meandered lakes in Iowa from the committee on Judiciary and refer it to the committee on Public Lands and Buildings.

Request granted, and the resolution was ordered so referred.

## PETITIONS AND MEMORIALS.

Mr. Crouse presented petition of citizens of Adams county relative to partition fences.

Referred to committee on Agriculture.

Mr. Gilchrist presented petition of citizens of Pocahontas county relative to time limit on consent petitions under the mulct law.

Referred to committee on Suppression of Intemperance.

Mr. Wilson of Buena Vista presented petition of citizens of his county on the same subject.

Referred to committee on Suppression of Intemperance.

Mr. McNie presented petition of citizens of Benton county on the same subject.

Referred to committee on Suppression of Intemperance.

Mr. Hughes of Iowa presented petition of Presbytery of Iowa City on same subject.

Referred to committee on Suppression of Intemperance.

Mr. Mattes presented petition of citizens of Sac county relating to equal suffrage.

Referred to committee on Woman's Suffrage.

Mr. Moore presented petition of Joseph Cameron of Belknap, Davis county, relating to uniformity of school text-books.

Referred to committee on Schools and Text-Books.

## REPORTS OF COMMITTEES.

Mr. Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 25, a bill for an act to legalize the acts of the board of supervisors of Jefferson county, Iowa, relating to the levying of a tax for the support of the poor, and legalizing the tax so levied, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.



Also:

Mr. Kendall of Monroe, from the committee on Mines and Mining, submitted the following report:

MR. SPEAKER—Your committee on Mines and Mining, to whom was referred House file No. 13, a bill for an act to amend section twenty-four hundred and eighty-two (2482) of the code, relating to Mines and Mining, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By Mr. Barker of Howard, House file No. 53, a bill for an act to amend section eleven hundred and six (1106) of the code by striking out the party circle opposite the name of each political party on the official ballot, and to repeal all acts or parts of acts in conflict therewith.

Read first and second time and referred to committee on Elections.

By Mr. Boysen of Audubon, House file No. 54, a bill for an act making appropriations for the industrial school for girls at Mitchellville.

Read first and second time and referred to committee on Appropriations.

By Mr. Boysen of Audubon, House file No. 55, a bill for an act to amend sections 2708, 2709 and 2711, title 13, chapter 8 of the code, and to repeal sections 12, 13 and 14, chapter 100, laws of the Twenty-eighth General Assembly in relation to the discharge of boys and girls from industrial schools.

Read first and second time and referred to committee on Industrial Schools.

By Mr. Boysen of Audubon, House file No. 56, a bill for an act making appropriations for the Industrial School for Boys at Eldora.

Read first and second time and referred to committee on Appropriations.

By Mr. Cheney of Clay, House file No 57, a bill for act legalizing the establishment of drainage ditch and drainage district No. 1 of Palo Alto county, Iowa, and the issuance of drainage bonds of Palo Alto county, Iowa, and the assessment and levy of taxes therefor, and all the proceedings of the board of supervisors of Palo Alto county in reference thereto.

Read first and second time and referred to committee on Judiciary.

By Mr. English of Polk, House file No. 58, a bill for an act making an appropriation for the Benedict Home at Des Moines, Iowa.

Read first and second time and referred to committee on Appropriations.

By Mr. Hawk of Jasper, House file No. 59, a bill for an act to authorize the registration of land titles to simplify the transfer of real estate.

Read first and second time and referred to committee on Judiciary.

By Mr. Hertert of Shelby, House file No. 60, a bill for an act for the keeping by the county treasurer of a monthly apportionment record book of all taxes collected.

Read first and second time and referred to committee on Retrenchment and Reform.

By Mr. Hufschmidt of Allamakee, House file No. 61, a bill for an act to amend section 2906 of the code, relating to the incumbency of personal property exempt to the head of a family.

Read first and second time and referred to committee on Ways and Means.

By Mr. Hufschmidt of Allamakee, House file No. 62, a bill for an act to amend section 441 of the code, relating to compensation of official papers.

Read first and second time and referred to committee on Compensation of Public Officers.

By Mr. Jenks, House file No. 63, a bill for an act making an appropriation for the Iowa School for the Deaf at Council Bluffs, Iowa.

Read first and second time and referred to committee on Appropriations.

By Mr. Kendall, House file No. 64, a bill for an act to add to and amend chapter 82, acts of the Twenty-eighth General Assembly, relating to mines and mining.

Read first and second time and referred to committee on Mines and Mining.

By Mr. Langan of Clinton, House file No. 65, a bill for an act to retire district judges.

Read first and second time and referred to committee on Judiciary.

By Mr. Larrabee of Fayette, House file No. 66, a bill for an act to amend section 1483 of the code and to reduce the width of roads.

Read first and second time and referred to committee on Roads and Highways.

Mr. Dunham called to the chair.

By Mr. Mordhorst of Clinton, House file No. 67, a bill for an act to amend section 3497, chapter 4, title 18 of the code of Iowa of 1897, relating to place of beginning actions.

Read first and second time and referred to committee on Judiciary.

By Mr. Mordhorst, House file No. 68, a bill for an act to amend section 3529, chapter 6, title 18 of the code of 1897, relating to the manner of commencing actions.

Read first and second time and referred to committee on Judiciary.

By Mr. Nagle, House file No. 69, a bill for an act to amend section 5040 of the code of 1897, relating to the desecration of the Sabbath.

Read first and second time and referred to committee on Police Regulations.

By Mr. Pipher, House file No. 70, a bill for an act to amend section 2394 of the code, relating to the sale of intoxicating liquors by permit holders.

Read first and second time and referred to committee on Pharmacy.

By Mr. Secor of Winnebago, House file No. 71, a bill for an act to amend sections 1672 and 1673, chapter 3, title 9 of the code.

Read first and second time and referred to committee on Horticulture.

By Mr. Secor, House file No. 72, a bill for an act to amend chapter 53, acts of the Twenty-eighth General Assembly.

Read first and second time and referred to committee on Horticulture.

Speaker Eaton in the chair.

By Mr. Wise of Black Hawk, House file No. 73, a bill for an act to amend section 2524 of the code, in relation to the powers of dairy commissioner.

Read first and second time and referred to committee on Public Health.

Mr. Buchanan of Wapello offered the following resolution, and moved its adoption:

WHEREAS, The Hon. Charles E. Brown, an honored member of the Seventeenth General Assembly, from Howard county, closed life's work at his home in Ottumwa, Iowa, in July, 1901; therefore, be it

*Resolved*, That a committee of three be appointed to present resolutions commemorating his life and work.

Adopted.

The Speaker announced as such committee on resolutions Messrs. Buchanan of Wapello, Barker of Howard, Langan of Clinton.

Mr. Buchanan offered the following resolution, and moved its adoption:

*Resolved*, That committee room No. 1 be assigned to the minority membership for the purpose of holding party caucuses.

Adopted.

The following committee clerks were sworn in and signed the oath as employes of the House:

Louise Adron, Fish and Game.

H. W. Helmick, Public Health.

On motion of Head of Greene, House adjourned till 2 P. M.  
Monday.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Monday, January 27, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. Conrad Hooker of Des Moines.

The clerk then called the roll to ascertain if there be a constitutional majority present, which resulted as follows:

Those present were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Coburn, Colclo, Cowles, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Flenniken, Freeman, Frudden, Furry, Greeley, Greene, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Larabee, Leech, Lyman, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Washington, Wise, Mr. Speaker—85.

Those absent or not answering were:

Messrs. Clarke, Crouse, Fields, Gilchrist, Graff, Head, Jenks, Koontz, McClure, Payne, Stuckslager, Sweeley, Walters, Wilson of Buena Vista, Wright—15.

The Journal of Saturday, January 25th, was corrected and approved.

On request of Mr. Freeman, leave of absence was granted Mr. Jenks of Pottawattamie until Tuesday noon.

On request of Mr. Mattes, leave of absence was granted Mr. Buchanan of Wapello until Tuesday noon.

On request of Mr. Boysen, leave of absence was granted Mr. Gilchrist of Pocahontas until Tuesday noon.

On request of Mr. Cruikshank, leave of absence was granted Mr. Koontz of Johnson until Thursday.

On request of Mr. Bealer, leave of absence was granted Mr. Stuckslager of Linn until tomorrow.

On request of Mr. McClure, leave of absence was granted Mr. Wilson of Buena Vista until Tuesday morning.

#### PETITIONS AND MEMORIALS.

Mr. Freeman presented petition of citizens of Pottawattamie county relative to equal suffrage.

Referred to committee on Woman Suffrage.

Mr. English presented petition of forty-seven ministers of the Presbyterian church, representing fifty-five churches, asking a time limit be placed on consent petitions under the mulct law.

Referred to committee on Suppression of Intemperance.

Mr. Wise presented petition of citizens of Black Hawk county relative to uniformity of text-books.

Referred to committee on Schools and Text-Books.

Mr. Jaeger presented petition of citizens of Des Moines county, relative to the same subject.

Referred to committee on Schools and Text-Books.

Mr. Wise presented remonstrance of citizens of Black Hawk county, relative to grocery and merchants' associations.

Referred to committee on Judiciary.

#### INTRODUCTION OF BILLS.

By Mr. Barker of Howard, House file No. 74, a bill for an act to legalize the official acts of W. E. Haskins, a notary public of Howard county, Iowa.

Read first and second time and referred to committee on Judiciary.

By Mr. Calderwood of Scott, House file No. 75, a bill for an act to repeal sections 3050, 3051 and 3052 of the code, relating to days of grace.

Read first and second time and referred to committee on Banks and Banking.

By Mr. Coburn of Cherokee, House file No. 76, a bill for an act to appropriate money to aid in completing and furnishing the hospital for the insane at Cherokee, for the purchase of land and for the contingent and repair fund.

Read first and second time and referred to committee on Appropriations.

By Mr. Donahue of O'Brien, House file No. 77, a bill for an act to amend chapter 1, title 7 of the code of Iowa, and for the repeal of section 1304, chapter 1, title 7 of the code, relating to the exemption of honorably discharged Union soldiers and sailors, their widows and minor orphans.

Read first and second time and referred to committee on Ways and Means.

By Mr. Dunham of Delaware, House file No. 78, a bill for an act to amend section 1726 of the code, in relation to notes taken for policies of insurance.

Read first and second time and referred to Committee on Insurance.

By Mr. Greeley of Story, House file No. 79, a bill for an act to reorganize the congressional districts of the state.

Read first and second time and referred to committee on Congressional Districts.

By Mr. Hamann of Scott, House file No. 80, a bill for an act to amend sections 2561 and 2551 of the code, relating to the protection of birds and game.

Read first and second time and referred to committee on Fish and Game.

By Mr. Hamann of Scott, House file No. 81, a bill for an act to amend section 1113 of the code, relating to polling places.

Read first and second time and referred to committee on Elections.



By Mr. Hamann of Scott, House file No. 82, a bill for an act to amend section 1080 of the code, relating to the correction of registry of voters.

Read first and second time and referred to committee on Elections.

By Mr. Hurn of Cerro Gordo, House file No. 83, a bill for an act repealing section 3570 of the code, in relation to quarantine and expenses thereof, and enacting a substitute therefor.

Read first and second time and referred to committee on Public Health.

By Mr. Jones of Mahaska, House file No. 84, a bill for an act to amend section 1, chapter 110 of the laws of the Twenty-eighth General Assembly, relating to the establishment of public libraries.

Read first and second time and referred to committee on Public Libraries.

By Mr. McNie of Benton, House file No. 85, a bill for an act making an appropriation for the College for the Blind at Vinton, Iowa.

Read first and second time and referred to committee on Appropriations.

By Mr. McNie of Benton, House file No. 86, a bill for an act to repeal section 2718 of the code, and chapter 82 of the laws of the Twenty-seventh General Assembly amendatory thereto, and to enact a substitute therefor relating to the support of the College for the Blind at Vinton, Iowa.

Read first and second time and referred to committee on Appropriations.

By Mr. Powers of Floyd, House file No. 87, a bill for act to amend section 659 of the code, relating to clerks of cities and their duties.

Read first and second time and referred to committee on Municipal Corporations.

By Mr. Secor of Winnebago, House file No. 88, a bill for an act amending section 2394 of the code of Iowa, relating to the sale of intoxicating liquors by permit.

Read first and second time and referred to committee on Suppression of Intemperance.

By Mr. Sokol of Jones, House file No. 89, a bill for an act making appropriations for salaries, machinery, supplies, freight and transportation, for a contingent and repair fund, and for a warden's house fund for the penitentiary at Anamosa.

Read first and second time and referred to committee on Appropriations.

By Mr. Temple of Clark, House file No. 90, a bill for an act to limit and define the jurisdiction of the supreme court of Iowa, and create an appellate court, to define its jurisdiction, and to provide for the compensation of the judges and officers thereof.

Read first and second time and referred to committee on Judiciary.

By Mr. Wilson of Washington, House file No. 91, a bill for an act to amend sections 3496 and 3501 of the code, relative to the place of bringing action.

Read first and second time and referred to committee on Judiciary.

By Mr. Colclo of Carroll, House file No. 92, a bill for an act defining the crime of the commission of crime as an occupation and providing the penalty therefor.

Read first and second time and referred to committee on Judiciary.

By Mr. Dunham of Delaware, House file No. 93, a bill for an act to repeal section 2814 of the code, and to enact a substitute therefor, relating to schoolhouse sites.

Read first and second time and referred to committee on Schools and Text-Books.

By Mr. Temple:

JOINT RESOLUTION NO. 1.

For an amendment to the constitution of the state of Iowa, proposing the repeal of section thirty-four (34), thirty-five (35), and thirty-six (36) of article three (3) of said constitution, and proposing to adopt the following in lieu thereof and as a substitute therefor.

*Be it resolved by the General Assembly of the State of Iowa:*

That section thirty-four (34), thirty-five (35), and thirty-six (36) of the constitution of the state of Iowa be repealed, and the following be adopted in lieu thereof:

Section 34. The Senate shall be composed of fifty members, to be elected from the several senatorial districts established by law, and at the next session of the general assembly, held following the taking of the state and national census, they shall be apportioned among the several counties or districts of the state according to population, as shown by the last preceding census.

Sec. 35. The House of Representatives shall consist of not more than one hundred and fifteen members. The rate of representation shall be determined by dividing the whole number of the population of the state, as shown by the last preceding state or national census, by the whole number of counties then existing or organized, but each county shall constitute one representative district, and be entitled to one representative, but each county having a population in excess of the ratio number as herein provided, of three-fifths or more of such ratio number, shall be entitled to one additional representative.

Sec. 36. The general assembly shall, at the first regular session held following the adoption of this amendment, and at each succeeding regular session held next after the taking of such census, fix the ratio of representation, and apportion the additional representatives as herein required.

*Be it further Resolved,* That this resolution and the amendment to the constitution therein contained and proposed, be and the same is hereby referred to the next succeeding general assembly for action. And the secretary of state is hereby directed to cause the same to be published for three months previous next preceding the day of election of members of the next general assembly, as provided by law.

Read first and second time and referred to the committee on Constitutional Amendments.

#### MESSAGES FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in the following concurrent resolution in which the concurrence of the Senate was asked:

Relative to furnishing codes to the first assistant clerk of the House and the first assistant secretary of the Senate.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Relative to the printing of 15,000 copies in pamphlet form of the report to the Governor, L. M. Shaw, of the Vicksburg park commission for general distribution.

GEO. A. NEWMAN,  
*Secretary.*

Amend by adding, "That the secretary of state is hereby authorized to print in pamphlet form for distribution 2,000 copies of the governor's report on pardons."

Mr. Head called up Senate amendment to House concurrent resolution, relative to printing 15,000 copies of report of Vicksburg Park Commission.

Mr. Head moved that the House do concur in the Senate amendment.

House concurred.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE OFFICE,  
DES MOINES, IOWA, January 27, 1902 }

*To the Senate and House of Representatives of the Twenty-ninth General Assembly of the State of Iowa:*

My predecessor having appointed a commission to arrange the preliminaries for the representation of the state at the Louisiana Purchase Centennial Exposition to be held at St. Louis, Mo., in 1903, I beg to inform your honorable bodies that the commission so appointed has filed a report of its acts and doings with me, and has included in said report certain recommendations. I have the honor to transmit to your honorable bodies a copy of the report and recommendations for your information, and for such proceedings thereon as may seem to you wise. Respectfully submitted,

ALBERT B. CUMMINS.

LOGAN, IOWA, January 24, 1902.

*Hon. A. B. Cummins, Governor, Des Moines, Iowa:*

DEAR SIR—Complying with the instructions of the commission for Iowa appointed by your predecessor to arrange the preliminaries for our representation at the Louisiana Purchase Exposition, at St. Louis in 1903, I have the honor to lay before you the estimates in detail of the amount required to suitably accomplish such purpose.

The estimates herewith submitted are the result of careful labor and thought of a sub-committee, of which Mr. S. M. Leach, of Adel, is chairman, and I need not assure you that, while the sum is large, the committee has not been more enthusiastic than the great opportunity now presented to fairly exhibit our wonderful advantages and resources fully warrants; in fact, as such commission have considered the matters properly before them, the future greatness of Iowa has grown in our minds and the opportunity to reap for our sowing so impressed the commission that without a dissenting vote \$250,000 should be recommended, was adopted as its judgment.

The commission have labored without compensation, expenses paid by the membership, and submit this report of its doings in the hope that its work may be helpful.

Very respectfully yours,

J. C. MILLIMAN,

[*Chairman.*]

*Hon. A. B. Cummins, Governor, Des Moines, Iowa:*

Your immediate predecessor appointed commissioners for Iowa for the Louisiana Purchase Exposition to be held at St. Louis in 1903. At their meeting held on the 17th day of January, 1903, at Des Moines, a report was ordered made which should include an estimate of the necessary amount of money which your commissioners are of the opinion should be provided, and which it is hoped the present general assembly will appropriate.

The first meeting of the commission was held in the city of St. Louis in January, 1899, which was merely of an introductory and social character.

The next meeting was held in Des Moines, 1901, at which time a chairman and secretary were elected and a committee was appointed to go to St. Louis to look over the grounds where the exposition is to be held, and to confer with the principal officers and promoters of the enterprise. This committee reported to the commission on its findings as to the requirements of Iowa, and it is of the opinion that the opportunity which this great enterprise will give to us if we shall do our part is beyond computation in dollars.

The subjoined report of the requirements of the money for Iowa's part is hereby submitted as follows:

ESTIMATE.

Preliminary promotion.....	\$ 5,000
Building and plumbing.....	100,000
Architect.....	5,000
Commissioners.....	9,900
Superintendents and employes.....	20,000
Secretary, bookkeepers and stenographers.....	3,000
Telegraph, telephone and express.....	2,200
Printing, stationery and postage.....	15,000
Postoffice and mail carrier.....	1,500
Collecting exhibits.....	6,000
Agricultural and horticultural.....	16,000
Dairy.....	4,000
Apiary.....	1,000
Forestry and minerals.....	3,000
Manufactures and machinery.....	6,000
Fine arts.....	1,500
Educational.....	6,000
Historical and woman's department.....	6,000
Press.....	1,000
Dedication exercises and special days.....	7,000
Music.....	4,000

Illustrated printing for the state.....	5,000
Sundries, contingent and publicity.....	12,500
Decorating grounds, grades, walks, etc.....	5,000
Furniture, fixtures, heat and wiring building.....	8,000
Bureau of information.....	3,000
Live stock.....	15,000
Total.....	\$258,100

Your commission is not unmindful of the fact that the various amounts in the general estimate may be too high in some places and too low in others, but in view of the fact that it has for its basis the expenditures made at Chicago in 1893, and in Omaha in 1898, it may be accepted as approximately correct.

It is the intention of the management at St. Louis to group in a village the buildings of the states that have been made out of the Louisiana purchase and to reserve for them the most commanding locations, therefore it is important that the Iowa buildings be of such proportion and of such style and finish as shall suitably reflect the culture and prosperity of our people.

Most respectfully submitted,

J. C. MILLIMAN,  
*Chairman of Committee.*

Also:

EXECUTIVE OFFICE,  
DES MOINES, IOWA, January 27, 1902. }

*To the Senate and House of Representatives of the Twenty-ninth General Assembly of the State of Iowa:*

I beg to inform your honorable bodies that I have received, and have accepted, the resignation of Perry D. Rose, Esq., of Jefferson, trustee of the State Normal school. I have been advised by the attorney-general that it is the duty of the Governor to appoint a successor for the unexpired term; and pursuant thereto, I have appointed Mr. B. F. Osborn, of Rippey, Greene county, Iowa, for such unexpired term. Notwithstanding the appointment, I deem it my duty to acquaint your honorable bodies with the facts. Respectfully submitted,

ALBERT B. CUMMINS.

On motion of Mr. Hawk, both messages were ordered printed in the Journal, and on motion of Mr. Carter, the one relative to the appointment of B. F. Osborn as trustee of State Normal school, was referred to the committee on Judiciary.

Mr. Hawk offered the following resolution, and moved the rule be suspended and the resolution be adopted:

*Resolved*, That 300 extra copies of House file No. 59 be printed for the use of the assembly.

Adopted.

Mr. Black of Mills offered the following concurrent resolution, and moved the rule be suspended and the resolution be adopted:

WHEREAS, Wednesday, January 29th, will be the fifty-ninth anniversary of the birth of our illustrious but martyred president, Wm. McKinley, be it

*Resolved*, By the House, the Senate concurring: That a committee of three members from the House be appointed to confer with a like committee from the Senate, who shall arrange for an anniversary service, to be known as Iowa's remembrance of our late president.

Adopted.

Mr. Larrabee of Fayette, offered the following concurrent resolution, and moved its adoption under a suspension of the rules:

*Be it Resolved*, By the House, the Senate concurring: That a committee of three be appointed by the Speaker of the House to act with a like committee of three to be appointed by the President of the Senate to prepare and report resolutions relative to the life and character of the late Senator John H. Gear.

Adopted.

Mr. Whiting offered the following resolution, and moved its adoption under a suspension of the rules:

WHEREAS, Lemuel R. Bolter, who served twenty years as an honored member of the general assembly of the State of Iowa, has recently departed this life, therefore, be it

*Resolved*, That the Speaker of the House of Representatives appoint a committee of three to prepare appropriate resolutions upon the life and character of the deceased and present them to the House.

Adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

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

Relative to the observance of the anniversary of our late president, Wm. McKinley, and naming Senators Blanchard, Healy and Ball as the Senate members of this committee.

GEO. A. NEWMAN,  
*Secretary.*

The Speaker appointed the following committees:

Committee to confer with Senate committee relative to the

anniversary of the birth of our late president, Wm. McKinley, Messrs. Black, Hilsinger and Frudden.

Committee to draft resolutions on the death of Hon. Lemuel R. Bolter, Messrs. Whiting, Sweeley and Kling.

Committee on resolution on the death of Hon. John H. Gear, Messrs. Larrabee, Barkley and Carter.

The following committee clerks appeared, were sworn in and signed the oath according to law:

Benning E. Ballou, Roads and Highways.

Anna M. Norton, Enrolled Bills.

Blanche Townsend, Retrenchment and Reform.

Vina Elliott, Private Corporations.

On motion of Mr. Clarke of Dallas, House adjourned till 10 A. M. tomorrow



HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, Tuesday, January 28, 1902. }

House met pursuant to adjournment, Speaker Eaton in th chair.

Prayer was offered by Rev. Charles H. Seccombe of Ames, Iowa.

The Speaker took up a communication from Wright of Guthrie asking indefinite leave of absence on account of sickness, which was granted.

Journal of Monday, January 27th, corrected and approved.

PETITIONS AND MEMORIALS.

Powers of Floyd presented petition of citizens of Charles City, asking the passage of a bill amending section 4011, chapter 3, title 19 of the code, relative to personal earnings.

Referred to committee on Ways and Means.

Black of Mills presented petition of citizens of Emerson, Iowa, relative to placing a time limit on consent petitions under the mulct law.

Referred to committee on Suppression of Intemperance.

Jaeger of Des Moines presented resolutions from the Burlington Trades and Labor Assembly, which were ordered printed in full in the Journal, as follows:

The following resolution was unanimously adopted at the regular meeting of the Trades and Labor Assembly, held January 14, 1902:

WHEREAS, The states of the Louisiana purchase are about to celebrate the centennial of that event in the city of St. Louis; and,

WHEREAS, Such event will be a special opportunity for advertising the great resources of the territory; be it

*Resolved*, That it is the sense of the Trades and Labor Assembly of Bur-

lington, Des Moines county, that our legislature should make a liberal and generous appropriation in order that Iowa may be distinctly and thoroughly represented with practical exhibits of her vast agricultural, mineral and manufacturing resources, that millions who visit the exposition may form an idea of the great possibilities of Iowa, not only for desirable homes, but for enterprising investors.

*Resolved,* That a copy of these resolutions be forwarded to each of the members of the Legislature and Senate from Des Moines county, the Governor of the state and the newspapers of Burlington.

GEORGE HECK,  
FRED SCHREIBER,  
J. A. HOMBERGER,

*Legislative Committee Burlington Trades and Labor Assembly.*

On motion of Mr. Jaeger, these resolutions were referred to committee on Appropriations.

#### REPORTS OF COMMITTEES.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER.—Your committee on Judiciary, to whom was referred House file No. 19, a bill for an act to authorize the loaning of funds accumulated under chapter one (1) of the acts of the Twenty-sixth General Assembly, or under section seven hundred and forty-two (742) of the code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended that the same do pass:

That the title be amended as follows:

By inserting, after the word "chapter" in the third line, the word "one," and enclosing the figure "1" immediately following in brackets.

By inserting, between the word "section" and the figures "742" in the fourth line, the words "seven hundred and forty-two," and the said figures "742" be enclosed in brackets.

And after the word "code" insert a comma, and add the following words, "and to legalize a contract between the city of Des Moines and the Des Moines Water Works company for a loan of such funds."

That the bill be amended as follows:

That section 1 be amended by inserting after the word "chapter," in the fourth line, the word "one," and the figure "1" immediately thereafter be enclosed in brackets.

That the word "twenty-eighth" at the beginning of line five be stricken out and the word "twenty-sixth" inserted in lieu thereof; and after the word "section" be inserted the words "seven hundred and forty-two" and the fig-

ures "742" immediately following be enclosed in brackets and the comma at the end of said line be stricken out.

That a comma be inserted at the end of line six.

That section 2 be stricken out and the following words and figures inserted in lieu thereof:

"Section 2. That the agreement made heretofore and on or about the 31st day of December, A. D. 1901, between the city of Des Moines and the Des Moines Water Works company, contemplating a loan by said city to said company for the purposes mentioned in section 1 of this act be and the same is hereby legalized and confirmed."

That section 3 be amended as follows: After the word "section" in line one insert the word "one" and enclose the figure "1" immediately following in brackets.

After the word "chapter" in line four insert the word "one" and enclose the figure "1" immediately following in brackets.

After the word "section" in line five insert the words "seven hundred and forty-two" and enclose the figures "742" immediately following in brackets.

That section 4 be amended by adding thereto the words "and that publication be without expense to the state."

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

Mr. Black offered the following report:

MR. SPEAKER—Your committee appointed to recommend a program for the anniversary service of the birth of President William McKinley, beg leave to report that we have had the matter under consideration and have agreed on the following program, viz:

1. The two houses will meet in joint convention in the House of Representatives at 3 P. M. of January 29, 1902.
2. The President of the Senate will call the joint convention to order.
3. Prayer by Rev. Dr. A. B. Marshall.
4. Music—"Lead, Kindly Light," Grant Glee Club.
5. Address by Governor A. B. Cummins.
6. Music—"Nearer, My God, to Thee."

The joint convention will then be dissolved and the Senators will then return to the Senate.

L. C. BLANCHARD,  
THOS. D. HEALY,  
G. W. BALL,

*Committee on the part of the Senate.*

C. W. BLACK,  
G. E. HILSINGER,  
A. F. FRUDDEN,

*Committee on the part of the House.*

Ordered passed on file.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate adopted the report of the joint committee as to the arrangements for the observance of the birthday anniversary of the late President McKinley.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Concurrent resolution relative to furnishing code to Senator Fred N. Smith.

GEO. A. NEWMAN,  
*Secretary.*

CONCURRENT RESOLUTION.

WHEREAS, The code of 1897, furnished to Senator Fred. N. Smith of Des Moines county, by the secretary of state, under the provisions of section 4 of the code, has been removed from his desk in the Senate and cannot be found; therefore, be it

*Resolved*, By the Senate, the House concurring: That the secretary of state be and is hereby authorized and instructed to deliver to the said Fred. N. Smith another code.

INTRODUCTION OF BILLS.

By Bealer of Linn, House file No. 94, a bill for an act to amend sections 260 and 268 of the code, relating to the jurisdiction of the superior court and the providing of jurors there; to repeal sections 268, 270 and 271 of the code, relating to right to

jury on demand, jury of six unless twelve demanded, and challenges to jurors in the superior court, and to repeal section 273 of the code, relating to judgment of the superior court, and to enact a substitute therefor.

Read first and second time and referred to committee on Judiciary.

By Bealer of Linn, House file No. 95, a bill for an act to provide for the election of a police judge, and the establishment of a police court in cities where superior courts now are or may hereafter be established, and defining the jurisdiction and powers of said courts and the judges thereof.

Read first and second time and referred to committee on Judiciary.

By Bealer of Linn, House file No. 96, a bill for an act to repeal chapter 10 of the acts of the Twenty-eighth General Assembly, amendatory to section 261 of the code, relating to superior courts and changes of venue therefrom.

Read first and second time and referred to committee on Judiciary.

By Blakemore of Taylor, House file No. 97, a bill for an act relating to the assignment of mortgages and other securities and the listing of the same for taxation.

Read first and second time and referred to committee on Ways and Means.

By Buchanan of Wapello, House file No. 98, a bill for an act to amend chapter 5, sections 745, 746, 747 and 748 of the code of 1897, relating to the letting of contracts for the purchase or erection of water works in cities of the first class.

Read first and second time and referred to committee on Municipal Corporations.

By Calderwood of Scott, House file No. 99, a bill for an act to protect deserving wives and minor children against non-support by husbands.

Read first and second time and referred to committee on Judiciary.

By Campbell of Fremont, House file No. 100, a bill for an act to

amend section 4962 of the code relating to the punishment for keeping a gambling house.

Read first and second time and referred to committee on Judiciary.

By Carden of Henry, House file No. 101, a bill for an act making an appropriation for the construction, repair, support and contingent fund for the state hospital at Mount Pleasant, Iowa.

Read first and second time and referred to committee on Appropriations.

By Cassel of Jefferson, House file No. 102, a bill for an act in relation to the cancellation of mortgages on real estate and deed of trusts.

Read first and second time and referred to committee on Judiciary.

By Clarke of Dallas, House file No. 103, a bill for an act to legalize the election held in the county of Dallas, state of Iowa, on the 6th day of November, 1900, and the propositions submitted at said election for the purpose of building a court house at Adel, in said county, and borrowing money and issuing bonds therefor, and the manner of submitting said proposition, and the manner of payment of bonds issued for said purpose, and all proceedings of the board of supervisors with reference to said matter.

Read first and second time and referred to committee on Judiciary.

By Colclo of Carroll, House file No. 104, a bill for an act relating to the investment of bonds of insurance companies.

Read first and second time and referred to committee on Insurance.

By Cummings of Marshall, House file No. 105, a bill for an act to amend section 4544 of the code, relating to garnishment proceedings.

Read first and second time and referred to committee on Judiciary.

By Cummings of Marshall, House file No. 106, a bill for an

act making an appropriation for the Iowa Soldiers' Home at Marshalltown, Iowa.

Read first and second time and referred to committee on Appropriations.

By Cummings of Marshall, House file No. 107, a bill for an act to amend section 2608 of the code, and to provide additional support for the Soldiers' Home at Marshalltown, Iowa.

Read first and second time and referred to committee on Appropriations.

By Dunham of Delaware, House file No. 108, a bill for an act requiring the attendance at school of persons of the age of 7 to 14 years inclusive, and prohibiting their habitually frequenting or loitering about public places without lawful occupation, and providing a remedy and penalty therefor.

Read first and second time and referred to committee on Schools and Text-Books.

By Greeley of Story, House file No. 109, a bill for an act to amend section 136 of the code, and section 1, chapter 5, of the Twenty-eighth General Assembly, relating to the publication of the reports of the Iowa Academy of Sciences.

Read first and second time and referred to committee on Judiciary.

By Hughes of Iowa, House file No. 110, a bill for an act prohibiting any common carrier within this state from issuing, giving or offering to give any free pass, ticket, mileage or frank, or permitting the same to be used on or over its lines by certain officers and persons, and prohibiting such officers and persons from soliciting, receiving or using the same, and providing penalties for the violation thereof.

Read first and second time and referred to committee on Judiciary.

By Larrabee of Fayette, House file No. 111, a bill for an act to amend section 255 of the code, relating to superior courts.

Read first and second time and referred to committee on Judiciary.

By Meservey of Webster, House file No. 112, a bill for an act relating to the time in which actions or proceedings may be

brought for recovery of taxes alleged to be due on personal property omitted, not listed or withheld.

Read first and second time and referred to committee on Judiciary.

By Nichols of Muscatine, House file No. 113, a bill for an act to repeal section 953 of the code, and section 2, of chapter 28 of the acts of the Twenty-seventh General Assembly, and amend sub-division 6, of section 1005 of the code, relating to the subject of assessment of taxes for library purposes in cities acting under special charter.

Read first and second time and referred to committee on Municipal Corporations.

By Secor of Winnebago, House file No. 114, a bill for an act to encourage the planting of forest and fruit trees.

Read first and second time and referred to committee on Horticulture.

By Stratton of Montgomery, House file No. 115, a bill for an act to amend section 2695 and section 2696 of chapter 7, title 13 of the code of Iowa, relating to the Institution for Feeble-Minded Children.

Read first and second time and referred to committee on Institution for Feeble-Minded.

By Sweeley of Woodbury, House file No. 116, a bill for an act making an appropriation for the Woman's and Baby's Home of Sioux City, Iowa.

Read first and second time and referred to committee on Appropriations.

By Sweeley of Woodbury, House file No. 117, a bill for an act to amend section 4807 of the code, relating to malicious mischief and trespass.

Read first and second time and referred to committee on Judiciary.

By Townsend of Calhoun, House file No. 118, a bill for an act to amend chapter 6, title 12 of the code, by providing for a bond where an action is commenced for the violation of the provisions of this chapter.



Read first and second time and referred to committee on Judiciary.

By Walden of Wayne, House file No. 119, a bill for an act to legalize the acts of the independent school district of Allerton, Wayne county, Iowa, in voting bonds at an election held March 12, 1900, for the rebuilding of a schoolhouse in said independent district, and to enable such district to issue such bonds.

Read first and second time and referred to committee on Judiciary.

By Willett of Woodbury, House file No. 120, a bill for an act to amend section 5254 of the code, providing for the finding and presentment of indictments without the intervention of a grand jury.

Read first and second time and referred to committee on Judiciary.

By Wilson of Buena Vista, House file No. 121, a bill for an act to amend section 1610 and section 1618, as amended by chapter 40 of the acts of the Twenty-seventh General Assembly, and chapter 56 of the acts of the Twenty-eighth General Assembly, relating to corporations for pecuniary profit.

Read first and second time and referred to committee on Private Corporations.

Black of Mills called up the report of the committee appointed to arrange program for the observance of the anniversary of the birth of our late president, Wm. McKinley, and moved the adoption of the report of this committee.

Carried, and the report was adopted.

Hawk of Jasper offered the following resolution, and moved its adoption:

*Resolved*, That all bills now or hereafter introduced in the House shall be printed in the order of their introduction, and the Chief Clerk is hereby instructed to at once inform the state printer of this order.

Warren of Marion offered the following substitute for the resolution of Hawk, and moved the adoption of the substitute:

*Resolved*, That the state printer is hereby called upon to return to this House all bills properly printed within three (3) days after the same have been introduced, in substantially the same order in which they are introduced.

The rules were suspended and the substitute was adopted.

Kendall of Monroe offered the following resolution, which was laid over under rule 34:

*Resolved*, By the House, the Senate concurring: That a commission is hereby created, consisting of the state mine inspectors, two mine operators, four mine superintendents or mine foremen, and ten practical miners, to be appointed by the governor, whose duties it shall be to inquire into and investigate the matters of explosions in the coal mines of Iowa and report to this general assembly without delay whatever recommendations it may deem expedient to make for the prevention thereof.

The commission hereby created shall convene, organize and transact its business at Des Moines, and each member thereof, except the state mine inspectors, shall receive in full compensation of his services the sum of five (\$5) dollars per day for every day actually engaged, together with the actual expenses incurred by him in the performance of said duties, which compensation and expenses shall be paid out of the state treasury, after being itemized and verified as provided in section 2480 of the code, provided that said commission shall not be in session longer than eight days.

Mr. Clarke of Dallas offered the following concurrent resolution, and moved the rule be suspended and the resolution be adopted:

WHEREAS, There are now in the custody of the secretary of state a large number of volumes of the acts of the general assembly from the Eighth to the Fourteenth, both inclusive;

WHEREAS, The said volumes are falling into decay and are being damaged by the ravages of time, and

WHEREAS, It has been proven impossible to sell them at any price; therefore, be it

*Resolved*, By the House, the Senate concurring: That the secretary of state be and is hereby authorized to make gratuitous distribution of said volumes to schools, colleges, libraries, and to all persons who make application therefor, the number to be distributed to each to be governed by the discretion of the secretary.

Adopted.

On motion of Carter of Sioux, House adjourned till 10 A. M. tomorrow.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, Wednesday, January 29, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. Emil Mueller of Ackley, Iowa.

The Journal of Tuesday, January 28th, was corrected and approved.

Speaker Eaton at this time introduced Hon. W. G. Sears, Speaker of the House of Representatives of Nebraska.

PETITIONS AND MEMORIALS.

Jenks of Pottawattamie presented petition of the Presbyterian Synod of Iowa, relating to time limit for petitions under the mulct law.

Referred to committee on Suppression of Intemperance.

Sweeley of Woodbury presented petition of citizens of Carson, Iowa, relative to the time limit for petitions under the mulct law.

Referred to committee on Suppression of Intemperance.

REPORTS OF COMMITTEES.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 26, a bill for an act to legalize and confirm the acts of George C. Murtry and Herbert J. McMurtrie, notaries public of the state of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended that the same do pass:

That section 1 of the bill be stricken out, and insert in lieu thereof the following words and figures:

“Section 1. That the official acts of George C. Murtry and Herbert J. McMurtrie, acting as notaries public, performed between the 7th day of

March, 1898, and the 4th day of July, 1900, are hereby made as legal and effectual as though their residence had not been changed, providing that nothing in this act shall affect any action now pending."

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 34, a bill for an act to legalize the ordinances of the town of Conway, Taylor county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 2, a bill for an act to amend section 4740 of the code, relative to the execution of persons under sentence of death, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

Mr. Kerr of Grundy, from the committee on Normal Schools, submitted the following report:

MR. SPEAKER—Your committee on Normal Schools, to whom was referred House file No. 20, a bill for an act to create an additional normal school in the state institution formerly occupied as the industrial home for the blind at Knoxville, in Marion county, and to convert the said property to said uses and purposes, and provide for the maintenance, equipment and improvement thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass, with the following amendment: Strike out all that part of section eight (8) after the word "appropriated" in the ninth line of the original bill, and insert in lieu thereof the following: "There is further appropriated the sum of thirty-five thousand dollars (\$35,000), to be used for said institution under the direction and control of the said board of trustees, as follows: Repairing, remodeling and enlarging said building the sum of twenty-five thousand dollars (\$25,000); for furnishing said building with necessary equipments,

furniture, musical instruments, supplies, fixtures and apparatus the sum of five thousand dollars (\$5,000); for purchasing library for said school five thousand dollars (\$5,000); said thirty-five thousand dollars (\$35,000), or as much thereof as is required for said purposes, shall be drawn from the state treasury on the requisition of said board of trustees out of any funds not otherwise appropriated, at such time; as is required for the purposes herein contemplated.

WM. G. KERR,  
*Chairman.*

Ordered passed on file.

Also:

Sweet of Bremer submitted the following report:

MR. SPEAKER—Your committee appointed to draft resolutions of respect to the memory of Hon. Thomas Kimball, respectfully submit the following:

WHEREAS, The Hon. Thomas Kimball, an honored member of the Twenty-eighth General Assembly of Iowa, from Marshall county, died on the 30th day of May, 1901, and

WHEREAS, The life and character of the deceased were such as to command our love and esteem, and his public services to the state and country were of such a character as to command the respect and gratitude of his fellow citizens; therefore, be it

*Resolved*, That in his death his family are bereft of a kind and loving husband and father, and the state loses the services, valuable counsel and exemplary life of an honored, upright and representative citizen.

*Resolved*, That we share and deeply sympathize with his family in their great bereavement, trusting that "He who doeth all things well" will sustain them in their sorrow, and that they have the assurance that this affliction was permitted in love and mercy.

*Resolved*, That these resolutions be printed in the Journal of the House, and that the Chief Clerk be directed to transmit an engrossed copy of the same to the bereaved family.

BURTON E. SWEET,  
B. F. CUMMINGS,  
M. F. EDWARDS,  
*Committee.*

Messrs. Sweet, Cummings and Hawk in brief speeches rendered further tribute to the deceased.

On motion of Sweet of Bremer, the report was unanimously adopted by a rising vote.

Black of Mills offered the following resolution, and moved that the rules be suspended and the resolution be adopted:

*Resolved*, That the speakers on the life of Thomas Kimball of Marshall

county, member of the Twenty-eighth General Assembly, be requested to hand to the clerk a brief outline of their remarks, the same to be printed in full in the Journal of the House.

The motion prevailed and the resolution was adopted.

The following is the speech of Sweet of Bremer:

MR. SPEAKER,—I crave the attention of the House but for a moment, for it is indeed fit and proper, before we finally pass upon the resolutions just read, that we pause in our deliberations long enough to pay a passing tribute to the life, the services and the character of Thomas Kimball, who was a member of the Twenty-eighth General Assembly of Iowa, and now deceased. It is indeed fit and proper that we make a record of this day's proceedings; that we briefly recount his virtues, achievements and successes, so that in the days to be, in the years to come, his friends and relatives may turn hither and read and know that we did not forget our associate from Marshall county, who participated in our deliberations in this hall, who shared with us our responsibilities, who gave his time and services without stint to the state of Iowa; that his wife and children may turn hither and find consolation and comfort and know and feel that in some measure at least that we share with them in their sorrow and sympathize with them in their great bereavement.

Thomas Kimball was born in the state of Massachusetts a little over half a century ago. While yet a young man he came to the state of Iowa. He was borne along on the crest of that great tidal wave of emigration as it rolled westward towards the setting sun. He came to the state of Iowa soon after the close of the great civil war. His capital was two willing hands and an active brain. He brought with him the ideas of frugality, economy and thrift of the east, and by blending the frugality and economy of the east with the vast and ever-expanding opportunities of the west, and by untiring industry and perseverance he soon amassed a fortune. When he came to the state of Iowa it was comparatively new. He beheld all the marvelous changes in our great state during the last thirty years. He witnessed our state increase in population from 900,000 to over 2,000,000 of inhabitants. He witnessed our wonderful growth in wealth, and played an important part in the development of the resources of the state. He played an important part in that great transition. In politics he was a republican, but not of the bigoted or radical type. He delegated to every man the same privileges and rights that he claimed for himself. He was a man among men.

I first became intimately acquainted with Mr. Kimball during the Twenty-eighth General Assembly. By chance our seats in the House were near together, and I associated with him in committee work and in the councils of the party. It cannot be said of him that he took an active part on the floor of the House, but he did efficient work in the committees, and in all matters pertaining to agriculture and finance he took an active interest, bringing to all questions of that nature a wealth of experience, of common sense and conservatism seldom equaled. I remember very well a conversation I had with him near the close of the last session which will

give you a glimpse of his fortitude and his courage when confronted with death. During the course of our conversation I remarked that I hoped to see him back at the next session. He paused a moment as if in deep reflection, while his countenance wore a stern yet pathetic expression, then slowly, yet feelingly, remarked: "Sweet, I will never be back." At that very time he knew that the end was not very far distant—he knew that his days on earth were numbered. Already his unsteady step and his emaciated and bowed form began to speak of the ravages of disease. He was but 53 years of age, yet the fires of ambition had died out, hope had fled, and upon his wasting brow had fallen the shadows of the eternal night. And yet, notwithstanding all this, he went forward uncomplainingly and with fortitude and courage to meet the responsibilities of life. Each day found him in this hall and at his desk, participating in our deliberations and doing his whole duty to his country and the state. And thus he went on uncomplainingly to the end, which occurred on the 30th day of May, 1901. He met without a murmur that which all men must meet, and passed away "serenely as the coming of the dawn."

Mr. Speaker, I move that the rules be suspended and that the report just read be adopted, and when the vote is taken that it be done by each member of this body rising to his feet.

The following is the speech of Cummings of Marshall:

MR. SPEAKER—It seems especially appropriate that the first time I should ask to be heard in this House should be to express a few words upon this resolution.

Thomas Kimball, the Representative of Marshall county in the Twenty-eighth General Assembly, died at his home at La Moille on the 30th day of May, 1901,

Born near Andover, Mass., January 20, 1846, on the old Kimball homestead, which had been given as a land grant to the Kimball forefathers by the king of England in 1665, he had barely reached the age when men are at their best. So long had the Kimballs occupied the same tract of land that he was the seventh Thomas Kimball to be brought into the world on the same homestead. He was descended from that old Puritan blood which leaves its stamp of purity of character, honesty of purpose and unswerving integrity upon its future generations.

When eight years of age Thomas Kimball found himself fatherless, and not long afterward an orphan without a home. With all the earnestness of his character he set to work, and, being reared on a farm, naturally sought rural life. He "hired out" to the farmers of the vicinity, but after a few years sought the greater opportunities of city life. He went to Boston and secured a position in a machine shop, where he worked diligently for five years, at the end of which time he had managed, by strict economy, to save \$600.

With that money, which to him was a fortune and all from his own efforts, in 1869 he came west and with an intuitive perspicacity decided to locate in Iowa. He established a business at La Moille in Marshall county,

with a partner, upon a joint capital of \$1,200. The business was that of general store, lumber, coal, buying of grain and cattle. With his New England thrift and with close application to business and unceasing energy, that nest egg of \$600 accumulated into a fortune.

He was married in 1872 to the daughter of one of the most substantial of Marshall county's farmers, Miss Caroline Shearer, and leaves surviving his loving wife, a son and two daughters.

Never of especially sturdy physique, the foundation of his last illness was an attack of pneumonia, suffered in the spring of 1896. A similar attack followed in 1897, and from that time on he was in poor health. He hoped by travel in other climates to be restored to health, and believing himself to be better, was prevailed upon to become a candidate for representative of Marshall county at the last general assembly. He did so and was successful, his term not expiring until January of this year. While here last session, from remarks made to members of the House, it was apparent that he realized that he would never again return.

About a year ago he concluded to go to Arizona to see if he could be benefited. A letter to me in the spring following in regard to some business matters, contained but four words as to his health, "I am no better." I then realized that he had given up hope. He returned home a few days before his death and passed away in the presence of his sorrowing wife and children.

It has been said of him that he was a man who knew no enemies. His death was lamented by the whole county and his funeral was conducted in the presence of nearly every inhabitant of his community, a most touching testimonial of the universal esteem in which he was held. He was a man of absolute integrity—true to his word, true to his principles, true to his friends. Such you members of the Twenty-eighth General Assembly found him. No blandishments, however alluring, ever for one moment tempted him from the path of duty. He was a friend we could grapple to our hearts with hooks of steel.

He was kind hearted and generous, though his charity was unostentatious. Many a time he lent a helping hand to others less fortunate than himself. Many neighbors and associates of his have told me they felt his death as they would that of a brother. He was as modest and unpretending as any fellow being who toiled for his daily bread. It was better than towering monument to see the honest grief of his every-day associates at this death. Kind words, generous, thoughtful actions, marked his life. Realizing that death was at hand, to that almost unconscious brain there must have been visions of kind words and deeds that in a measure soothed the aching frame and smoothed the pathway to the grave.

Quiet, dignified, honorable in all his relations with society; able and faithful in the discharge of his duties, I am impressed with the belief that, owing to his failing health, he never exhibited to this House fully the ability and the high, manly qualities which he really possessed.

I look back upon my relations with Thomas Kimball as among the pleasant recollections of my life. As his friend, I pay my tribute to his



memory and extend my sympathy to his friends, and especially to the wife and children. Truly no man more regrets that Thomas Kimball is not here to answer his name, as he surely would have been had he lived, than does the one who has taken his place.

The speech of Hawk of Jasper follows:

MR. SPEAKER—As an associate of the honorable member in whose honor these resolutions are offered, I feel constrained to beg your indulgence while I offer a short tribute to his memory. My acquaintance with him begun at the convening of the Twenty-eighth General Assembly, and I was at once impressed by his unassuming manners and pleasing personality. Being thrown into daily contact with him by residing in the same house, an intimacy at once sprang up between us which will always be a pleasing memory. In poor health and suffering from an incurable disease, he was at all times uncomplaining, cheerful and a delightful companion.

He was constant and untiring in his devotion to his duties as a member of the House, and his grasp of mind and sound judgment inspired not only my confidence but that of his fellow members with whom he came in contact.

His method of dealing with all public questions was direct and earnest. The wiles of the demagogue and the tricks of the time-server were distasteful to him and had no part in his character.

May the recital of his virtues incite us all to emulate his example.

Kendall of Monroe called up his concurrent resolution which laid over under rule 34, and moved it be adopted.

Head of Greene offered the following amendment:

MR. SPEAKER—I move to amend the concurrent resolution by striking out the words after the comma in the second line and before the comma after the word “miners,” in the third line, and substituting in lieu thereof the words “consisting of the state mine inspectors, two mine operators and two practical miners.”

Amendment adopted on motion of Mr. Head.

Jones of Mahaska offered the following substitute to the original resolution of Mr. Kendall, as amended by Mr. Head:

*Resolved*, By the House, the Senate concurring: That the subject matter referred to in the resolution offered by the gentleman from Monroe, be referred to the mine inspectors of Iowa, and that they be required to make a thorough investigation into the cause or causes, the remedy, if any, their recommendation, if any, and especially with reference to the recent explosion, resulting in the loss of so many lives at Lost Creek, Mahaska county, Iowa, and that they make report thereof on or before February 25, 1903, to the general assembly.

Eiker of Decatur moved the previous question.

Carried.

The roll was then called on the question of the substitute, with the following result:

The yeas were:

Messrs. Barker, Black, Campbell, Carden, Carter, Christianson, Coburn, Colclo, Cruikshank, Davenport, Dodds, Dunham, Edwards, Eiker, Fields, Freeman, Graff, Greene, Head, Hufschmidt, Hughes, Hurn, Jones, Keagy, Kerr, Kolthoff, Larrabee, Lyman, McClure, McNie, Mordhorst, Nagle, Nichols, Pipher, Powers, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Whiting, Willett, Wilson of Washington, Wise—47.

The nays were:

Messrs. Anderson, Barkley, Bealer, Blakemore, Boysen, Buchanan, Calderwood, Cassel, Cheney, Clarke, Cowles, Crouse, Cummings, Donahue, English, Flenniken, Frudden, Furry, Greeley, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Jaeger, Jenks, Kendall, Kling, Koontz, Langan of Clinton, Langan of Crawford, Leech, McClurkin, Marshall, Mattes, Meservey, Moore, Patton, Pritchard, Robinson, Teachout, Temple, Utterback, Walden, Walters, Warren, Wilson of Buena Vista, Mr. Speaker—48.

Absent or not voting:

Messrs. Bailey, Gilchrist, Payne, Townsend, Wright—5.

So the substitute was lost.

The original resolution as amended was then taken up and a roll call demanded, with the following result:

The yeas were:

Messrs. Anderson, Barkley, Bealer, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassel, Cheney, Cummings, Dodds, Donahue, Dunham, English, Fields, Flenniken, Freeman, Frudden, Furry, Greeley, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Jaeger, Jenks, Jones, Kendall, Kling, Koontz, Langan of Clinton, Langan of Crawford, Leech, McClurkin, Marshall, Mattes, Meservey, Moore, Patton, Pipher, Pritchard, Robinson, Teachout, Utterback, Walden, Walters, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Mr. Speaker—55.

The nays were:

Messrs. Barker, Black, Carter, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Davenport, Edwards, Eiker, Graff, Greene, Head, Hufschmidt, Hughes, Hurn, Keagy, Kerr, Kolthoff, Larrabee, Lyman, McClure, McNie, Mordhorst, Nagle, Nichols, Powers, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Temple, Whiting—40.

Absent or not voting:

Messrs. Bailey, Gilchrist, Payne, Townsend, Wright—5.

So the concurrent resolution of Mr. Kendall as amended by Mr. Head was adopted.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in the concurrent resolution in which the concurrence of the Senate was asked:

Relative to resolutions in memory of the late John H. Gear, and naming joint committee to prepare same, and naming Senators Blanchard, Mardis and Emmert as members of such committee on the part of the Senate.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and concurred in the following concurrent resolution in which the concurrence of the Senate was asked:

Relative to distribution by the secretary of state of session laws of former general assemblies and amending same.

Amend by adding:

Provided that ten copies of said volumes shall be sent to the library of the State Historical Society at Iowa City, and ten copies to the library of the Iowa State University.

GEO. A. NEWMAN,  
*Secretary.*

Wilson of Washington offered the following resolution, and moved that the rules be suspended and the resolution be adopted:

*Resolved*, That the Chief Clerk of the House be instructed to have printed for the use of the members of the general assembly 500 copies of the House standing committees.

The motion prevailed and the resolution was adopted.

Temple of Clarke offered the following resolution, and moved the suspension of the rules and the adoption of the resolution:

WHEREAS, The Hon. Jacob Proudfoot, a distinguished and honored member of this House in the Sixteenth General Assembly, has departed

this life since the closing of the Twenty-eighth General Assembly; therefore, be it

*Resolved*, That a committee of three be appointed by the Speaker to prepare and present to this House suitable resolutions of respect to the life and public services of the deceased.

Adopted.

Hurn of Cerro Gordo called up the Senate concurrent resolution relative to furnishing a code for Senator Fred N. Smith of Des Moines county, and moved that the House do concur in the resolution.

Carried, and the House concurred.

Mr. Gilchrist was granted indefinite leave of absence, on request of Mr. Christianson.

On motion of Warren of Marion, House adjourned till 2 P. M.

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#### AFTERNOON SESSION.

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House met pursuant to adjournment, Speaker Eaton in the chair.

The Speaker appointed as a committee to prepare and present resolutions in regard to the life and public services of the Hon. Jacob Proudfoot, Temple of Clark, Meservey of Webster and Mattes of Sac.

Wise of Black Hawk offered the following concurrent resolution, and moved its adoption under a suspension of the rules:

*Resolved*, by the House, the Senate concurring: That the House and Senate meet in joint convention at 3 o'clock P. M., Tuesday, February 4, for the purpose of electing trustees and regents for the state educational institutions.

The motion prevailed and the resolution was adopted.

On request of Eiker of Decatur, leave of absence was granted Bailey of Ringgold indefinitely on account of sickness.

On request of Hawk of Jasper, leave of absence was granted Townsend of Calhoun for today.

On request, leave of absence was granted Barker of Howard from Friday morning until Tuesday noon.

On request, leave of absence was granted Powers of Floyd after tomorrow until Tuesday.

On request, leave of absence was granted Cruikshank of Lee from Friday until Monday.

On request of Hughes of Iowa, leave of absence was granted Hamann of Scott until Tuesday morning.

#### INTRODUCTION OF BILLS.

By Black of Mills, House file No. 122, a bill for an act for buildings and other improvements, for machinery, boiler repairs, contingent expenses and land for the Institution for Feeble-Minded at Glenwood, Iowa.

Read first and second time and referred to committee on Appropriations.

By Buchanan of Wapello, House file No. 123, a bill for an act to amend section 1441 of the code, relating to service of notice of expiration of right of redemption from tax sales.

Read first and second time and referred to committee on Judiciary.

By Clarke of Dallas, House file No. 124, a bill for an act to repeal section 1374 of the code, relating to property withheld or omitted from assessment.

Read first and second time and referred to committee on Judiciary.

By Coburn of Cherokee, House file No. 125, a bill for an act making it a crime to sell property upon which there is a landlord's lien for rent, without the written consent of the landlord, and fixing the penalty therefor.

Read first and second time and referred to committee on Judiciary.

By Cruikshank of Lee, House file No. 126, a bill for an act to amend section 5716 of the code, in relation to the compensation of officers and employes of the penitentiaries of the state.

Read first and second time and referred to committee on Penitentiaries.

By Cruikshank of Lee, House file No. 127, a bill for an act making appropriations for the penitentiary at Fort Madison.

Read first and second time and referred to committee on Appropriations.

By Cummings of Marshall, House file No. 128, a bill for an act amendatory of chapter 1, title 3 of the code of Iowa, relating to the organization of the supreme court.

Read first and second time and referred to committee on Judiciary.

By Cummings of Marshall, House file No. 129, a bill for an act to amend section 253, title 3, chapter 2 of the code of Iowa (1897), changing the salaries of district judges.

Read first and second time and referred to committee on Compensation of Public Officers.

By Fields of Plymouth, House file No. 130, a bill for an act to amend section 2547 of the code of 1897, and to prohibit the taking of fish from certain waters of the state, except with hook and line.

Read first and second time and referred to committee on Fish and Game.

By Greene of Madison, House file No. 131, a bill for an act to amend section 1528, chapter 2, title 8 of the code, in relation to the powers and duties of trustees, and for the repeal of sections 1530 and 1531, chapter 2, title 8 of the code, relating to county road fund and expenditure.

Read first and second time and referred to committee on Roads and Highways.

By Hasselquist of Lucas, House file No. 132, a bill for an act to amend section 1304 of the code, relating to the exemption of property by Union soldiers and sailors.

Read first and second time and referred to committee on Ways and Means.

By Hertert of Shelby, House file No. 133, a bill for an act to amend section 308, of chapter 10, title 3 of the code, in relation to the time of payment of compensation of county attorneys.

Read first and second time and referred to committee on Compensation of Public Officers.

By Jenks of Pottawattamie, House file No. 134, a bill for an act providing for free text-books and supplies to be furnished pupils in the public schools of the state, regulating the contract therefor and providing for payment thereof.

Read first and second time and referred to committee on Schools and Text-Books.

By Keagy of Dubuque, House file No. 135, a bill for an act in regard to supervisors' districts.

Read first and second time and referred to committee on County and Township Organization.

By Meservey of Webster, House file No. 136, a bill for an act to amend section 1304 of the code, relating to classes of property exempt from taxation.

Read first and second time and referred to committee on Ways and Means.

By Moore of Davis, House file No. 137, a bill for an act to legalize the Iowa State Poultry Association, to define certain duties of said association, to make an annual appropriation therefor, and to fix a penalty for misappropriation of any money hereby granted.

Read first and second time and referred to committee on Animal Industry.

By Stratton of Montgomery, House file No. 138, a bill for an act to amend section 104, of title 2, chapter 4, and section 483, title 4, chapter 4 of the code of Iowa, relating to rate of interest on state and county warrants.

Read first and second time and referred to committee on Judiciary.

By Teachout of Polk, House file No. 139, a bill for an act to amend section 1806 of the code of Iowa, relating to the investment of funds of life insurance companies and associations.

Read first and second time and referred to committee on Insurance.

By Teachout of Polk, House file No. 140, a bill for an act to relinquish to the public certain real property for street purposes.

Read first and second time and referred to committee on Judiciary.

By Boysen of Audubon, House file No. 141, a bill for an act to repeal section 510 of the code, in reference to the compensation of deputy sheriffs and the enactment of the following in lieu thereof.

Read first and second time and referred to committee on Compensation of Public Officers.

By Black of Mills, House file No. 142, a bill for an act to reimburse F. M. Powell for money paid by him to secure the vacation of a public road for the benefit of the Institution for Feeble-Minded Children at Glenwood.

Read first and second time and referred to committee on Appropriations.

The following resolution was offered by English of Polk, and was laid over under rule 34.

*Resolved*, That all bills hereafter introduced in this House shall be in duplicate, one copy to be known as the "original bill" and one copy shall be designated as "printer's copy." The original bill shall be subject to delivery, after engrossment, to the chairman of the committee to which reference is made, and the "printer's copy" shall be delivered to the state printer.

The Speaker appointed as a committee to notify the Senate that the House is in readiness to receive them in joint convention, Messrs. Patton of Franklin, Coburn of Cherokee, Davenport of Union.

Committee reported duty performed and was discharged.

After a short recess, the sergeant-at-arms announced the arrival of the honorable body of the Senate for the joint convention.

The Senate then took seats on the west side of the hall of the House, vacated for their use.

#### JOINT CONVENTION.

HALL OF THE HOUSE OF REPRESENTATIVES, {  
3 P. M., Wednesday, January 29, 1902. }

The joint convention was called to order by Lieutenant-Governor Herriott, President of the Senate, at 3 P. M.



The following program, as arranged by the joint committee, was carried out:

Song—Selected, Grant Glee Club.

Prayer—Rev. Dr. A. B. Marshall.

Music—"Lead Kindly Light."

Address—Gov. A. B. Cummins.

Music—"Nearer My God to Thee."

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

*Resolved*, That an engrossed copy of our proceedings in joint convention, together with a copy of the address of Gov. A. B. Cummins, be sent to the family of the late President Wm. McKinley, and that the address be printed in the Journals of both houses of the Legislature.

The resolution was adopted.

The address of the Governor follows:

*Gentlemen of the Twenty-ninth General Assembly:*

I respond to the kind invitation of your committee with many misgivings. Under the most favorable circumstances I could bring you nothing worthy of the occasion; but with the few hours given me for preparation—hours filled to overflowing with other duties—I may well challenge your utmost forbearance. I consent to do inadequately what ought to be done adequately or not at all simply because I still hold and cherish the old-fashioned idea that the request of a sovereign is a command, and I am here to recognize your authority and answer your imperial summons.

I knew William McKinley well, and the better I knew him, the more I loved him. There is, therefore, no poverty of thought when I reflect upon his life and death; and if it were possible to express what I feel in every fibre of my being, my task would be an easy one. But there are subjects which cannot be put into propositions; there are sentiments which defy analysis; there are meanings which language will not convey; there are qualities which words will not describe, and there are distinctions which phrases cannot trace.

Greatness of whatever kind, is instinctively appreciable to the senses of both the learned and the unlearned; but to differentiate greatness from mediocrity is the work of the master, and he oftener fails than succeeds. A strong and lovely character, like fragrance in the air, is as perceptible to one as to another; but he who would define this precious attribute of humanity must sound the profoundest depths of his mother-tongue. Homer, Virgil, Dante and Milton exhausted all the treasures of human

speech and called up all the imagery of the imagination, and yet fell short of the hero who sits enthroned in the commonest mind.

These are the reflections which press hard upon me as I attempt to speak of the man whose life overflowed with honor, and whose death was full of tragedy and noble with Christian majesty. We have gathered together to commemorate the anniversary of his birth and to surrender an hour from busy lives and high duties to his memory. We do this not so much for his sake as our own. These mournful occasions—and they will grow more frequent as time rolls on—are significant only of the living. The shafts of censure or of criticism fly harmless when they go toward the golden streets of the New Jerusalem, and our fervent praise cannot be heard in the glorified air of the heavenly land. When, however, we gratefully and reverently recall his blameless life and his Christian death, his courageous struggles, his purity of thought, his loftiness of purpose, his steadiness of design, his sincerity of mind, and his deep and absorbing devotion to the public good, we baptise ourselves in the fountain of civic righteousness and will go forth better armed for the great struggle of the world. It is an hour of dedication and consecration, as well as of commemoration. In our civilization there is no greatness that will command a memorial day or hour unless it be accompanied, lighted up and inspired by goodness; in truth, measured by the highest standard of this age, there can be no greatness without goodness. Men do not remember and mark as years go on the natal day of any being simply because he was learned, scholarly, intellectual or profound; and it is a gracious compliment to humanity that they do not. We assemble year by year to lay our tribute upon the memories of Washington, Lincoln and Grant because they lived for their fellow men; and we will hereafter assemble to do equal honor to the birthday of William McKinley because he had a heart that sought to promote the welfare of his people, and a mind forceful and comprehensive enough to put his unselfish conceptions into the institutions of his country.

You are all familiar with his history, and I may be brief in referring to its well known features. He was born at Niles, Ohio, January 29, 1843. In his boyhood he was not distinguished above his fellows, but it may be inferred that the conditions which surrounded him gave him that settled conviction respecting an important question in public affairs that years afterwards he worked out with a steadfastness and persistence which made him a leader in the political economy of the nation. He enlisted as a private in the Twenty-third Ohio volunteers June 11, 1861. Three times he was promoted for gallantry and courage upon the field of battle, and it was the memory of these perilous days that stirred the hearts of his companions in arms as they limped along, bowed with age as well as with grief, through the streets of Canton toward the hillside brilliant with flowers, where they laid him to rest. I never have seen, nor do I ever expect to see, so pathetic a sight as I witnessed that mournful day in September last, as I passed his old regiment—old men all of them, gray-haired, age-seamed faces, bending under the burden of years, with the tears streaming down their cheeks, with their sobs breaking upon the solemn air as they stood around his flower-wreathed coffin and saw it borne forever

from their mortal eyes. It was the climax of sorrow, and the picture of it will go with me to my dying day.

He was admitted to the bar in 1867 and began the practice of law in Canton. The period intervening between that time and his election to congress in 1878 is notable for but one event, his marriage, and this only because his devotion to the lovely companion of his life has become the embodiment, the highest exemplification of human affection the country over. For fourteen years he was a member of the house of representatives. He became the leader of congress and of the party to which he belonged, not so much because providence had endowed him with a more powerful intellect than those who surrounded him, but because he had learned one lesson which every boy and every girl and every man and every woman ought speedily to learn if it is not already the motto of their existence. He knew and acted upon the knowledge that in the vast range of learning and tremendous scope of public questions a man could not master all the learning nor answer all the questions. He believed and acted upon the belief that to be great and helpful and powerful a man must know some one thing better than anyone else knew it, and that the world was always on the lookout for such men. He chose for his special study one of the most difficult, as well as one of the most controverted, subjects of his time, and he mastered it absolutely, so that before many years had passed over his congressional career, William McKinley knew more about the productive capacity of the United States, more about the conditions under which labor earned its wage and capital its return, more about the possibilities of our magnificent future, than any other man in America. I do not suggest that he was either ignorant or unmindful of other things, but he had the foresight to perceive the vital truth of the period and the courage to enforce it, and it was this foresight and courage that made him president of the United States and which endeared him to the members of the party to which he belonged as no other man ever was.

He was defeated for speaker, but became chairman of the committee on ways and means, and those who thwarted his ambitions "builted better than they knew;" and although he knew it not, this adversity opened up to him the doors of the widest opportunity into which mortal ever trod. He probably did not, but he well might have thought, as he stood in the gloom of failure,

"And behind the dim unknown  
Standeth God within the shadow,  
Keeping watch above his own."

A change in his congressional district, rather than a diminution of any confidence in him, rendered his return to congress impossible, and he became governor of Ohio; and though removed from national activity, he grew in favor until, in 1896, he was the almost unanimous choice of the republicans of the United States for president.

The four years and a half during which he occupied the highest office known to the institutions of society were in many respects the most eventful years of the nation's history. He took the oath which made him president amid profound national peace and profound commercial depression.

From that moment the skies of industry began to brighten, and within an incredibly brief time the whole country was clothed with a radiance of prosperity unparalleled and unequalled in the history of man.

Within a year the clouds of war filled all the heavens, and slow as he was, reluctant as he was, to take up the sword, when once it flashed from its sheath, its lightnings played with incessant gleam until peace again reigned in the land. I yield to no man in admiration for all that McKinley had done in the years preceding the Spanish war. He earned the crown that he wore, and it was brilliant with the rare jewels which always sparkle in the diadem of the highest representative of a free people; but the years which intervened between the close of the Spanish war and his death are the years which developed and exhibited a serene greatness, a true heart, an unselfish patriotism, a tender persistence more wonderful than the world had ever before seen. We had entered upon a new path, and although it was a path of glory, it was dark and obscure. It was a strange country into which we had gone, and we were full of fear and apprehension. It was through this path and this country that God sent William McKinley to lead us; and I am sober-minded when I say that there was not another man in all the republic whom the people would have followed so trustfully and confidently as this man whose memory is now filling our hearts. I do not know why it was so, but we gave him our whole faith, as it had never been given to a president of the United States. We were following him and trusting him, rejoicing that we were beginning to see light beyond, when he was stricken down, stricken by a cruel, senseless hand that sought not his life, but the life of the government. I do not dwell upon the foul deed which made William McKinley a martyr and all the world mourners. I cannot disturb the solemnity of the moment by the righteous indignation so easy to kindle. I remember only those immortal words, "Thy will, not mine, be done," which closed a career the like of which this generation may not again behold. The Ruler of the Universe is not prodigal with such spirits, but we rest content with the thought that, while they do not come often, they come at the right time.

On motion of Senator Hubbard of Woodbury, the joint convention was dissolved and the Senate retired.

The House resumed its session with Speaker Eaton in the chair.

Warren of Marion called up the report of the committee on Normal Schools, and moved that the report be adopted.

Cowles of Kossuth moved that House file No. 20, with report of committee on Normal Schools, be referred to the committee on Appropriations.

Carried, and the bill was so referred.

On request, leave of absence was granted Mordhorst of Clinton until Monday.

On request, leave of absence was granted Whiting of Monona until Monday.

On motion of Lyman of Poweshiek, House adjourned until 10 o'clock Friday.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, Friday, January 31, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. H. O. Breeden, Central Church of Christ, Des Moines.

The Journal of Wednesday, January 29th, was corrected and approved.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

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

Relative to joint convention to elect trustees and regents for state educational institutions.

GEO. A. NEWMAN  
*Secretary.*

English of Polk called up his resolution, which was laid over under rule 34, relative to bills being introduced in duplicate, and moved its adoption.

Adopted.

INTRODUCTION OF BILLS.

By Anderson of Warren, House file No. 143, a bill for an act to amend section 458 of the code, relating to the levy and collection of a tax on dogs, and to repeal section 459 of the code, and enact a new section in lieu thereof, relating to payment of damages for the killing or injury of sheep or other domestic animals by dogs.

Read first and second time and referred to committee on Ways and Means.

By Pipher of Cass, House file No. 144, a bill for an act to

establish and equip a school for special instruction and training of teachers for the common schools of this state, and to provide for the location of such school.

Read first and second time and referred to committee on Normal Schools.

By Secor of Winnebago, House file No. 145, a bill for an act to repeal chapter 8, of title 16 of the code, and enact a substitute therefor in relation to the care of friendless children, and the establishment, regulation and visitation of homes for friendless children.

Read first and second time and referred to committee on Judiciary.

By Secor of Winnebago, House file No. 146, a bill for an act to prevent cheating by the sale of adulterated and misbranded foods; to create the office of state food and dairy commissioner and define his duties, and for other purposes.

Read first and second time and referred to committee on Agriculture.

By Stuckslager of Linn, House file No. 147, a bill for an act creating the Twenty-first judicial district of the state of Iowa and providing for the election of two judges therein, and also providing for the election of one judge in the Eighteenth judicial district of Iowa, and defining the jurisdiction of said courts therein and providing for holding terms of court in said district.

Read first and second time and referred to committee on Judicial Districts.

SENATE MESSAGE CONSIDERED.

The House took up Senate amendment to House concurrent resolution relative to the distribution of copies of old session laws.

On motion of Clark of Dallas, House concurred in Senate amendment.

Buchanan of Wapello offered the following concurrent resolution, which was laid over under rule 34:

*Be it Resolved, By the House, the Senate concurring:* That the state librarian be empowered to employ two pages for use in the state library during the session of the Twenty-ninth General Assembly, and they shall receive therefor the same compensation now paid to the messengers employed by the general assembly.

On request of Stratton of Montgomery, leave of absence was granted Edwards of Butler until next Tuesday.

On request of Payne of Appanoose, leave of absence was granted Hurn of Cerro Gordo until Monday afternoon.

On request of Walden of Wayne, leave of absence was granted McNie of Benton until Monday noon.

On request of Mattes of Sac, leave of absence was granted Nagle of Van Buren until Monday noon.

On request of Dodds of Des Moines, leave of absence was granted Jaeger of Des Moines until Tuesday.

On request of Barkley of Boone, leave of absence was granted Jenks of Pottawattamie until Monday.

On request of Anderson of Warren, leave of absence was granted Cheney of Clay until Monday noon.

On request of Stuckslager of Linn, leave of absence was granted Sweet of Bremer until Tuesday.

On request of Buchanan of Wapello, leave of absence was granted Blakemore of Taylor until Monday.

On request of Donahue of O'Brien, leave of absence was granted Freeman of Pottawattamie until Monday.

On request of Crouse of Adams, leave of absence was granted McClure of Adair until Monday.

On request of Jones of Mahaska, indefinite leave of absence was granted Campbell of Fremont on account of sickness.

On request, leave of absence was granted Secor of Winnebago until Tuesday.

On request, leave of absence was granted Moore of Davis until Tuesday.

On request, leave of absence [was granted Dodds of Des Moines until Tuesday.

On request of Langan of Clinton, leave of absence was granted Langan of Crawford until Monday.

On motion of Meservey of Webster, House adjourned till 2 p. m. Monday, February 3d.



HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES Monday, February 3, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. J. Everist Cathell, LL.D., St. Paul's rectory, Des Moines, Iowa.

Journal of Friday, January 31st, was corrected and approved.

J. A. McDonald was sworn in as clerk of committee on Elections on Saturday, February 1st.

On request, leave of absence was granted Meservey of Webster indefinitely.

On request of Temple of Clarke, leave of absence was granted Hilsinger of Jackson for this week.

On request of Black of Mills, leave of absence was granted Buchanan of Wapello for today.

On request of Eiker of Decatur, leave of absence was granted McClure of Adair indefinitely.

On request of Black of Mills, leave of absence was granted Stratton of Montgomery for today.

PETITIONS AND MEMORIALS.

Campbell of Fremont presented petition of citizens of Fremont county, relating to a time limit on consent petitions, under the mulct law.

Referred to committee on Suppression of Intemperance.

Whiting of Monona presented petition of citizens of Mapleton, Iowa, relative to the same subject.

Referred to committee on Suppression of Intemperance.

Walters of Tama presented petition of forty-one citizens of Tama county, relative to the Russian thistle.

Referred to committee on Agriculture.

The Speaker presented petition of teachers of Mitchell county favoring compulsory education.

Referred to committee on Schools and Text-Books.

#### REPORTS OF COMMITTEE.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 47, a bill for an act to amend section 3439, of chapter 1, and section 3447, of chapter 2, of title XVIII of the code of 1897, in relation to the limitation of actions on judgments, beg leave to report that they have had the same under consideration, and have instructed me to report the substitute by Hilsinger back to the House with the recommendation that the same do pass.

#### SUBSTITUTE, BY HILSINGER, FOR HOUSE FILE NO. 47.

A bill for an act to amend section three thousand, four hundred and thirty-nine (3439) of the code, relating to the limitation of actions on judgments:

*Be it enacted by the General Assembly of the State of Iowa.*

Section 1. That section three thousand four hundred and thirty-nine (3439) of the code be and the same is hereby amended by adding thereto the following:

The provisions of this section shall apply to all judgments rendered after the taking effect of the code of 1873, and prior to the taking effect of the code of 1897, but the time within which an action may be brought on any judgment rendered during said period, which would otherwise be barred by this amendment, is hereby extended one year after the taking effect hereof.

Sec. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 32, a bill for an act to prevent any white person from marrying any person having one-eighth part or more of negro blood, or to prevent any person having one-eighth part or more of negro blood from marry-

ing any white person, and amending section 8141 of the code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By Dunham of Delaware, House file No. 148, a bill for an act to amend section 423 of the code, relating to the powers of the boards of supervisors.

Read first and second time and referred to committee on Judiciary.

By Freeman of Pottawattamie, House file No. 149, a bill for an act to amend sections 1487 and 2023 of the code, relating to the establishment of roads and highways.

Read first and second time and referred to committee on Roads and Highways.

By Payne of Appanoose, House file No. 150, a bill for an act to amend section 691 of the code, relative to the jurisdiction of a mayor of a city or town.

Read first and second time and referred to committee on Municipal Corporations.

By Payne of Appanoose, House file No. 151, a bill for an act to amend section 5613 of the code, relative to the bail required in appeals from a justice of the peace in criminal cases.

Read first and second time and referred to committee on Judiciary.

By Sokol of Jones, House file No. 152, a bill for an act to legalize the acts of John Hardaman and Joseph Garrity, trustees of Washington township, Jones county, Iowa, in the purchase of a road grader for the use of said township, and the issuance of an order in payment thereof.

Read first and second time and referred to committee on Judiciary.

By Wilson of Washington, House file No. 153, a bill for an

act making appropriations for the erection of a state arsenal and adjutant-general's building.

Read first and second time and referred to committee on Appropriations.

By Cassel of Jefferson, House file No. 154, a bill for an act in relation to the destruction of the English sparrow and the protection of American birds.

Read first and second time and referred to committee on Fish and Game.

Larrabee of Fayette offered the following concurrent resolution, and moved that the rules be suspended and the resolution be referred to the committee on Federal Relations:

*Resolved*, By the House, the Senate concurring:

WHEREAS, Under technical definitions of conspiracy, citizens have been restrained in their rights of peaceable assemblage and association, and subjected to punishment for acts not in themselves criminal; therefore, be it

*Resolved*, That our Senators and Representatives in Congress be requested to support and favor the bill known as Senate file No. 1118, introduced by Senator Hoar of Massachusetts, defining acts of conspiracy.

Copy of Senate file 1118 by Senator Hoar of Massachusetts.

#### A BILL

To limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases

*Be it Enacted by the Senate and House of Representatives of the United States in Congress assembled:*

That no agreement, combination or contract by or between two or more persons to do or procure to be done, or not to do or procure not to be done, any act in contemplation of furtherance of any trade dispute between employers and employes in the District of Columbia or in any territory of the United States, or who may be engaged in trade or commerce between the several states, or between any territory and another, or between any territory or territories and any state or states or the District of Columbia, or with foreign nations, or between the District of Columbia and any state or states or foreign nations, shall be deemed criminal, nor shall those engaged therein be indictable or otherwise punishable for the crime of conspiracy, if such act committed by one person would not be punishable as a crime, nor shall such agreement, combination, or contract be considered as in restraint of trade or commerce, nor shall any restraining order or injunction be issued with relation thereto. Nothing in this act shall exempt from punishment, otherwise than as herein excepted, any persons guilty of conspiracy for which punishment is now provided by any

act of congress, but such act of congress shall, as to the agreements, combinations, and contracts hereinbefore referred to, be construed as if this act were therein contained.

Referred to committee on Federal Relations.

Calderwood of Scott offered the following resolution, and moved its adoption:

*Resolved*, That the thanks of the members of the House of Representatives of the Twenty-ninth General Assembly be extended to Senator Geo. W. Ball and the Hon. Geo. W. Koontz of Johnson county, to President Geo. E. MacLean and the faculty of the State University, and also to the citizens of Iowa City for their kindness in caring for the members of the House of Representatives and their friends during their visit to the university to attend dedicatory services of the Hall of Liberal Arts on January 23, 1902. Be it further

*Resolved*, That a vote of thanks be extended to the Chicago, Rock Island & Pacific railroad for their generosity in furnishing transportation.

The rules were suspended and the resolution adopted.

Payne of Appanoose offered the following resolution, and moved that the rules be suspended and the resolution adopted:

WHEREAS, The Hon. E. M. Reynolds of Appanoose county, an honored member of the House of the Nineteenth and Twenty-first General Assemblies and of the Senate of the Twenty-fourth and Twenty-fifth General Assemblies, recently departed this life at his home in Centerville; therefore, be it

*Resolved*, That a committee of three be appointed to present resolutions commemorating his life and work.

The resolution was adopted.

The Speaker appointed as such committee, Messrs. Payne of Appanoose, Moore of Davis and Whiting of Monona.

Teachout of Polk offered the following resolution, and moved that the rules be suspended and the resolution adopted:

*Resolved*, That the thanks of the House of the Twenty-ninth General Assembly be tendered to Representative C. A. Wise of Black Hawk for the trip to Cedar Falls to dedicate the Iowa State Normal School building, and to the citizens of Cedar Falls for the magnificent entertainment and generous treatment, and to the faculty for the excellent program, and to the Chicago Great Western railway for the transportation so generously furnished, and that the clerk of this House is instructed to mail a copy of this resolution to the mayor of Cedar Falls.

Adopted.

The following concurrent resolution was offered by Warren of Marion:

WHEREAS, The commissioners of the Louisiana Purchase Exposition have filed a report asking an appropriation for two hundred and fifty-eight thousand, one hundred dollars (\$258,100), to be expended at St. Louis, which sum is almost one-half the amount now in the state treasury, and

WHEREAS, The resources of our state are largely agricultural and no amount of labor or money expended at the exposition could add to the proud position we now occupy as the foremost agricultural state in the union, and

WHEREAS, The Twenty-ninth General Assembly is not only required to provide for the biennial appropriations for the educational and penal institutions of the state, but also to rebuild the structures that were destroyed by fire at the State University and the College of Agriculture and Mechanic Arts and make provision for the completion of the insane hospital at Cherokee; therefore, be it

*Resolved*, That in view of these conditions, it is the judgment of the general assembly that in no event should the appropriation for the Louisiana Purchase Exposition exceed the sum of one hundred thousand dollars (\$100,000).

The resolution was laid over under rule 34.

On motion of Cassel of Jefferson, House file No. 25, a bill for an act to legalize the acts of the board of supervisors of Jefferson county, Iowa, relating to the levying of a tax for the support of the poor, and legalizing the tax so levied, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Cassel moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Campbell, Carter, Cassel, Cheney, Clarke, Colclo, Cowles, Cummings, Davenport, Dodds, Donahue, Dunham, Eiker, English, Freeman, Furry, Graff, Greeley, Greene, Hasselquist, Hawk, Hughes, Jenks, Kendall, Kerr, Kling, Langan of Clinton, Larrabee, Leech, Lyman, McClurkin, McNie, Marshall, Mattes, Nichols, Patton, Payne, Pritchard, Robinson, Sokol, Springer, Sweeley, Teachout, Temple, Townsend, Walden,

Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wright, Mr. Speaker—62.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Buchanan, Carden, Christianson, Coburn, Crouse, Cruikshank, Edwards, Fields, Flenniken, Frudden, Gilchrist, Hamann, Head, Hertert, Hilsinger, Hufschmidt, Hurn, Jaeger, Jones, Keagy, Kolthoff, Koontz, Langan of Crawford, McClure, Meservey, Moore, Mordhorst, Nagle, Pipher, Powers, Roome, Secor, Stratton, Stuckslager, Sweet, Utterback, Wise—38.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, House file No. 13, a bill for an act to amend section twenty-four hundred and eighty-two (2482) of the code, relating to mines and mining, with report of committee recommending passage, was taken up, considered and the report of the committee was adopted.

Mr. Kendall offered the following amendment:

MR. SPEAKER—I move to amend the pending bill by striking out the word "tenth" in the third line thereof, and inserting in lieu thereof the word "ninth."

Adopted.

Mr. Kendall moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Campbell, Carter, Cassel, Cheney, Clarke, Colclo, Cowles, Cummings, Davenport, Dodds, Donahue, Dunham, Eiker, English, Freeman, Furry, Graff, Greeley, Greene, Hasselquist, Hawk, Hughes, Jenks, Kendall, Kerr, Kling, Langan of Clinton, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Nichols, Patton, Payne, Pritchard, Robinson, Sokol, Springer, Sweeley, Teachout, Temple, Townsend, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wright, Mr. Speaker—60.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Buchanan, Carden, Christianson, Coburn, Crouse, Cruikshank, Edwards, Fields, Flenniken, Frudden, Gilchrist, Hamann, Head, Hertert, Hilsinger, Hufschmidt, Hurn, Jaeger, Jones, Keagy, Kolthoff, Koontz, Langan of Crawford, McClure, Marshall, Meservey, Moore, Mordhorst, Nagle, Pipher, Powers, Roome, Secor, Stratton, Stuckslager, Sweet, Utterback, Wise—40.

So the bill passed and the title was agreed to.

On motion of Blakemore of Taylor, House file No. 34, a bill for an act to legalize the ordinances of the town of Conway, Taylor county, Iowa, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Blakemore moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Campbell, Carter, Cassel, Cheney, Clarke, Colclo, Cowles, Cummings, Davenport, Dodds, Donahue, Dunham, Eiker, English, Freeman, Furry, Graff, Greeley, Greene, Hasselquist, Hawk, Hughes, Jenks, Kendall, Kerr, Kling, Langan of Clinton, Larrabee, Leech, Lyman, McClurkin, McNie, Marshall, Mattes, Nichols, Patton, Payne, Pritchard, Robinson, Sokol, Springer, Sweeley, Teachout, Temple, Townsend, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wright, Mr. Speaker—61.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Buchanan, Carden, Christianson, Coburn,



Crouse, Cruikshank, Edwards, Fields, Flenniken, Frudden, Gilchrist, Hamann, Head, Hertert, Hilsinger, Hufschmidt, Hurn Jaeger, Jones, Keagy, Kolthoff, Koontz, Langan of Crawford, McClure, Meservey, Moore, Mordhorst, Nagle, Pipher, Powers, Roome, Secor, Stratton, Stuckslager, Sweet, Utterback, Wise—39.

So the bill passed and the title was agreed to.

Mr. Kendall offered the following motion to reconsider:

MR. SPEAKER—I move that the vote by which House file No. 13 was passed and also the vote by which said bill was passed to its third reading be reconsidered.

N. E. KENDALL.

I second the above motion.

B. L. EIKER.

Carried.

Mr. Kendall offered the following amendment to House file No. 13:

Amend by inserting after the word "tons" and before the word "of" in the last line thereof, the words "or more."

Adopted.

The motion that the rule be suspended, and that the bill be considered engrossed and read a third time now, prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Campbell, Carter, Cassel, Cheney, Clarke, Colclo, Cowles, Cummings, Davenport, Dodds, Donahue, Dunham, Eiker, English, Freeman, Furry, Graff, Greeley, Greene, Hasselquist, Hawk, Hughes, Jenks, Kendall, Kerr, Kling, Langan of Clinton, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Nichols, Patton, Payne, Pritchard, Robinson, Sokol, Springer, Sweeley, Townsend, Walden, Walters, Warren, Willett, Wilson of Buena Vista, Whiting, Wilson of Washington, Wright, Mr. Speaker—60.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Buchanan, Carden, Christianson, Coburn, Crouse, Cruikshank, Edwards, Fields, Flenniken, Frudden, Gilchrist, Hamann, Head, Hertert, Hilsinger, Hufschmidt, Hurn, Jaeger, Jones, Keagy, Kolthoff, Koontz, Langan of Crawford, McClure, Marshall, Meservey, Moore, Mordhorst, Nagle, Pipher, Powers, Roome, Secor, Stratton, Stuckslager, Sweet, Teachout, Temple, Utterback, Wise—40.

So the bill passed and the title was agreed to.

On motion of Anderson of Warren, House file No. 26, a bill for an act to legalize and confirm the official acts of George C. McMurtry and Herbert J. McMurtrie, notaries public of Iowa, with report of committee recommending amendment and passage was taken up and considered and the amendments of the committee adopted.

Anderson of Warren moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Campbell, Carter, Cassel, Cheney, Clarke, Colclo, Cowles, Cummings, Davenport, Dodds, Donahue, Dunham, Eiker, English, Freeman, Furry, Graff, Greeley, Greene, Hasselquist, Hawk, Hertert, Hughes, Jenks, Kendall, Kerr, Kling, Langan of Clinton, Larrabee, Leech, Lyman, Marshall, McClurkin, McNie, Mattes, Nichols, Patton, Payne, Pritchard, Robinson, Sokol, Springer, Sweeley, Teachout, Temple, Townsend, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wright, Mr. Speaker—63.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Buchanan, Carden, Christianson, Coburn, Crouse, Cruikshank, Edwards, Fields, Flenniken, Frudden, Gilchrist, Hamann, Head, Hilsinger, Hufschmidt, Hurn, Jaeger, Jones, Keagy, Kolthoff, Koontz, Langan of Crawford

Meservey, Moore, Mordhorst, Nagle, Pipher, Powers, Roome, Secor, Stratton, Stuckslager, Sweet, Utterback, Wise—37.

So the bill passed and the title was agreed to.

Hughes of Iowa moved that the House adjourn until tomorrow, Tuesday, February 4th, at 10 o'clock A. M.

Carried.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, Tuesday, February 4, 1902 }

House met pursuant to adjournment, Speaker Eaton presiding.

Prayer was offered by the Rev. E. E. Hastings of Grundy Center, Iowa.

The roll was called to ascertain if a quorum were present, which resulted as follows:

Those present were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Campbell, Carden, Carter, Cas- sel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Larrabee, Leech, Lyman, McClurkin, McNie, Marshall, Mattes, Moore, Mordhorst, Nichols, Patton, Payne, Pipher, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Teachout, Temple, Townsend, Utterback, Walden, Walters, Warren, Whit- ing, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—87.

Those absent or not answering were:

Messrs. Buchanan, Cruikshank, Gilchrist, Hilsinger, Hurn, Jaeger, Koontz, Langan of Crawford, McClure, Meservey, Nagle, Powers, Sweet—13.

There being a quorum present, the House proceeded to business.

The Journal of Monday, February 3d, was corrected and approved.

## REPORTS OF COMMITTEE.

Mr Clarke of Dallas, from the committee on Judiciary, submitted the following:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 5, a bill for an act to repeal sections 2566 and 2567 of the code, and to enact substitutes therefor, relating to vital statistics, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 74, a bill for an act to legalize the official acts of W. E. Haskins, a notary public of Howard county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 140, a bill for an act to relinquish to the public certain real property for street purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Warren of Marion called up his concurrent resolution relative to the amount of the appropriation for the Louisiana Purchase Exposition, which had been laid over under rule 34.

Barkley of Boone offered the following amendment:

MR. SPEAKER—I move to amend the resolution by striking out the words and figures "one hundred thousand dollars (\$100,000)" and inserting in lieu thereof the words, "seventy-five thousand dollars (\$75,000)."

A. J. BARKLEY.

The motion was lost.

Cowles of Kossuth, moved that the resolution be referred to the committee on Appropriations.

Carried.

#### INTRODUCTION OF BILLS.

By Bealer of Linn, House file No. 155, a bill for an act to provide for the erection of monuments and tablets on the Vicksburg National Military Park to mark the positions occupied by Iowa brigades, regiments and batteries to commemorate the valor and services of Iowa soldiers in the campaign and siege of Vicksburg, and to make an appropriation therefor.

Read first and second time and referred to committee on Appropriations.

By Edwards of Butler, House file No. 156, a bill for an act concerning and defining kidnaping for the purpose of ransom, and prescribing punishment therefor.

Read first and second time and referred to committee on Judiciary.

By English of Polk, House file No. 157, a bill for an act making an appropriation for the completion of the State Historical building, and to provide for the completion of the same.

Read first and second time and referred to committee on Appropriations.

By Furry of Hardin, House file No. 158, a bill for an act to amend section 5071 of the code, in relation to unlawfully wearing badges.

Read first and second time and referred to committee on Judiciary.

By Graff of Page, House file No. 159, a bill for an act making appropriations for the hospital for the insane at Clarinda.

Read first and second time and referred to committee on Appropriations.

By Graff of Page, House file No. 160, a bill for an act providing for the assignment of mortgages.

Read first and second time and referred to committee on Judiciary.

By Graff of Page, House file No. 161, a bill for an act to legalize certain assignments of mortgages.

Read first and second time and referred to committee on Judiciary.

By Hertert of Shelby, House file No. 162, a bill for an act to amend section 2571 of the code, relating to time of meetings for local boards of health.

Read first and second time and referred to committee on Public Health.

By Jones of Mahaska, House file No. 163, a bill for an act to amend section 2, chapter 64 of the laws of the Twenty-seventh General Assembly, relating to the care and propagation of fish and game.

Read first and second time and referred to committee on Fish and Game.

By Marshall of Lee, House file No. 164, a bill for an act to amend section 5314 of the code, relative to the compensation of attorneys.

Read first and second time and referred to committee on Judiciary.

By Sokol of Jones, House file No. 165, a bill for an act to amend section 5070 of the code, relative to the sale of flour, meal or other mill products by the sack or package.

Read first and second time and referred to committee on Judiciary.

By Stuckslager of Linn, House file No. 166, a bill for an act to amend section 1869, chapter 12, title 9 of the code, relating to directors of state and savings banks.

Read first and second time and referred to committee on Banks and Banking.

By Teachout of Polk, House file No. 167, a bill for an act to amend sections 2024 and 2025 of the code of Iowa, relating to the condemnation of real estate by the state, and the payment of damages in compensation therefor.

Read first and second time and referred to committee on Judiciary.

By Townsend of Calhoun, House file No. 163, a bill for an act to enable the owners of lands to drain them when the same cannot be done without affecting the lands of others, prescribing the powers and duties of county supervisors and other officers in the premises, and to provide for the repair and enlargement of such drains, and repealing certain acts therein specified and declaring emergency.

Read first and second time and referred to committee on Agriculture.

Wise of Black Hawk offered the following resolution, and moved that the rules be suspended and the resolution adopted:

*Resolved*, That the custodian of the capitol be and is hereby instructed to have a vestibule constructed at the entrance to the House similar to that just erected at the entrance to the Senate chamber.

The motion prevailed and the resolution was adopted.

Blakemore of Taylor moved that House file No. 2, a bill for an act to amend section 4740 of the code of Iowa, relating to the execution of persons under sentence of death, now on the calendar, be recommitted to the committee on Judiciary.

Carried.

Hufschmidt of Allamakee asked consent to have House file No. 61 recalled from committee on Ways and Means, and same referred to committee on Judiciary.

Consent granted and the bill was so referred.

On request of Coburn of Cherokee, Nagle of Van Buren was excused indefinitely, on account of sickness.

Payne of Appanoose filed the following report:

MR. SPEAKER—Your committee appointed to draft resolutions commemorating the life and work of Hon. E. M. Reynolds, respectfully submit the following:

WHEREAS, The Hon. E. M. Reynolds, an honored member of the House of the Nineteenth and Twenty-first General Assemblies and of the Senate of the Twenty-fourth and Twenty-fifth General Assemblies of the state of Iowa, and also for many years a member of the state board of health, and an honored and respected citizen in the community in which he lived, recently departed this life;

WHEREAS, The life and character of the deceased were such as to command our love and esteem, and his services to the state were of such a



character as to command the respect and gratitude of his fellow citizens; therefore, be it

*Resolved*, That in his death his family are bereft of a kind and loving father and his friends lose an honorable, upright man, and the state an influential citizen and a man of splendid influences and ability. That our hearts are touched with sadness because of his death and we extend our sympathy to those nearest him whose sorrow is so much the greater.

*Resolved*, That this resolution be printed in the Journal of the House and that the Chief Clerk be directed to transmit an engrossed copy to his bereaved family.

FRANK S. PAYNE,  
S. A. MOORE,  
WILL C. WHITING,  
*Committee.*

On motion of Mr. Payne, report was adopted.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

Senate file No. 111, a bill for an act making an appropriation for the purchase of 30,000 railroad commissioners' official maps, to be distributed by the members of the general assembly and railroad commissioners.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 100, a bill for an act to appropriate \$4,500, or as much thereof as may be necessary, to pay additional employes of the general assembly.

GEO. A. NEWMAN,  
*Secretary.*

SENATE MESSAGES CONSIDERED.

Kendall of Monroe called up Senate file No. 111, a bill for an act making an appropriation for the purchase of 30,000 railroad commissioners' official maps, to be distributed by the members of the general assembly and railroad commissioners.

Read first and second time.

Mr. Kendall moved that the rule be suspended, and that the

bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Jenks, Jones, Keagy, Kendall, Kling, Kolthoff, Langan of Clinton, Larrabee, Leech, Lyman, McClurkin, McNie, Marshall, Mattes, Moore, Mordhorst, Nichols, Patton, Payne, Pipher, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—85.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Cruikshank, Gilchrist, Hilsinger, Hurn, Jaeger, Kerr, Koontz, Langan of Crawford, McClure, Meservey, Nagle, Powers, Sweet, Walters—15.

So the bill passed and the title was agreed to.

Marshall of Lee called up Senate file No. 100, a bill for an act to appropriate \$4,500, or as much thereof as may be necessary, to pay additional employes of the general assembly.

Read first and second time.

Mr. Marshall moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Campbell, Carden, Carter,

Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Larrabee, Leech, Lyman, McClurkin, McNie, Marshall, Mattes, Moore, Mordhorst, Nichols, Patton, Payne, Pipher, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—85.

The Nays were:

None.

Absent or not voting:

Messrs. Buchanan, Cowles, Cruikshank, Gilchrist, Hilsinger, Hurn, Jaeger, Koontz, Langan of Crawford, McClure, Meservey, Nagle, Powers, Sweet, Walters—15.

So the bill passed and the title was agreed to.

On motion of Teachout of Polk, House file No. 19, a bill for an act to authorize the loaning of funds accumulated under chapter 1 of the acts of the Twenty-sixth General Assembly, and under section 742 of the code, with report of committee recommending amendments and passage was taken up, considered and the report of the committee with amendments adopted.

Lyman of Poweshiek moved to amend as follows:

Strike out from the line numbered 6 in the printed bill, the words "in said cities" and insert in lieu thereof the word "therein."

Adopted.

Teachout of Polk moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Campbell, Carden, Carter, Cas-

sel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Larrabee, Leech, Lyman, McClurkin, McNie, Marshall, Mattes, Moore, Mordhorst, Nichols, Patton, Payne, Pipher, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stuckslager, Sweeley, Teachout, Temple, Townsend, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—83.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Cruikshank, Dodds, Gilchrist, Hilsinger, Hurn, Jaeger, Koontz, Langan of Crawford, McClure, Meservey, Nagle, Powers, Stratton, Sweet, Utterback, Walters—17.

So the bill passed and the title was agreed to.

On motion of Barker of Howard, House file No. 74, a bill for an act to legalize the official acts of W. E. Haskins, a notary public of Howard county, Iowa, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Barker moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Larrabee, Leech, Lyman, McClurkin, McNie, Marshall, Mattes, Moore, Mordhorst, Nichols, Patton, Payne, Pipher, Pritchard, Robinson, Roome, Secor, Sokol,

Springer, Stratton, Stuckslager, Sweeley, Temple, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—84.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Cruikshank, Cummings, Gilchrist, Hilsinger, Hurn, Jaeger, Koontz, Langan of Crawford, McClure, Meservey, Nagle, Powers, Sweet, Teachout, Walters—16.

So the bill passed and the title was agreed to.

The clerk read the following invitation, which had been handed to the Speaker:

*To the Members of the Twenty-ninth General Assembly of Iowa:*

The citizens of Knoxville take great pleasure in extending to you a most cordial and earnest invitation to visit their city on the afternoon of the 15th day of February, 1902, and to partake of a banquet given in your honor.

Very respectfully,

BUSINESS MEN'S ASSOCIATION OF KNOXVILLE,

By W. C. MENTZER,

*President.*

Dated at Knoxville, Iowa, February 3, 1902.

On motion of Hawk of Jasper, the invitation was accepted on the part of the House.

On motion of Cowles of Kossuth, the House adjourned until 2:45 P. M.

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#### AFTERNOON SESSION.

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The House was called to order at 2:45 P. M. by Speaker Eaton.

The Speaker announced as committee to notify the Senate that the House was in readiness to receive them, Kerr of Grundy, Cheney of Clay and Pipher of Cass.

The committee appeared and announced the performance of their duties and were discharged.

The sergeant-at-arms announced the arrival of the honorable body of the Senate, who took seats on the west side of the Hall of the House, which had been vacated for their use.

## JOINT CONVENTION.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 Tuesday, February 4, 1902. }

The joint convention was called to order by Lieutenant-Governor Herriott, President of the Senate and President of the joint convention.

The roll was then called to ascertain if there be a quorum present, with the following result:

Those present were:

Messrs. Alexander, Allyn, Anderson, Arthaud, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Blanchard, Boysen, Brooks, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Classen, Coburn, Colclo, Cowles, Craig, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Eaton, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Garst, Graff, Greeley, Greene, Griswold, Hamann, Hartshorn, Hasselquist, Hawk, Hayward, Hazelton, Head, Healy, Hertert, Hobart, Hogue, Hopkins, Hubbard, Hufschmidt, Hughes, Jenks, Jones, Junkin, Kendall, Kerr, Kling, Kolthoff, Lambert, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lewis, Lister, Lyman, McClurkin, McNie, Mardis, Marshall, Mattes, Maytag, Molsberry, Moore, Mordhorst, Nichols, Patten, Payne, Pipher, Porter, Powers, Pritchard, Robinson, Roome, Secor, Smith of Des Moines, Sokol, Spaulding, Springer, Stratton, Stuckslager, Sweeley, Sweet, Tallman, Teachout, Temple, Townsend of Calhoun, Utterback, Walden, Warren, Whipple, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Winne, Wise, Wright, Young of Washington—121.

Those absent or not answering were:

Messrs. Bachman, Ball, Bishop, Brighton, Courtright, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Gilchrist, Harper, Harriman, Hilsinger, Hurn Jaeger, Keagy, Koontz, Lyons, McClure, Meservey, Nagle, Smith of Mitchell, Townsend of Monroe, Trewin, Walters, Wilson of Clinton, Young of Lee.—29.

There being a quorum present, President Herriott declared the joint convention duly organized.

President Herriott announced the purpose of the joint convention to be the election of four regents of the State University for

full term, and one to fill vacancy caused by the death of M. A. Higley; two trustees for the State Normal School for full term and one to fill vacancy caused by the resignation of P. D. Rose; and three trustees of the College of Agriculture and Mechanic Arts for full term.

President Herriott announced as teller on the part of the Senate, Senator Hobart of Cherokee.

Speaker Eaton announced as teller on the part of the House, Representative Carden of Henry.

Wise of Black Hawk offered the following resolution:

*Resolved*, By the Senate and House of Representatives of the State of Iowa, in joint convention assembled:

That the following named persons are hereby elected regents and trustees of the following state educational institutions:

REGENTS OF THE STATE UNIVERSITY.

C. E. Pickett, six years, Third congressional district.  
 Alonzo Abernethy, six years, Fourth congressional district.  
 Joseph H. Allen, six years, Tenth congressional district.  
 P. K. Holbrook, six years, Eleventh congressional district.  
 Thomas B. Hanley, two years, Fifth congressional district, to fill unexpired term of M. A. Higley, deceased.

TRUSTEES OF THE STATE NORMAL SCHOOL.

C. H. McNider, six years, Cerro Gordo county.  
 W. A. McIntire, six years, Wapello county.  
 B. F. Osborn, two years, Greene county, to fill unexpired term of P. D. Rose, resigned.

TRUSTEES OF THE IOWA STATE COLLEGE OF AGRICULTURE AND  
 MECHANIC ARTS.

E. A. Alexander, six years, Third congressional district.  
 W. O. McElroy, six years, Sixth congressional district.  
 James H. Wilson, six years, Ninth congressional district.

Mr. Wise moved the adoption of the resolution.

On the question, Shall the resolution be adopted?

Those voting aye were:

Messrs. Alexander, Allyn, Anderson, Arthaud, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Blanchard, Boysen, Brooks, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Classen, Coburn, Colclo, Cowles, Craig, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Eaton, Edwards, Eiker, English, Fields, Flenni-

ken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Griswold, Hamann, Hartshorn, Hasselquist, Hawk, Hayward, Hazelton, Head, Healy, Hertert, Hobart, Hogue, Hopkins, Hubbard, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Junkin, Kendall, Kerr, Kling, Kolthoff, Lambert, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lewis, Lister, Lyman, McClurkin, McNie, Mardis, Marshall, Mattes, Maytag, Molsberry, Moore, Mordhorst, Nichols, Patton, Payne, Pipher, Porter, Powers, Pritchard, Robinson, Roome, Secor, Smith of Des Moines, Sokol, Spaulding, Springer, Stratton, Stuckslager, Sweeley, Sweet, Tallman, Teachout, Temple, Townsend of Calhoun, Utterback, Walden, Warren, Whipple, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Winne, Wise, Wright, Young of Washington—121.

Those absent or not answering were:

Messrs. Bachman, Ball, Bishop, Brighton, Courtright, Crawford, Crossley, Dowell, Emmert, Fitchpatrick, Garst, Gilchrist, Harper, Harriman, Hilsinger, Hurn, Keagy, Koontz, Lyons, McClure, McErvey, Moffit, Nagle, Smith of Mitchell, Townsend of Monroe, Trewin, Walters, Wilson of Clinton, Young of Lee—29.

So the resolution was declared adopted, and the persons named therein were declared duly elected to the offices for which they were named for the time specified.

The following certificates of election were read and signed in the presence of the joint convention.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 4, 1902 }

This is to certify that at an election by the two Houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 4th day of February, for the purpose of electing the officers of the various state institutions, C. E. Pickett, having received a majority of all the votes cast for said office, was declared duly elected as regent of the State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of February, A. D. 1902.

JOHN HERRIOTT,  
*President of the Senate.*

WILLARD L. EATON,

*Speaker of the House of Representatives.*

A. C. HOBART,  
*Teller on the part of the Senate.*

WILLIAM GARDEN,  
*Teller on the part of the House.*



HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, February 4, 1902. }

This is to certify that at an election by the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 4th day of February, A. D., 1902, for the purpose of electing the officers of the various state institutions, Alonzo Abernethy, having received a majority of all the votes cast for said office, was declared duly elected as regent of the State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of February, A. D., 1902.

JOHN HERRIOTT,  
*President of the Senate.*

WILLARD L. EATON,  
*Speaker of the House of Representatives.*

A. C. HOBART,  
*Teller on the part of the Senate.*

WM. CARDEN,  
*Teller on the part of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, February 4, 1902. }

This is to certify that at an election by the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 4th day of February, for the purpose of electing the officers of the various state institutions, Joseph H. Allen, having received a majority of all the votes cast for said office, was declared duly elected as regent of the State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 4th day of February, A. D. 1902.

JOHN HERRIOTT,  
*President of the Senate.*

WILLARD L. EATON,  
*Speaker of the House of Representatives.*

A. C. HOBART,  
*Teller on the part of the Senate.*

WM. CARDEN,  
*Teller on the part of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, February 4, 1902. }

This is to certify that at an election by the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 4th day of February, 1902, for the purpose of electing the officers of the various state institutions, P. K. Holbrook, having received a majority of all the votes cast for said office, was declared duly elected as regent of the State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of February,  
A. D. 1902.

JOHN HERRIOTT,  
*President of the Senate.*

WILLARD L. EATON,  
*Speaker of the House of Representatives.*

A. C. HOBART,  
*Teller on the part of the Senate.*

WM. CARDEN,  
*Teller on the part of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 4, 1902. }

This is to certify that at an election by the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 4th day of February, for the purpose of electing the officers of the various state institutions, Thomas B. Hanley, having received a majority of all the votes cast for said office, was declared duly elected as regent of the State University to fill the unexpired term of M. A. Higley, deceased.

Signed in the presence of the joint convention this 4th day of February  
A. D., 1902.

JOHN HERRIOTT,  
*President of the Senate.*

WILLARD L. EATON,  
*Speaker of the House of Representatives.*

A. C. HOBART,  
*Teller on the part of the Senate.*

WM. CARDEN,  
*Teller on the part of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 4, 1902. }

This is to certify that at an election by the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 4th day of February, A. D. 1902, for the purpose of electing the officers of the various state institutions, C. H. McNider, having received a majority of all the votes cast for said office, was declared duly elected as trustee of State Normal School for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of February,  
A. D. 1902.

JOHN HERRIOTT,  
*President of the Senate.*

WILLARD L. EATON,  
*Speaker of the House of Representatives.*

A. C. HOBART,  
*Teller on the part of the Senate.*

WM. CARDEN,  
*Teller on the part of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, February 4, 1902. }

This is to certify that at an election by the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 4th day of February, A. D. 1902, for the purpose of electing the officers of the various state institutions, W. A. McIntire, having received a majority of all the votes cast for said office, was declared duly elected as trustee of State Normal School, for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of February, A. D. 1902.

JOHN HERRIOTT,  
*President of the Senate.*

WILLARD L. EATON,  
*Speaker of the House of Representatives.*

A. C. HOBART,  
*Teller on the part of the Senate.*

WM. CARDEN,  
*Teller on the part of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, February 4, 1902. }

This is to certify that at an election by the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 4th day of February, 1902, for the purpose of electing the officers of the various state institutions, B. F. Osborn, having received a majority of all the votes cast for said office, was declared duly elected as trustee of the State Normal school to fill the unexpired term of P. D. Rose, resigned.

Signed in the presence of the joint convention this 4th day of February, A. D. 1902

JOHN HERRIOTT,  
*President of the Senate.*

WILLARD L. EATON,  
*Speaker of the House of Representatives.*

A. C. HOBART,  
*Teller on the part of the Senate.*

WM. CARDEN,  
*Teller on the part of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, February 4, 1902. }

This is to certify that at an election by the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 4th day of February, A. D. 1902, for the purpose of electing the officers of the various state institutions, E. A. Alexander, having received a majority of all the votes cast for said office, was declared duly elected as trustee of College of Agriculture and Meclanic Arts, for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of February,  
A. D. 1902.

JOHN HERRIOTT,  
*President of the Senate.*

WILLARD L. EATON,  
*Speaker of the House of Representatives.*

A. C. HOBART,  
*Teller on the part of the Senate.*

WM. CARDEN,  
*Teller on the part of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 4, 1902. }

This is to certify that at an election by the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 4th day of February, A. D. 1902, for the purpose of electing the officers of the various state institutions, W. O. McElroy, having received a majority of all the votes cast for said office, was declared duly elected as trustee of College of Agriculture and Mechanic Arts, for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of February,  
A. D. 1902.

JOHN HERRIOTT,  
*President of the Senate.*

WILLARD L. EATON,  
*Speaker of the House of Representatives.*

A. C. HOBART,  
*Teller on the part of the Senate.*

WM. CARDEN,  
*Teller on the part of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 4, 1902. }

This is to certify that at an election of the two houses of the Twenty-ninth General Assembly of the state of Iowa, in joint convention, on the 4th day of February, for the purpose of electing the officers of the various state institutions, James H. Wilson, having received a majority of all the votes cast for said office, was declared duly elected as trustee of the College of Agriculture and Mechanic Arts for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention this 4th day of February,  
A. D. 1902.

JOHN HERRIOTT,  
*President of the Senate.*

WILLARD L. EATON,  
*Speaker of the House of Representatives,*

A. C. HOBART,  
*Teller on the part of the Senate.*

WM. CARDEN,  
*Teller on the part of the House.*

Journal of the joint convention was read and approved.

On motion of Senator Tallman of Clarke, the joint convention was dissolved.

The House reconvened, following the joint convention, with Speaker Eaton in the chair.

Wise of Black Hawk asked unanimous consent to withdraw House file No. 23. There being no objections, the request was granted.

Teachout of Polk filed the following motion to reconsider:

MR. SPEAKER—I move to reconsider the vote by which House file No. 19 was passed, and also the vote by which said bill was passed to its third reading, also the vote by which the report of the committee recommending amendments was adopted.

H. E. TEACHOUT.

I second the above motion.

EMORY H. ENGLISH.

Carter of Sioux moved that the House adjourn until tomorrow, Wednesday, February 5th, at 10 o'clock A. M.

Carried

House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, Wednesday, February 5, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. L. A. Crull, Danville, Iowa.

Roll was then called to ascertain the number present.

Those present were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Haselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—94.

Absent or not answering:

Messrs. Cruikshank, Hilsinger, Koontz, Marshall, Nagle, Walters—6.

There being a quorum present, the House proceeded to business.

On motion of Whiting of Monona, leave of absence was granted Walters of Tama until this afternoon.

## PETITIONS AND MEMORIALS.

McClure of Adair presented petition of J. M. Trumbull and thirty-four other citizens of Adair, Iowa, asking the repeal of the tax ferret law.

Referred to committee on Ways and Means.

Springer of Buchanan presented petition of citizens of Buchanan county relative to placing a time limit on consent petitions under the mulct law.

Referred to committee on Suppression of Intemperance.

Utterback of Keokuk presented petition of citizens of Siguourney, Iowa, relative to the same subject.

Referred to committee on Suppression of Intemperance.

Sweeley of Woodbury presented petition of citizens of Sioux City, Iowa, relative to the same subject.

Referred to committee on Suppression of Intemperance.

Wilson of Washington presented application for pardon of Byron Guinn, with letters from many people in favor thereof.

Referred to committee on Pardons.

Carden of Henry presented petition of citizens of Henry county, relative to the emptying of sewers in Heath creek, Center township, Henry county.

Referred to committee on Appropriations.

## REPORTS OF COMMITTEES.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 22, a bill for an act to amend section 1332 of the code, relating to taxation of telegraph lines, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the same do pass:

That the period after the word property in the last line of section 1 be stricken out, and a comma (,) be inserted in lieu thereof, and immediately following said comma the following be added: "and the executive council

shall determine the taxable value of such use in the manner provided in the four preceding sections."

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 103, a bill for an act to legalize the election held in the county of Dallas and state of Iowa, on the 6th day of November, 1900, and the propositions submitted at said election for the purpose of building a court house at Adel, in said county, and borrowing money and issuing bonds therefor, and the manner of submitting said propositions, and the manner of the payment of bonds issued for said purpose, and all of the proceedings of the board of supervisors of said county with reference to said matter, and to authorize said county to issue bonds voted at said election, and to levy taxes to pay the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 91, a bill for an act to amend sections 3496 and 3501 of the code, relative to the place of bringing actions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 42, a bill for an act to amend chapter 44 of the laws of the session of the legislature of the territory of Iowa, approved December 18, 1843, incorporating The Aspen Grove Cemetery Association of Burlington, Iowa, conferring upon said association all of the rights, powers and privileges now possessed, or hereafter conferred by the statutes of Iowa, upon corporations not for pecuniary profit, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the same do pass:

Amend by striking out the period at the end of section 3, and insert in lieu thereof a comma (,), and immediately following said comma add the following: "without expense to the state."

G. W. CLARKE,  
*Chairman.*



Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 119, a bill for an act to legalize the acts of the Independent school district of Allerton, Wayne county, Iowa, in voting bonds at an election held March 12, 1900, for the rebuilding of a schoolhouse in said Independent district, and to enable such district to issue such bonds, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the same do pass:

Amend the fourth paragraph or subdivision commencing with the word "WHEREAS" by striking out the word "said" at the end of third line, and striking out of the fourth line of said paragraph or subdivision the word "eighteen," and insert in lieu thereof the word "eleven," and from the figures in brackets, "(\$18,000)," strike the figure "8," and insert in lieu thereof the figure "1," and after the word "dollars" strike out the comma, and insert in lieu thereof the word "of."

Amend section 1 by striking out of the eleventh line thereof the word "eighteen," and inserting in lieu thereof the word "eleven," and from the figures in brackets, "(\$18,000)," strike the figure "8," and insert in lieu thereof the figure "1."

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 105, a bill for an act to amend section 4544 of the code relative to garnishment proceedings, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 57, a bill for an act to legalize the establishment of draining ditch and drainage district number one (1) of Palo Alto county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the same do pass:

Amend by inserting after the first paragraph or subdivision, commencing with the word "WHEREAS," and as a paragraph or subdivision, the following:

"WHEREAS, The finding of the board of supervisors that the petition was properly signed by a sufficient number, and that the petition and proceedings were regular, was not entered by the auditor upon the minutes of the proceedings of the board; and,"

G. W. CLARKE,

*Chairman.*

Ordered passed on file.

Dunham of Delaware, from the committee on Schools and Text-Books, submitted the following report:

MR. SPEAKER—Your committee on Schools and Text-Books, to whom was referred House file No. 50, a bill for an act to repeal chapter 109 of the acts of the Twenty-eighth General Assembly, relative to teaching vocal music in the public schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. W. DUNHAM,

*Chairman.*

Ordered passed on file.

Warren of Marion, from the committee on Insurance, submitted the following report:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 78, a bill for an act to amend section seventeen hundred twenty-six (1726) of the code, in relation to notes taken for policies of insurance, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. L. WARREN,

*Chairman.*

Ordered passed on file.

Wilson of Buena Vista, from the committee on Banks and Banking, submitted the following report:

MR. SPEAKER—Your committee on Banks and Banking to whom was referred House file No. 10, a bill for an act to authorize the appointment of state and savings banks, and loan and trust companies organized under the laws of Iowa, as executors, administrators, guardians, trustees, receivers and assignees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. J. WILSON,

*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Banks and Banking to whom was

referred House file No. 33, a bill for an act to amend section 1850, chapter 10, title 9, paragraph 4 of the code, relating to investment of funds of savings banks, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. J. WILSON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Banks and Banking, to whom was referred House file No. 75, a bill for an act to repeal sections 3050, 3051 and 3052 of the code, relating to days of grace, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. J. WILSON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Banks and Banking, to whom was referred House file No. 166, a bill for an act to amend section 1869, chapter 12, title 9 of the code, relating to directors of state and savings banks, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. J. WILSON,  
*Chairman.*

Ordered passed on file.

Coburn of Cherokee, from the committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House file No. 66, a bill for an act to amend section 1483 of the code, and to reduce the width of roads, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. F. COBURN,  
*Chairman.*

Ordered passed on file.

Boysen of Audubon, from the committee on Industrial Schools, submitted the following report:

MR. SPEAKER—Your committee on Industrial Schools, to whom was referred House file No. 21, a bill for an act to amend chapter 102 of the acts of the Twenty-eighth General Assembly, relating to the Iowa Industrial

Reformatory for Females, and to make an appropriation therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be referred to the Judiciary committee.

ASMUS BOYSEN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Industrial Schools, to whom was referred House file No. 55, a bill for an act to amend sections 2708, 2709 and 2711, title 18, chapter 8, of the code, to repeal sections 12, 13 and 14, chapter 100, laws of the Twenty-eighth General Assembly, in relation to discharge of boys and girls from industrial schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

ASMUS BOYSEN,  
*Chairman.*

Ordered passed on file.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

Senate file No. 6, relative to amending section 4074 of the code.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 12, relative to amending section five thousand and fifty-two (5052) of the code.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following substitute for Senate file No. 28, in which the concurrence of the House is asked:

Relative to amending section 104 of the code, relating to payment of interest on warrants.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 49, a bill for an act appropriating money to aid in completing and furnishing the Hospital for the Insane at Cherokee, for the purchase of land and for a contingent and repair fund.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate joint resolution No. 6, for the appointment of a joint committee to purchase a chair for the Governor, President of the Senate and Speaker of the House.

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

That a joint committee of the Senate and House be appointed and hereby authorized to purchase a suitable chair for the Governor and a suitable chair and gavel for the President of the Senate and Speaker of the House.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Joint resolution No. 4, recommending changes as to additional employes.

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

SECTION 1. That A. P. Heald of Marion county and Jule Parmelee of Shelby county be appointed janitors in the place of F. E. White of Muscatine county and John Heater of Sac county, both of whom declined to accept the positions to which they were appointed.

SEC. 2. That the time of the above named employes be certified and warrants drawn in their favor in accordance with Senate joint resolution No. 1.

GEO. A. NEWMAN,  
*Secretary.*

Buchanan of Wapello called up his concurrent resolution in reference to two library pages and which was laid over under rule 34, and asked that it be referred to the committee on Library.

Granted and the resolution was so referred.

## INTRODUCTION OF BILLS.

By Dodds of Des Moines, House file No. 169, a bill for an act to prohibit gift enterprises and doing business with trading stamps.

Read first and second time and referred to committee on Judiciary.

By Dunham of Delaware, House file No. 170, a bill for an act for compulsory education.

Read first and second time and referred to committee on Schools and Text-Books.

By Dunham of Delaware, House file No. 171, a bill for an act to amend section 468 of the code, relating to supplies for county officers.

Read first and second time and referred to committee on Judiciary.

By English of Polk, House file No. 172, a bill for an act relating to reports to be made by railway companies to the executive council to aid in the assessment of railway property for taxation, and providing for a uniform system of making the said reports.

Read first and second time and referred to committee on Ways and Means.

By Furry of Hardin, House file No. 173, a bill for an act to amend section 4872 of the code, in relation to perjury.

Read first and second time and referred to committee on Judiciary.

By Graff of Page, House file No. 174, a bill for an act to prohibit gift enterprises and doing business with trading stamps, etc.

Read first and second time and referred to committee on Judiciary.

By Greene of Madison, House file No. 175, a bill for an act to amend section 2551, chapter 13, title 12 of the code, relating to protection of game.

Read first and second time and referred to committee on Fish and Game.

By Head of Greene, House file No. 176, a bill for an act to provide a department in one of the hospitals for the insane for the detention and treatment of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics.

Read first and second time and referred to committee on Public Health.

By Stuckslager of Linn, House file No. 177, a bill for an act to authorize the payment of the cost of corporate suretyship upon official bonds.

Read first and second time and referred to committee on Judiciary.

By Utterback of Keokuk (by request), House file No. 178, a bill for an act for the protection of owners of breeding stock.

Read first and second time and referred to committee on Animal Industries.

Barkley of Boone offered the following resolution, which was laid over under rule 34:

WHEREAS, The Hon. A. J. Holmes, an honored member of the Nineteenth General Assembly from Boone county, Iowa, closed life's work on January 23, 1902; therefore, be it

*Resolved*, That a committee of three be appointed to present resolutions commemorating his life and work.

Kerr of Grundy offered the following resolution, and moved that the rules be suspended and the resolution adopted:

WHEREAS, The Hon. James Underwood, a distinguished Representative from Grundy county in the Sixteenth General Assembly, and a gallant soldier in the civil war, came to an untimely death while passing over a railroad crossing at Grand Junction, Greene county, Iowa, in November, 1901; therefore, be it

*Resolved*. That a committee of three be appointed to draft suitable resolutions, showing respect to his memory and commemorating his life and services to the state.

The rules were suspended and the resolution was adopted.

Speaker *pro tem* Kendall in the chair.

Clarke of Dallas offered the following concurrent resolution, and moved the rule be suspended and the resolution be adopted:

## CONCURRENT RESOLUTION.

*Be it Resolved*, By the House of Representatives of the state of Iowa, the Senate concurring: That,

WHEREAS, The act of congress of September 28, 1850, granted to the state of Iowa and other states all the swamp lands situated within the several states; and,

WHEREAS, The second section of said act directed the secretary of the interior to withdraw from sale the swamp lands within said states and to furnish the governor of said states a list of said swamp lands; and,

WHEREAS, The secretary of the interior failed to comply with the requirement of said law and proceeded thereafter to sell a great amount of land that was swamp and overflowed land and under such sales the United States caused patent to issue for said land; and,

WHEREAS, The state of Iowa was thereby deprived of title to a great amount of land that was swamp and overflowed land, and which had been granted to said state by the aforesaid act of congress; and,

WHEREAS, There is now pending in the congress of the United States a bill entitled, "A bill to finally adjust the swamp land, grant and for other purposes," said bill being H. R. 8325; and,

WHEREAS, Said bill provides for the adjustment of the swamp land grant, directing the secretary of the interior of the United States government to refund the money received by the government of the United States for the sale of swamp and overflowed lands to the state of Iowa and other states; and,

WHEREAS; The several counties of the state of Iowa have claims filed with the secretary of the interior against the government of the United States for the purchase price of various tracts of swamp lands sold and patented by the government of the United States, which claims could be fully adjusted under said bill now pending before the congress of the United States; therefore, be it

*Resolved*, By the legislature of the state of Iowa, that the United States senators and representatives from the state of Iowa are respectfully and earnestly requested and urged to use all honorable means to secure the passage and enactment in a law of the bill now pending before the house of representatives of the United States, being designated H. R. 8325. Be it further

*Resolved*, That the governor of the state of Iowa is hereby requested to cause a copy of this concurrent resolution to be furnished to the United States senators and representatives in congress from the state of Iowa.

The roll being demanded on this resolution, the clerk called the roll, which resulted as follows:

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black,



Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—93.

The nays were:

Mr. Colclo—1.

Absent or not voting:

Messrs. Cowles, Hilsinger, Koontz, Marshall, Nagle, Townsend—6.

So the concurrent resolution was adopted.

Speaker Eaton in the chair.

Teachout of Polk called up his motion of yesterday to reconsider the vote on House file No. 19.

Motion to reconsider carried.

Clarke of Dallas offered the following amendment to the committee report on House file No. 19:

Amend the report of the committee by striking out the first two lines in the second amendment to the bill and inserting in lieu thereof the following: That the figures "28th" in the sixth line be stricken out and the word "twenty-sixth" followed by the figures "26th" in the brackets be inserted in lieu thereof, and by striking out the first three lines in the amendment to section 3 and inserting in lieu thereof that section 3 be amended as follows: After the word "one" in the second line insert the figure "1" in brackets.

Adopted on motion of Mr. Clarke.

The report of the committee as amended was then adopted.

The motion that the rule be suspended, and that the bill be

considered engrossed and read a third time now prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Hurn, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—92.

The nays were:

None.

Absent or not voting:

Messrs. Dodds, Hilsinger, Jaeger, Koontz, Marshall, Nagle, Stratton, Walters—8.

So the bill passed and the title was agreed to.

#### SENATE MESSAGES CONSIDERED.

Senate joint resolution No. 6, for the appointment of a joint committee to purchase a chair for the Governor, President of the Senate and Speaker of the House.

Read first and second time and passed on file.

Senate file No. 28, a bill for an act to amend section 104 of the code, relating to the payment of interest on warrants.

Read first and second time and referred to committee on Judiciary.

Senate file No. 49, a bill for an act appropriating money to aid

in completing and furnishing the hospital for the insane at Cherokee, for the purchase of land and for a contingent and repair fund.

Read first and second time and referred to committee on Appropriations.

Senate File No. 6, a bill for an act to amend section 4074 of the code, relating to proceedings auxiliary to execution.

Read first and second time and referred to committee on Judiciary.

Senate file No. 12, a bill for an act to amend section 5052 of the code, relating to the use and sale of bottles, boxes, casks, kegs and barrels of another.

Read first and second time and referred to committee on Judiciary.

Senate joint resolution No. 4, recommending changes as to additional employes.

Read first and second time and passed on file.

Journal of Tuesday, February 4th, was corrected and approved.

The Speaker announced Kerr of Grundy, Head of Greene and Kling of Harrison as a committee to draft resolutions on the death of Hon. James Underwood.

On motion of Wilson of Buena Vista, House adjourned till 10 A. M. tomorrow, Thursday, February 6th.

HALL OF THE HOUSE OF REPRESENTATIVES. }  
 DES MOINES, Thursday, February 6, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. S. R. Ferguson of Parkersburg, Iowa.

Journal of Wednesday, February 5th, was corrected and approved.

Teachout of Polk moved that a committee of three be appointed to wait upon Congressman Hull, who was said to be in the capitol building, and invite him to appear before the House. The Speaker appointed as such committee, Teachout of Polk, Nichols of Muscatine, Hertert of Shelby.

Congressman Hull was conducted to the Speaker's desk and briefly addressed the members of the House.

Warren of Marion offered the following communication from prominent school men of Iowa, relative to additional normal schools, which was ordered printed in the Journal:

*To the members of the Twenty-ninth General Assembly:*

GENTLEMEN—As the chosen representatives of the Iowa State Teachers Association, it becomes our duty to call to the attention of your honorable body the necessity of providing for the more adequate training of the teachers of the state.

Realizing that a dogmatic statement that additional normal schools are imperatively needed is not sufficient, we submit the following facts and ask that consideration which the people themselves who pay more than \$8,000,000 annually for the support of schools have the right to demand:

1. That the increase of population of the cities and towns of the state is so large as to require annually 225 additional teachers, or more than the total number of graduates in any year from the present State Normal School.

2. That statistics show that great as is the present State Normal School, with more than 2,000 enrolled annually, less than 12 per cent of the present teachers of Iowa have graduated from or attended the same.

3. That the records show that there are annually certificated more than 3,500 persons without previous experience in teaching.

4. That if the state were to depend entirely upon state normal schools to supply trained teachers, at least eight, each as large as the present one, or four twice the size, would be required.

5. That the report of the superintendent of public instruction shows that a large number of teachers are trained in private normal schools and denominational colleges, thus in part relieving the state of its greatest responsibility—the education of its teachers.

This committee commends most cordially any good work the private schools may accomplish for the improvement of the state schools through the preparation of teachers, but we maintain and urge that it is unwise for the state to rely almost wholly upon those who are philanthropically disposed to train the teachers for the public schools; that the state which has undertaken to educate its citizens in a free school system should to a much greater extent provide the best means possible in its power to educate the thousands of untrained teachers.

This committee does not claim that one other normal school of the size of the present one will provide educated teachers in sufficient numbers to meet the needs of the state, but do respectfully and earnestly contend that the need of such other school is imperative, and that the state should *immediately* enter upon the policy of providing the means for the educating of more teachers.

Granting that the seminaries, private normal schools and colleges may relieve the state of the training of from 25 per cent to 50 per cent of the teachers, we call your attention again to the fact that from four to six normals of the capacity of the present one must be provided if the needs of the state are met.

Of the northern states Iowa stands almost alone in its policy regarding the training of teachers.

Minnesota has five normal schools, Wisconsin seven, Illinois four, Missouri four, South Dakota three, New York thirteen, Pennsylvania eleven, while Massachusetts, with 79 per cent of her teachers trained in normal schools, has ten.

Regarding the low salaries paid Iowa teachers, your attention is invited to the fact that in states having two or more normal schools higher salaries are paid than in Iowa, and evidence is at hand to show that the larger the percentage of normal trained teachers the higher are the salaries paid.

We disclaim any purpose to attempt to influence your honorable body in favor of any particular location for a normal school, believing as we do that so great is the need of other normal schools that one established in

any part of the state not now occupied would meet with general public favor.

As further evidence of the need of additional normal schools, we need only to state the fact that the number of licensed teachers [in the state who have attended only country schools or those in the villages or smaller towns is more than 6,000.

We submit the foregoing in behalf of the taxpayers, many of whom now receive only a small return for the vast sum paid to incompetent teachers, and in behalf of the children who are soon to be the leaders in all school, municipal, county, state and national affairs.

[Signed,]

S. H. SHEAKLEY,  
*Chairman, Superintendent City Schools, Des Moines.*

A. W. STUART,  
*Superintendent City Schools, Ottumwa.*

GEORGE CHANDLER,  
*Banker, Osage.*

J. J. MCCONNELL,  
*Superintendent City Schools, Cedar Rapids.*

R. V. VENEMAN,  
*County Superintendent, Boone.*

O. J. MCMANUS,  
*County Superintendent, Council Bluffs.*  
Executive Committee.

CHARLES ELDRED SHELTON,  
*President Iowa State Teachers' Association, Indianola.*

RICHARD C. BARRETT,  
*Superintendent Public Instruction, Des Moines.*

#### PETITIONS AND MEMORIALS.

Jaeger of Des Moines presented petition of citizens of Burlington, in reference to House file No. 41, restoring to Burlington the right of cities of the first class to administer the affairs of public parks.

Referred to committee on Municipal Corporations.

Greeley of Story presented remonstrance of citizens of Ames, Iowa, relative to a pardon for one Geo. Stanley, a life convict.

Referred to committee on Pardons.

Kendall of Monroe moved that in reading the reports of standing committees the amendments recommended by the committees shall be omitted from the reading, except on request of members.

Carried.

## REPORTS OF COMMITTEES.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 148, a bill for an act to amend section 423 of the code, relating to the powers of boards of supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the same do pass:

That section 1 be amended by striking out all of said section after the word "by" in the second line, and adding in lieu thereof the following:

"Adding after the word 'bridge,' appearing in the second line of said section, and before the comma preceding the word 'when,' the following, 'except as provided in section four hundred and twenty-four (424) of this code.'"

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 120, a bill for an act to amend section 5254 of the code, providing for the finding and presentment of indictments without the intervention of a grand jury, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 118, a bill for an act to amend chapter 6, title 12 of the code, by providing for a bond when an action is commenced for the violation of the provisions of this chapter, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 112, a bill for an act relating to the time in which actions or proceedings may be brought for the recovery of taxes alleged to be due on

property omitted, not listed, withheld or overlooked, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 117, a bill for an act to amend section 4807 of the code, relating to malicious mischief and trespass, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 103, a bill for an act in relation to the cancellation of mortgages on real estate and deed of trusts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed

G. W. CLARKE,  
*Chairman.*

Ordered passed on file

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 109, a bill for an act to amend section 136 of the code and section 1, chapter 5, laws Twenty-eighth General Assembly, relating to the publication of the reports of the Iowa Academy of Sciences, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 100, a bill for an act to amend section 4862 of the code, relating to the punishment for keeping a gambling house, beg leave to report that they have had the same under consideration, and have instructed



me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 61, a bill for an act to amend section 2906 of the code, relating to the incumbrance of personal property exempt to the head of a family, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Hughes, of Iowa, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 49, a bill for an act appropriating money to aid in completing and furnishing the Hospital for the Insane at Cherokee, for the purchase of land and for a contingent and repair fund, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.  
*Chairman.*

Ordered passed on file.

Kendall of Monroe, from the committee on Mines and Mining, submitted the following report:

MR. SPEAKER—Your committee on Mines and Mining, to whom was referred House file No. 12, a bill for an act to amend chapter 9, title 12 of the code, relating to mines and mining, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

N. E. KENDALL  
*Chairman.*

Ordered passed on file.

Moore of Davis, from the committee on Military, submitted the following report:

MR. SPEAKER—Your committee on Military, to whom was referred House file No. 18, a bill for an act to provide a water supply for military reservations of the United States in this state, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by adding to section three (3) thereof the following: "said publi

cation to be without expense to the state," and that the bill when so amended do pass.

S. A. MOORE,  
*Chairman.*

Ordered passed on file.

Carter of Sioux, from the committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 28, a bill for an act to amend section one thousand, two hundred and seventy-two (1272) of the code, relating to the appointment of city officers to fill vacancies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by substituting the following in lieu of sections one (1) and two (2) thereof, to-wit:

Section 1. That section twelve hundred and seventy-two (1272) of the code be and the same is hereby amended by repealing all that part of said section after the word "offices" in the nineteenth line of said section, down to and including the word "council" in the twenty-fourth line thereof; and enacting as a substitute therefor the following: "shall be filled by a majority of the council, the person elected shall be of the same political party as the person whom he succeeds, and he shall serve until the next general municipal election, or until his successor is elected and qualified."

Sec. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

And when so amended that same do pass.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 41, a bill for an act to amend sections two (2) and three (3), of chapter thirty (30) of the Twenty-eighth General Assembly, relating to the levy of taxes for park purposes in certain cities, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the committee substitute therefor, hereto attached, be adopted in lieu thereof, and that the same do pass.

COMMITTEE SUBSTITUTE FOR HOUSE FILE NO. 41.

A bill for an act to amend sections two (2) and three (3), of chapter thirty (30) of the acts of the Twenty-eighth General Assembly, relating to the levy of taxes for park purposes in certain cities.

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

SECTION 1. That section two (2), of chapter thirty (30) of the acts of the

Twenty-eighth General Assembly be and is hereby amended by striking out the word "twenty-five" in the fourth line thereof, and inserting in lieu thereof the word "twenty-two."

SEC. 2. That section three (3), of chapter thirty (30) of the acts of the Twenty-eighth General Assembly be and is hereby amended by striking out the word "twenty-five" in the fourth (4) and fifth (5) lines thereof, and inserting in lieu thereof the word "twenty-two."

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 87, a bill for an act to amend section six hundred fifty-nine (659) of the code, relating to clerks of cities and their duties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 98, a bill for an act to amend chapter five (5), section seven hundred and forty-five (745), seven hundred and forty-six (746), seven hundred and forty-seven (747), and seven hundred and forty-eight (748) of the code of 1897, relating to letting contracts for the purchase or erection of water works in cities of first class, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out the words "of 1897," in the fourth line of the title, and when so amended that the same do pass.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Eiker of Decatur, from the committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 31, a bill for an act relating to the sale of cocaine and providing punishment for the illegal sale thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

Insert after the first sentence in the fourth line of section one (1) of the original bill the following: "and no such prescription shall be refilled except upon the written order of a physician;" and by inserting after the word

“a” in the fifth line of section one (1) of the the original bill, “wholesale or retail dealer in drugs nor,” and by striking out the words “in charge of” in the eighth line of section two (2) of the original bill and inserting in lieu thereof the word “violating.”

B. L. EIKER,  
*Chairman.*

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Lyman of Poweshiek, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled Senate file No. 100, a bill for an act to appropriate forty-five hundred dollars, or so much thereof as may be necessary to pay the additional employes of the general assembly.

Also, Senate joint resolution No. 1, relating to the selection of additional employes of the Twenty-ninth General Assembly and fixing their compensation and manner of payment thereof.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Report adopted on motion of Teachout of Polk.

Sweeley of Woodbury filed the following report:

*To the House of Representatives of the Twenty-ninth General Assembly of the State of Iowa:*

Your committee, to which was referred all papers and matters relating to the contest of the election of E. A. Fields as representative from Plymouth county, respectfully make the following report:

On the 11th day of January, 1902, the contestant, J. C. Cottrell, filed in the office of the secretary of state his written statement of contest, with a return of the officer showing that it had been served on the incumbent on the 21st day of December, 1901, which statement, notice and return appear in full on pages 3 to 6, inclusive, of the Journal of the House.

As shown thereby, the ground of the contest is the claim that the ballots cast at the election were not properly and correctly counted by the canvassers and judges in the several townships and precincts of the county, and that in truth and in fact the contestant received more legal votes than were cast for the incumbent. The contestant therefore prays that a recount of the ballots so cast be made, and that he be declared elected and seated as the legal representative from said Plymouth county.

It appears upon the face of the statement of contest so served upon the incumbent that on the 11th day of November the incumbent was, by the

board of supervisors of Plymouth county, declared to be duly elected to the office of representative from said county, which county of itself forms and constitutes the Seventy-eighth representative district.

The incumbent filed herein his motion as follows:

*Before the House of Representatives of the Twenty-ninth General Assembly of the State of Iowa:*

In the matter of the contest of the office of representative in the Seventy-eighth district of Iowa.

J. C. COTTRELL, <i>Contestant</i> ,	} Motion to dismiss contest.
VS.	
E. A. FIELDS, <i>Incumbent</i> .	

*To the House of Representatives and to its Committee:*

E. A. Fields, the incumbent, moves that the statement of contest and the contest herein filed be dismissed, and that inspection and recount of the ballots passed at the general election in contestant's statement named be referred, and incumbent shows to the House and its committee the following grounds therefor, to-wit:

The incumbent, E. A. Fields, was, and by contestant's notice and statement of contest is shown to have been, upon canvass of the returns of the general election therein mentioned, duly declared elected to the office of representative of the Seventy-eighth district of Iowa, on the 11th day of November, 1901, and that notice of contest and statement of grounds thereof was not served upon the incumbent until the 21st day of December, 1901. The incumbent therefore shows that more than thirty days elapsed between the declaration of incumbent's election and the service of the statement of the grounds of the contest as provided by the statutes of the state of Iowa.

Wherefore incumbent says that the House of Representatives has no further jurisdiction to entertain this contest; that all right upon the part of contestant to contest the election of the incumbent is lost and barred by lapse of time. And the incumbent therefore prays that contestant's statement and contest be dismissed.

E. A. FIELDS,  
*Incumbent.*  
By GEO. C. SCOTT,  
*His Attorney.*

GEO. C. SCOTT,  
G. A. JEFFERS,  
*Attorneys for Incumbent.*

Attorneys for the parties to the contest have appeared before your committee and made argument upon the issue raised by said motion. The arguments and the law have been by your committee fully considered, and we are of the opinion that the motion should be sustained and the contest dismissed.

The principal provisions of the law relating to the matter are contained in section seven, of article three, of the constitution of the state of Iowa, and

section 1203, 1204 and 1233 of the code. The constitutional section is as follows:

"Each house shall choose its own officers, and judge of the qualification, election and return of its own members. A contested election shall be determined in such manner as shall be directed by law."

Section 1203 of the code relates to the contest of election of county officers, and requires a statement of the contest, containing, with other matters, the particular causes of contest, to be served upon the incumbent within twenty days after the latter is declared elected.

Section 1204 of the code is in the following words:

"When the reception of illegal or the rejection of legal votes is alleged as a cause of contest the names of the persons who so voted or whose votes were rejected, with the precinct where they voted or offered to vote, shall be set forth in the statement."

Section 1233 is as follows:

"*Contest as to member of assembly.* The contestant for a seat in either branch of the general assembly shall, within thirty days after the incumbent was declared elected, serve on the incumbent a statement as required in relation to county officers, except the list of illegal votes, which shall be served with the notice of taking depositions relative to them, and if no such deposition is taken, then twenty days before the first day of the next session."

Your committee is of the opinion that the last clause of this section, providing for service twenty days before the first day of the next session refers to the list of illegal voters and not to the statement of the contest. The statute first declares that "the contestant shall, within thirty days after the incumbent was declared elected, serve on the incumbent a statement as required in relation to county officers." This, without more, would require the list of illegal voters to be served at the same time, but the law contains a specific statement that the list of illegal voters, in a contest for a seat in the general assembly, shall be served with notice of taking depositions relative to them. Then follows the words, "and if no such deposition is taken, then twenty days before the first day of the next session."

Your committee concedes that the language used makes the statute somewhat ambiguous and gives excuse for the position of the contestant, but a careful consideration convinces us that the latter part of the section relates entirely to the list of illegal voters and that it does not in any manner extend the time for serving the statement of contest beyond thirty days.

The incumbent herein was declared elected on the 11th day of November, and as the statement was not served until the 21st day of December, the contest was not instituted within the time fixed by law and should be dismissed. We therefore report that because of the failure to bring the contest within the time prescribed the validity of the election of the incumbent, E. A. Fields, cannot now be questioned.

Your committee further reports that because of the filing of the motion to dismiss it did not deem it advisable to put the parties to the expense of furnishing evidence upon the merits of the contest, and the ballots cast at the election have not been sent for or examined.

We, however, express our willingness to have the ballots produced and counted and the committee continued for that purpose if, in the judgment of this House, further action is expedient or legally required to establish the rights of either party to the contest.

Respectfully submitted,

M. J. SWEELEY,  
J. P. LYMAN,  
M. F. EDWARDS,  
D. W. HURN,  
R. C. LANGAN,  
C. E. WALTERS,  
SABERT T. MARSHALL,

*Committee.*

Ordered passed on file.

Also:

*To the Speaker of the House of Representatives of the Twenty-ninth General Assembly of the State of Iowa:*

Your committee, to whom were referred all papers and matters relating to the contest of the election of E. A. Fields as Representative from Plymouth county, respectfully makes the following report concerning the expenses of such contest:

The incumbent has presented bills and statements showing that his attorney, Geo. C. Scott, makes a charge against him for services of \$75 and of expenses in the sum of \$26; and that his attorney, Geo. A. Jeffers, makes a charge against him for services in the sum of \$25 and of expenses in the sum of \$25, making in all a total of \$151.

The contestant has presented a statement showing that his bill for attorney's fees in favor of W. C. Miller is in the amount of \$75.

In the opinion of your committee the claims of the attorneys are reasonable in amount.

All papers, bills and statements relating to the matters herein mentioned are herewith presented.

Respectfully submitted.

M. J. SWEELEY,  
J. P. LYMAN,  
M. F. EDWARDS,  
D. W. HURN,  
R. C. LANGAN,  
C. E. WALTERS,  
SABERT T. MARSHALL,

*Committee.*

Report referred to committee on Appropriations.

Barkley of Boone called up his resolution of yesterday, relative to presenting resolutions in memory of Hon. A. J. Holmes, which was laid over under rule 34, and moved its adoption.

The motion carried and the resolution was adopted.

The Speaker appointed as such committee Barkley of Boone, Cowles of Kossuth and Head of Greene.

#### INTRODUCTION OF BILLS.

By Anderson of Warren, House file No. 179, a bill for an act for the relief of the grantees of John Noble and W. A. Noble, and for the purpose of having the patent issued in their names for a certain tract of land.

Read first and second time and referred to committee on Judiciary.

By Blakemore of Taylor, House file No. 180, a bill for an act to amend section number 227 of the code, and to provide an additional judge for the Third judicial district.

Read first and second time and referred to committee on Judiciary.

By Calderwood of Scott, House file No. 181, a bill for an act to amend section 498 of the code, relating to fees for county recorders.

Read first and second time and referred to committee on Ways and Means.

By Hasselquist of Lucas, House file No. 182, a bill for an act to amend section 2028 of the code, relating to the taking of private property for works of internal improvement.

Read first and second time and referred to committee on Railroads and Commerce.

By Head of Greene, House file No. 183, a bill for an act to amend section 2905, and amend section 2906, of chapter 4, of title 14 of the code.

Read first and second time and referred to committee on Judiciary.

By Head of Greene, House file No. 184, a bill for an act to amend section 4011, chapter 3, title 19 of the code of 1897, relative to personal earnings.



Read first and second time and referred to committee on Ways and Means.

By Head of Greene, House file No. 185, a bill for an act making an appropriation for the department of agriculture for the purpose of erecting a permanent fireproof building for live stock.

Read first and second time and referred to committee on Appropriations.

By Hughes of Iowa, House file No. 186, a bill for an act appropriating money to pay express, freight and cartage.

Read first and second time and referred to committee on Appropriations.

By Hurn of Cerro Gordo, House file No. 187, a bill for an act to legalize the adoption of ordinances of cities, [towns and incorporated towns adopted under attempted suspension of the rule requiring the reading thereof on three different days, the vote for such suspension having been by less than three-fourths of the whole members elected to the council, including the mayor.

Read first and second time and referred to committee on Judiciary.

By Jenks of Pottawattamie, House file No. 188, a bill for an act to repeal section 2727 of the code and chapter 83 of the acts of the Twenty-seventh General Assembly amendatory thereto, and to enact a substitute therefor, relating to the support of the Iowa School for the Deaf at Council Bluffs, Iowa.

Read first and second time and referred to committee on Appropriations.

By Langan of Clinton, House file No. 189, a bill for an act making an appropriation and providing for the erection of monuments in memory of the Iowa troops on Lookout Mountain and Missionary Ridge (the battles of Chattanooga).

Read first and second time and referred to committee on Appropriations.

By Langan of Clinton, House file No. 190, a bill for an act to amend section 1743 of chapter 4, title 9 of the code, relating to insurance other than life.

Read first and second time and referred to committee on Insurance.

By Powers of Floyd, House file No. 191, a bill for an act providing for compulsory education.

Read first and second time and referred to committee on Schools and Text-Books.

By Stuckslager of Linn, House file No. 192, a bill for an act to provide that any fiduciary required by law to give a bond may include the expense thereof as part of the lawful expense of executing his trust, etc.

Read first and second time and referred to committee on Judiciary.

By Teachout of Polk, House file No. 193, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies.

Read first and second time and referred to committee on Appropriations.

By Warren of Marion, House file No. 194, a bill for an act for the relief of the grantees of John Carsner, and for the purpose of having a patent issued in his name for a certain tract of land.

Read first and second time and referred to committee on Judiciary.

By Wright of Guthrie, House file No. 195, a bill for an act to amend section 106 of the code, relative to the time of settlement of the auditor of state with the treasurer of state.

Read first and second time and referred to committee on Judiciary.

By Wright of Guthrie, House file No. 196, a bill for an act to establish an industrial reformatory for females, to make appropriations therefor, and to provide for the transfer of inmates to and from the industrial school for girls.

Read first and second time and referred to committee on Industrial Schools.

By Wise of Black Hawk (by request), House joint resolution No. 2, proposing to amend the constitution of the state of Iowa, so as to provide for biennial elections:

## JOINT RESOLUTION NO. 2.

Proposing to amend the constitution of the state of Iowa so as to provide for biennial elections.

*Be it resolved by the General Assembly of the State of Iowa:*

That the following amendment to the constitution of the state of Iowa be, and the same is hereby proposed:

Add as section 16, of article 12 of the constitution, the following:

Section 16. The first general election after the adoption of this amendment shall be held on the Tuesday next after the first Monday in November in the year one thousand nine hundred and six, and general elections shall be held biennially thereafter. In the year one thousand nine hundred and six there shall be elected a governor, lieutenant governor, secretary of state auditor of state, treasurer of state, attorney-general, two judges of the supreme court, the successors of the judges of the district court whose terms of office expire on December 31, one thousand nine hundred and six, state senators who would otherwise be chosen in the year one thousand nine hundred and five, and members of the house of representatives. The terms of office of the judges of the supreme court which would otherwise expire on December 31, in odd numbered years, and all other elective state, county and township officers, whose terms of office would otherwise expire in January in the year one thousand nine hundred and six, and members of the general assembly whose successors would otherwise be chosen at the general election in the year one thousand nine hundred and five, are hereby extended one year and until their successors are elected and qualified. The terms of office of senators whose successors would otherwise be chosen in the year one thousand nine hundred and seven are hereby extended one year and until their successors are elected and qualified. The general assembly shall make such changes in the law governing the time of election and term of office of all other elective officers as shall be necessary to make the time of their election and terms of office conform to this amendment, and shall provide which of the judges of the supreme court shall serve as chief justice. The general assembly shall meet in regular session on the second Monday in January, in the year one thousand nine hundred and six, and also on the second Monday in January in the year one thousand nine hundred and seven, and biennially thereafter.

*Resolved further,* That the foregoing proposed amendment to the constitution of the state of Iowa be, and the same is hereby referred to the legislature, to be chosen at the next general election for members of the general assembly, and that the secretary of state cause the same to be published for three months previous to the day of such election as provided by law.

Read first and second time and referred to committee on Constitutional Amendments.

Head of Greene moved that when the House adjourns tomorrow forenoon that it adjourn until 2 o'clock in the afternoon.

Carried.

The Speaker signed, in the presence of the House in open session, the following:

Senate file No. 100.

Senate joint resolution No. 1.

Mr. Wise moved that House file No. 23, which was withdrawn for correction, be referred to the committee on Appropriations.

Carried, and the bill was so referred.

On motion of Warren of Marion, Senate joint resolution No. 4, recommending changes as to additional employes, which was passed on file, was taken up and considered.

Mr. Warren moved that the rule be suspended, and that the joint resolution be read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question, Shall the joint resolution be adopted?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, English, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Jaeger, Jenks, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Utterback, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—90.

The nays were:

None.

Absent or not voting:

Messrs. Clarke, Dodds, Fields, Hilsinger, Hurn, Jones, Townsend, Walden, Walters, Wilson of Buena Vista—10.

So the joint resolution was adopted and the title was agreed to.

On motion of Kendall of Monroe, Senate joint resolution No. 6, relative to purchasing chairs for the Governor, President of the Senate and the Speaker of the House, which was passed on file, was taken up and considered.

Mr. Kendall moved that the rule be suspended, and that the joint resolution be read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question, Shall the joint resolution be adopted?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClurkin, McClure, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Utterback, Walters, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright—92.

The nays were:

None.

Absent or not voting:

Messrs. Hilsinger, Hurn, Langan of Crawford, Temple, Townsend, Walden, Wilson of Buena Vista, Mr. Speaker—8.

So the resolution was adopted and the title was agreed to.

The following motion to reconsider was filed.

MR. SPEAKER—I move to reconsider the vote by which Senate joint resolution No. 6 was adopted, and also the vote by which it passed to its third reading.

I second the motion.

J. L. WARREN.

LEE NAGLE.

Motion to reconsider was carried.

Mr. Dunham moved to amend Senate joint resolution No. 6, by inserting after the word "and" and before the word "Speaker" in the last line, the words "a suitable chair and gavel for the."

Carried.

The motion that the rule be suspended, and that the joint resolution be read a third time now, prevailed, and the joint resolution was read a third time.

On the question, Shall the joint resolution be adopted?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Utterback, Walters, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright—93.

The nays were:

None.

Absent or not voting:

Messrs. English, Hilsinger, Hufschmidt, Townsend, Walden, Wilson of Buena Vista, Mr. Speaker—7.

So the joint resolution was adopted and the title was agreed to.

On motion of Dunham of Delaware, leave of absence was granted Townsend of Calhoun indefinitely.

On motion, leave of absence was granted Kling of Harrison for the balance of the week.

## MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

Relative to the appointment of a commission to investigate explosions in coal mines.

GEO. A. [NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 1, a bill for an act to provide for the compilation of the laws of the Twenty seventh, Twenty-eighth and Twenty-ninth General Assemblies, to annotate the same and the code and the rules of the supreme court to and including the May term, 1902, of the supreme court, and to publish said compilation and annotations as a supplement to the code, and to provide for the appointment of a supervising committee and making an appropriation therefor.

GEO. A. NEWMAN,  
*Secretary.*

The following motion to reconsider was filed:

MR. SPEAKER—I move that the House reconsider the vote by which the resolution by Clarke of Dallas, requesting the Iowa delegation in congress to support the Lacey bill relative to swamp lands, etc., was passed.

C. W. CARTER, Sioux County.

I second the above motion.

WILL C. WHITING, Monona County.

Furry of Hardin moved to adjourn to 10 o'clock tomorrow, Friday, February 7, 1902.

Carried, and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Friday, February 7, 1902. }

House met pursuant to adjournment, Speaker Eaton presiding.

Prayer was offered by the Rev. L. E. Follansbee, Winterset, Iowa.

The Journal of Thursday, February 6th, was corrected and approved.

REPORTS OF COMMITTEES.

Temple of Clarke, from the committee on Ways and Means, submitted the following report:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 11, a bill for an act to repeal section four hundred fifty-eight (458) of the code, and amend section four hundred fifty-nine of the code, relating to the disposition of the fund derived from the taxation of dogs, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 143, a bill for an act to amend section four hundred fifty-eight (458) of the code, relating to the levy and collection of a tax on dogs, and to repeal section four hundred fifty nine (459) of the code and enact a new section in lieu thereof, relative to payment of damages for the killing or injury of sheep or other domestic animals by dogs, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 136, a bill for an act to amend section one thousand, three hundred four (1304) of the code, relating to classes of property exempt from taxation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

M. L. TEMPLE,  
*Chairman.*



Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 97, a bill for an act relating to the assignment of mortgages and other securities, and the listing of the same for taxation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 138, a bill for an act to amend section 104 and section 483 of the code, relating to rate of interest on state and county warrants, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 67, a bill for an act to amend section 3497 of the code, relating to place of bringing action, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass as amended by the substitute therefor herewith transmitted:

SUBSTITUTE FOR HOUSE FILE NO. 67.

A bill for an act to amend section thirty-four hundred and ninety-seven (3497) of the code, relating to place of bringing action.

*Be it enacted by the General Assembly of the State of Iowa:*

Section 1. That section thirty-four hundred and ninety-seven (3497) of the code be, and is hereby amended by inserting the words "steamboat and other river craft" after the word "canal" in the third line.

Section 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, published at Des Moines, Iowa.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 28, a bill for an act to amend section 104 of the code, relating to the payment of interest on warrants, beg leave to report that they have had the same under consideration, and have instructed me to report the

same back to the House with the recommendation that the same do pass as amended by the Senate substitute therefor.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 68, a bill for an act to amend section 3529 of the code relating to manner of commencing actions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass, as amended by the substitute therefor.

SUBSTITUTE FOR HOUSE FILE NO. 68.

A bill for an act to amend section thirty-five hundred and twenty-nine (3529) of the code, relating to manner of commencing actions.

*Be it enacted by the General Assembly of the State of Iowa:*

Section 1. That section thirty-five hundred and twenty-nine (3529) of the code be, and is hereby amended by inserting the words "steamboat or other river craft" after the word "canal" in the second line.

Section 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, published at Des Moines, Iowa.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Hughes of Iowa, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 76, a bill for an act appropriating money to aid in completing and furnishing the Hospital for the Insane at Cherokee, for the purchase of land and for a contingent and repair fund, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Dunham of Delaware, from the committee on Schools and Text-Books, submitted the following report:

MR. SPEAKER—Your committee on Schools and Text-Books, to whom was referred House file No. 29, a bill for an act to amend section 2799, chapter 14, title 13 of the code of 1897, relative to uniting independent districts, beg leave to report that they have had the same under consideration, and have instructed me to report a substitute back to the House with the recommendation that the same do pass.

SUBSTITUTE FOR HOUSE FILE 29.

A bill for an act to repeal section twenty-seven ninety-nine (2799) of the code, relating to the uniting of independent districts, and to enact in lieu thereof the following:

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

Section 1. School corporations located contiguous to each other may unite and form one school corporation, and subdistricts adjacent to independent districts or rural independent districts may also unite with the same and form one school corporation, in the following manner: At the written request of any ten legal voters residing in each of said school corporations, or the said school corporations and the adjacent subdistricts, or, if there be not ten, then one-third of said voters, their respective boards of directors shall require their secretaries to give at least ten day's notice of the time and place for a meeting of the electors residing in each of such corporations or subdistricts, by posting written notices in at least five public places in each of said corporations or subdistricts, at which meeting the electors shall vote by ballot for or against a consolidated organization of said school corporations, or said school corporations and adjacent subdistricts, and, if a majority of the votes cast at the election in each shall be in favor of uniting said districts, then the board of the corporation having the largest school population by the last preceding school enumeration, shall give notice of a meeting of the electors to choose a board of directors.

Districts consolidated under the provisions of this act having a population of less than five hundred shall be governed by a board of directors consisting of three members, and those having a larger population by a board of directors consisting of five members, the same to be chosen in accordance with the provisions of sections 2797 and 2795 of the code, so far as applicable.

Section 2. School townships, and civil townships composed of rural independent districts, may be consolidated and organized as independent township districts in the following manner: Whenever the board of directors of any school township shall deem the same advisable, and also whenever requested to do so by a petition signed by one-third of the voters of the school township, the board shall submit to the voters of said school township, at a regular election, or one called for that purpose, the question of consolidation, at which election the voters of the school township shall vote for or against consolidation. If a majority of votes cast shall be in favor of such consolidated organization, such school township shall organize on the second Monday of March following as an independent township district, by the election of five directors from the township at large, one of whom shall be chosen for one year, two for two years and two for three years; provided, that in townships which have been divided into rural independent districts, the duties in this section devolving on the board of directors, shall be performed by the trustees of the township to whom the petition in such cases shall be addressed; and, provided further, that nothing in this section shall be construed to affect independent districts composed wholly or mainly of cities, towns or villages.

GEO. W. DUNHAM,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Schools and Text-Books, to whom was referred House file No. 38, a bill for an act to amend section twenty-seven sixty-four of the code, relating to the taking of school census, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out the words "of the first class" immediately following the word "city" in the sixth line, and inserting in lieu thereof the words "or incorporated town," and by inserting after the word "age" and before the word "on," both appearing in the seventh line, the words "on such date," and by inserting after the word "July" appearing in the eighth line of said bill the words "as the school board may direct," and that said bill when so amended do pass.

GEO. W. DUNHAM,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Schools and Text-Books, to whom was referred House file No. 98, a bill for an act to repeal section twenty-eight hundred and fourteen (2814) of the code, and enacting a substitute therefor relating to schoolhouse sites, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. W. DUNHAM,  
*Chairman.*

Ordered passed on file.

Cummings of Marshall, from the committee on Soldiers' and Orphans' Home submitted the following report:

MR. SPEAKER—Your committee on Soldiers' and Orphans' Home, to whom was referred House file No. 37, a bill for an act making appropriations for the Iowa Soldiers' Orphans' Home at Davenport, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be approved, and with the further recommendation that it be referred to the committee on Appropriations.

B. F. CUMMINGS,  
*Chairman.*

On motion of Mr. Cummings, report of the committee was adopted and the bill so referred.

Keagy of Dubuque asked unanimous consent to file a report, which consent was given.

MR. SPEAKER—We, the undersigned, members of your committee on Schools and Text-Books, to whom was referred House file No. 50, "A Bill for an Act to repeal Chapter 109, Acts of the Twenty-eighth General Assembly," having obtained the unanimous consent of the House, do hereby present to the House the following, as their views upon House file No. 50:

We are unable to concur in a majority report of the committee, and

believing that House file No. 50 should receive consideration of the House, do hereby recommend that House file No. 50 do pass.

H. R. KEAGY,  
TIMOTHY DONAHUE,  
*Committee on Schools and Text-Books.*

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in the following House amendments to Senate joint resolution No. 6, in which the concurrence of the Senate was asked:

Amend Senate resolution No. 6, relative to appointing a joint committee to purchase a chair each for the Governor, President of the Senate and Speaker of the House.

GEO. A. NEWMAN,  
*Secretary.*

INTRODUCTION OF BILLS.

By Anderson of Warren (by request), House file No. 197, a bill for an act providing for the purchase of engravings, plates or cuts for state publications, and fixing the manner of paying the cost of the same.

Read first and second time and referred to committee on Printing.

By Sweet of Bremer, House file No. 198, a bill for an act to legalize the official acts of the town council of the incorporated town of Sumner, in Bremer county, Iowa.

Read first and second time and referred to committee on Judiciary.

By Sokol of Jones, House file No. 199, a bill for an act to amend section 2146 of the code, relating to discrimination in railway freight rates.

Read first and second time and referred to committee on Railroads and Commerce.

By Teachout of Polk, House file No. 200, a bill for an act to amend section 560, of title 4, chapter 10 of the code of Iowa, abolishing the office of township clerk and trustees in certain civil townships.

Read first and second time and referred to committee on County and Township Organization.

By Stuckslager of Linn, House file No. 201, a bill for an act to provide security to the public against errors, omissions and defects in abstracts of title to real estate.

Read first and second time and referred to committee on Judiciary.

By Head of Greene (by request), House file No. 202, a bill for an act relating to mutual companies, defined by division 7 of section 1709, as amended.

Read first and second time and referred to committee on Insurance.

By Stratton of Montgomery, House file No. 203, a bill for an act to amend section 3287 of the code, relating to the recording of wills.

Read first and second time and referred to committee on Judiciary.

By Leech of Cedar (by request), House file No. 204, a bill for an act to amend section 468 of the code of 1897, relating to supplies for county officers.

Read first and second time and referred to committee on Judiciary.

By Greeley of Story, House file No. 205, a bill for an act to repeal chapter 99 of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor providing for a levy of a special tax of one-fifth of a mill on the dollar upon the assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the Iowa State College of Agriculture and Mechanic Arts.

Read first and second time and referred to committee on Ways and Means.

By Furry of Hardin, House file No. 206, a bill for an act providing for the appointment of public examiners, defining the duties and fixing the compensation thereof, and providing for a uniform system of keeping the books of county treasurers.

Read first and second time and referred to committee on Judiciary.

By Sweeley of Woodbury, House file No. 207, a bill for an act to amend section 3089 of the code, relating to mechanics' liens.

Read first and second time and referred to committee on Judiciary.

By Hughes of Iowa, House file No. 208, a bill for an act to defray the cost of inspecting county and private institutions in which insane persons are kept.

Read first and second time and referred to committee on Appropriations.

By Hughes of Iowa, House file No. 209, a bill for an act to appropriate money in aid of the quarterly conferences of the board of control and executive officers of state institutions.

Read first and second time and referred to committee on Appropriations.

Carter of Sioux filed the following report and moved that it be adopted:

Mr. SPEAKER—Your committee appointed to prepare appropriate resolutions of respect to the memory of Honorable Henry Hospers, late of Sioux county, beg leave to report as follows:

WHEREAS, The Honorable Henry Hospers, an honored and respected member of the House in the Twenty-second and Twenty-third General Assemblies, and a member of the Senate in the Twenty-sixth and Twenty-seventh General Assemblies, departed this life at his home in Orange City, Sioux county, on the 21st day of October, 1901; therefore, be it

*Resolved*, That in his death his family has been bereaved of an affectionate husband and father, the community of a kind and generous neighbor, and the state of a useful and faithful public servant.

*Resolved*, That we share this loss and deeply sympathize with his family in their great bereavement.

C. W. CARTER,  
TIMOTHY DONAHUE,  
E. A. FIELDS,  
*Committee.*

Adopted.

Kerr of Grundy filed the following report, and moved that it be adopted:

Mr. SPEAKER—Your committee appointed to draft resolutions of respect to the memory of Hon. James Underwood, late of Greene county, Iowa, submit the following:

WHEREAS, the Hon. James Underwood, formerly an honored member of the Sixteenth General Assembly as a representative from Grundy county, and a gallant soldier of the civil war, came to an untimely death by acci-

dent at Grand Junction, Greene county, Iowa, on November last; therefore, be it

*Resolved*, That in his death the state of Iowa has lost a conscientious, worthy and loyal citizen, the community in which he lived an upright and useful member, his family a kind and devoted husband and father, and all who came to know him well a friend, whose pure and noble life is entitled to the approval and commendation of his fellow men.

*Resolved*, That this body extend to the sorrowing wife and family our sincere sympathy in their great loss, and the clerk of the House is hereby instructed to mail an engrossed copy of these resolutions to the widow of the deceased.

WM. G. KERR,  
H. B. KLING,  
MAHLON HEAD,  
*Committee.*

Adopted.

#### SENATE MESSAGES CONSIDERED.

Senate file No. 1, a bill for an act to provide for the compilation of the laws of the Twenty-seventh, Twenty-eighth and Twenty-ninth General Assemblies, to annotate the same and the code and rules of the supreme court to and including the May term, 1902, of the supreme court, and to publish said compilation and annotations as a supplement to the code, and to provide for the appointment of a supervisory committee, and making an appropriation therefor.

Read first and second time and referred to committee on Judiciary.

On motion of Wilson of Washington, House file No. 22 was recommitted to the committee on Judiciary.

On motion of Hughes of Iowa, Senate file No. 49, a bill for an act appropriating money to aid in completing and furnishing the Hospital for the Insane at Cherokee, for the purchase of land and for a contingent and repair fund, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Hughes moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:



Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Head, Hertert, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—93.

The Nays were:

None.

Absent or not voting:

Messrs. Davenport, Eiker, Hawk, Hilsinger, Kling, Marshall, Townsend—7.

So the bill passed and the title was agreed to.

On motion of Teachout of Polk, House file No. 18, a bill for an act to provide a water supply for military reservations of the United States in this state, with report of committee recommending amendment and passage, was taken up, considered and the report of the committee, with amendment, adopted.

Mr. Teachout moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk,

Head, Hertert, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—91.

The nays were:

None.

Absent or not voting:

Messrs. Cowles, Davenport, Hilsinger, Hurn, Kling, Marshall, Springer, Townsend, Walters—9.

So the bill passed and the title was agreed to.

On motion of Walden of Wayne, House file No. 119, a bill for an act to legalize the acts of the independent school district of Allerton, Wayne county, Iowa, in voting bonds at an election held March 12, 1900, for the rebuilding of a schoolhouse in said independent district and to enable such district to issue such bonds, with report of committee recommending passage with amendments, was taken up, considered and the report of the committee with amendments adopted.

Mr. Walden moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kerr, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne,

Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wright, Mr. Speaker—91.

The nays were:

None.

Absent or not voting:

Messrs. Cowles, Davenport, Freeman, Hilsinger, Kendall, Kling, Marshall, Townsend, Wise—9.

So the bill passed and the title was agreed to.

House file No. 5, a bill for an act to repeal sections two thousand, five hundred and sixty-six (2566) and two thousand, five hundred and sixty-seven (2567) of the code, and to enact substitutes therefor relating to vital statistics, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 32, a bill for an act to prevent any white person from marrying any person having one-eighth part or more of negro blood, or to prevent any person having one-eighth part or more of negro blood from marrying any white person, and amending section 3141 of the code, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Teachout of Polk, House file No. 140, a bill for an act to relinquish to the public certain real property for street purposes, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Teachout moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, English, Flenniken, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Keagy, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Mesurvey, Moore, Mordhorst, Nagle, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweet, Teachout, Temple, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—87.

The nays were:

None.

Absent or not voting:

Messrs. Coburn, Davenport, Fields, Freeman, Greeley, Hillsinger, Jones, Kendall, Kerr, Kling, Marshall, Sweeley, Townsend—13.

So the bill passed and the title was agreed to.

On motion of Calderwood of Scott, House file No. 75, a bill for an act to repeal section three thousand and fifty (3050), three thousand and fifty-one (3051) and three thousand and fifty-two (3052) of the code, relating to days of grace, with report of committee recommending passage was taken up, considered and the report of the committee adopted.

Jones of Mahaska, offered the following amendment:

Strike out the words and figures "three thousand and fifty-one (3051)" in lines one and two of section 1.

On motion of Kendall of Monroe, House adjourned till 2 o'clock P. M.

#### AFTERNOON SESSION.

House met pursuant to adjournment at 2 P. M., Speaker Eaton in the chair.

On motion of Clarke of Dallas, leave of absence was granted Dunham of Delaware for this afternoon.

The House took up further consideration of House file No. 75, which was pending at the noon adjournment.

Hamann of Scott moved the previous question.

Motion prevailed.

Jones of Mahaska and Kerr of Grundy demanded a roll call on the amendment of the gentleman of Mahaska, which resulted as follows:

On the question, Shall the amendment be adopted?

The yeas were:

Messrs. Bailey, Barkley, Campbell, Carden, Cheney, Coburn, Colclo, Crouse, Cruikshank, Davenport, Donahue, Eiker, Fields, Frudden, Graff, Greene, Hawk, Hufschmidt, Jaeger, Jones, Keagy, Kendall, Kerr, Langan of Clinton, Langan of Crawford, Lyman, McClure, McClurkin, Marshall, Moore, Mordhorst, Patton, Powers, Roome, Springer, Stratton, Temple, Utterback, Warren, Whiting, Wright—41.

The nays were:

Messrs. Anderson, Barker, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carter, Cassel, Christianson, Clarke, Cowles, Cummings, Dodds, Edwards, English, Flenniken, Freeman, Furry, Gilchrist, Greeley, Hamann, Hasselquist, Head, Hertert, Hughes, Hurn, Jenks, Kolthoff, Koontz, Larrabee, Leech, McNie, Mattes, Meservey, Nagle, Nichols, Payne, Pipher, Pritchard, Robinson, Secor, Sokol, Stuckslager, Sweeley, Sweet, Teachout, Townsend, Walden, Walters, Willett, Wilson of Buena Vista, Wise, Mr. Speaker—55.

Absent or not voting:

Messrs. Dunham, Hilsinger, Kling, Wilson of Washington—4.

So the amendment was lost.

Lyman of Poweshiek moved that this bill, House file No. 75, be referred to committee on Judiciary.

On a division of the House the motion was lost by a vote of 43 for and 52 against.

Mr. Lyman moved that the letter "s" be added to the word "section" in line 1, section 1 of the bill.

Carried.

Eiker of Decatur moved that House file No. 75 be made a special order for Tuesday, February 11th, at 10 A. M.

Lost.

Calderwood of Scott moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Bealer, Black, Buchanan, Calderwood, Carter, Cassel, Christianson, Clarke, Cummings, Dodds, English, Flenniken, Freeman, Furry, Gilchrist, Greeley, Hamann, Head, Hughes, Hurn, Jenks, Keagy, Koontz, Larrabee, Leech, McNie, Mattes, Meservey, Nagle, Pipher, Robinson, Secor, Stuckslager, Sweet, Teachout, Walters, Willett, Wilson of Buena Vista, Wilson of Washington, Wise,<sup>6</sup> Mr. Speaker—43.

The nays were:

Messrs. Bailey, Barkley, Blakemore, Boysen, Campbell, Carden, Cheney, Coburn, Colclo, Cowles, Crouse, Cruikshank, Davenport, Donahue, Edwards, Eiker, Fields, Frudden, Graff, Greene, Hasselquist, Hawk, Hertert, Hufschmidt, Jaeger, Jones, Kendall, Kerr, Kolthoff, Langan of Clinton, Langan of Crawford, Lyman, McClure, McClurkin, Marshall, Moore, Mordhorst, Nichols, Patton, Payne, Powers, Pritchard, Roome, Sokol, Springer, Stratton, Sweeley, Temple, Townsend, Utterback, Walden, Warren, Whiting, Wright—54.

Absent or not voting:

Messrs. Dunham, Hilinger, Kling—3.

So the bill was lost.

On motion of Cummings of Marshall, House file No. 105, a bill for an act to amend section 4544 of the code, relative to garnishment proceedings, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Cummings moved that the rule be suspended, and that the

bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—96.

The nays were:

None.

Absent or not voting:

Messrs. Clarke, Dunham, Hilsinger, Kling—4.

So the bill passed and the title was agreed to.

On motion of Stuckslager, House file No. 166, a bill for an act to amend section 1869, chapter 12, title 9 of the code, relating to directors of state and savings banks, with report of committee recommending passage was taken up, considered and the report of the committee adopted.

Mr. Stuckslager moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassel,

Cheney, Christianson, Clarke, Cowles, Crouse, Cruikshank, Cummings, Davenport, Donahue, Edwards, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hufschmidt, Hughes, Jenks, Keagy, Kerr, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stuckslager, Sweeley, Sweet, Teachout, Townsend, Utterback, Walden, Walters, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—78.

The nays were:

Messrs. Carter, Colclo, Dodds, Eiker, English, Hertert, Jaeger, Jones, Kendall, Marshall, Pritchard, Stratton, Warren, Whiting, Willett—15.

Absent or not voting:

Messrs. Blakemore, Coburn, Dunham, Hilsinger, Hurn, Kling, Temple—7.

So the bill passed.

The title was amended by striking out "1869, chapter 12, title 9" and inserting "eighteen hundred and sixty-nine (1869)" and as amended was agreed to.

Calderwood of Scott, moved that the House adjourn until tomorrow, Saturday, February 8th, at 10 o'clock A. M.



HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Saturday, February 8, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. R. H. Forrester of Des Moines.

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote by which House file No. 75 was lost.

M. L. TEMPLE.

I second the motion.

FRANK S. PAYNE.

Journal of Friday, February 7th, was corrected and approved.

The Speaker appointed Kendall of Monroe, Furry of Hardin and Larrabee of Fayette, as House members of joint committee to purchase chairs for Governor, President of the Senate and Speaker of the House.

#### PETITIONS AND MEMORIALS.

Coburn of Cherokee presented petition of citizens of Cherokee county asking a time limit on consent petitions under the mulct law.

Referred to committee on Suppression of Intemperance.

Kerr of Grundy presented petition of twenty-five citizens of Grundy county asking an appropriation to purchase a suitable monument for Iowa soldiers who died in Andersonville prison.

Referred to committee on Appropriations.

On motion of Sokol of Jones, leave of absence was granted Pritchard of Wright indefinitely.

On motion of Roome of Winneshiek, leave of absence was granted Graff of Page until Tuesday.

On motion of Dodds of Des Moines, leave of absence was granted Utterback of Keokuk until Monday.

On motion of Buchanan of Wapello, leave of absence was granted Mattes of Sac until Monday.

On motion of Furry of Hardin, leave of absence was granted Townsend of Calhoun until Monday night.

On motion of Jenks of Pottawattamie, leave of absence was granted Freeman of Pottawattamie until Monday noon.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

Concurrent resolution relative to printing of calendar for the two houses of the general assembly and the distribution thereof.

*Resolved*, By the Senate, the House of Representatives concurring: That three hundred copies of the calendar of each house of the general assembly shall be printed as the same shall be ordered from time to time, by the Secretary of the Senate and Clerk of the House of Representatives respectively, and that a copy of each such calendar, when so printed, shall be promptly laid upon the desk of every member of the general assembly.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 25, a bill for an act to legalize the acts of the board of supervisors of Jefferson county, Iowa, relating to the levying of tax.

GEO. A. NEWMAN,  
*Secretary.*

#### REPORTS OF COMMITTEES.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 179, a bill for an act for the relief of the grantees of John Noble and W. A. Noble, and for the purpose of having a patent issued in their names for a certain tract of land, beg leave to report that they have

had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 156, a bill for an act concerning and defining kidnaping for the purpose of ransom, and prescribing the punishment therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the same do pass:

Amend section 1 by striking out of the second line the words "of any age;" strike out of the fourth line the word "means" and the comma following it; strike out of the seventh line the words "of any age;" strike out of the ninth line the word "means" and the comma following it.

Amend by striking out section 3.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 160, a bill for an act providing for the assignment of mortgages, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 161, a bill for an act to legalize certain assignments of mortgages, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 128, a bill for an act to amend chapter 1, title 3 of the code,

relating to the organization of the supreme court, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the same do pass:

Amend section 1, by inserting after the word "Tuesday," in the fifth line, the words "after the first Monday," and strike out the word "third" at the end of the sixth line and insert the word "first," and after the word "Tuesday" in the seventh line, insert the words, "after the third Monday."

Amend section 5 by striking out the semicolon after the word "year" at the end of the second line, and insert a period in lieu thereof, and strike out all the balance of said section 5 after the period so inserted.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 194, a bill for an act for the relief of the grantees of John Carsner, and for the purpose of having a patent issued in his name for a certain tract of land, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 164, a bill for an act to amend section 5314 of the code, relative to the compensation of attorneys, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out section 2, and when so amended that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 165, a bill for an act to amend section 5070 of the code relative to the sale of flour, meal or other mill products by the sack or package, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 99, a bill for an act to protect deserving wives and minor children against non-support by husbands, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 187, a bill for an act to legalize the adoption of ordinances of cities, towns and incorporated towns, adopted under attempted suspension of the rules requiring the reading thereof on three different days, the vote for such suspension having been by less than three-fourths of the whole number of members elected to the council, including the mayor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 12, a bill for an act to amend section 5052 of the code, relating to the use or sale of bottles, boxes, casks, kegs and barrels of another, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 52, a bill for an act to make it a crime to advise, counsel or hire another to commit murder, whether such murder be committed or not, and fixing the punishment thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by the substitute herewith, and when so amended the same do pass.

A SUBSTITUTE FOR HOUSE FILE NO. 52.

A bill for an act making it a crime to advise, counsel, encourage, advocate or incite the unlawful killing of any human being and fixing the punishment therefor.

Section 1. Whoever shall within this state advise, counsel, encourage, advocate or incite the unlawful killing within or without the state of any human being where no such killing takes place shall be punishable by imprisonment in the state penitentiary for not more than twenty years.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 198, a bill for an act to legalize the official acts of the town council of the incorporated town of Sumner in Bremer county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 1, a bill for an act to provide for the compilation of the laws of the Twenty-seventh, Twenty-eighth and Twenty-ninth General Assemblies, to annotate the same and the code and rules of the supreme court to and including the May term, 1902, of the supreme court, and to publish said compilation and annotations as a supplement to the code, and to provide for the appointment of a supervising committee, and making an appropriation therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file

Coburn of Cherokee, from the committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House file No. 131, a bill for an act to amend section 1528, relative to powers and duties of trustees, and for the repeal of sections 1530 and 1531, relating to county road fund and expenditure, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. F. COBURN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was

referred House file No. 3, a bill for an act relating to the use of streets and highways by automobiles and motor vehicles, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendments:

That the word "similar" be inserted after the word "or" in the first line of section 1 of the printed copy, being the second "or" in the said line, and the first "or" in the second line of the first section of the original bill.

That the words "except while crossing bridges on any public highway or street the speed shall be reduced to five miles per hour" be inserted after "highway" in the fourth line of section 1 of the printed copy, and the fifth line of section of the original bill.

That the word "similar" be inserted after the word "or" in the first line of section 3 of the printed copy, being the first "or" in the said line, and the first line of section 3 of the original bill. That the words "or otherwise" be inserted after the word "hand" in the second line of section 3 of the printed copy, and the second line of section 3 of the original bill.

That the words "three months" in the third line of section 5 of the printed copy, and the fourth line of section 5 of the original bill, be stricken out, and the words "thirty days" be substituted in their place.

G. F. COBURN,  
*Chairman.*

Ordered passed on file.

Eiker of Decatur, from the committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 162, a bill for an act to amend section twenty-five hundred and seventy-one (2571) of the code, relating as to meeting for local boards of health, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass with the following amendment:

By striking out the word "third," in the third line of the original bill, and inserting the word "second" in lieu thereof.

B. L. EIKER,  
*Chairman.*

Ordered passed on file.

Koontz of Johnson, from the committee on Rules, offered the following report:

MR. SPEAKER—Your committee on Rules most respectfully recommend that the rules of this House be amended by inserting after the word "House," in the fifth line of rule fifty-nine (59), the following words: "The minority of any committee may present its recommendations, in writing, with the report of the committee, and the same shall be printed in the Journal, and said recommendation may, by vote of the House, be substituted for the report of the committee."

G. W. KOONTZ,  
*Chairman.*

Mr. Koontz gave notice that on Monday afternoon, February 10th, he will call up this report and move its adoption.

Secor of Winnebago, from the committee on Horticulture, submitted the following report:

MR. SPEAKER—Your committee on Horticulture, to whom was referred House file No. 72, a bill for an act to amend chapter 53, acts of the Twenty-seventh General Assembly, relating to the San Jose scale, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out section two of said bill and inserting in lieu thereof the following:

“Section two. There is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, the sum of six hundred dollars (\$600) annually, to create a fund for carrying out the provisions of chapter 53, acts of the Twenty-seventh General Assembly.”

And that when so amended, the bill be reported back to the House with the recommendation that the same do pass, subject to the approval of the committee on Appropriations, to which committee this bill is referred.

EUGENE SECOR,  
*Chairman.*

On motion, report was adopted and the bill so referred.

House took up Senate concurrent resolution relative to the printing of calendars for both houses.

Kendall of Monroe moved that the resolution be concurred in.

Motion prevailed and the House concurred.

#### MESSAGE FROM THE GOVERNOR.

*To the Senate and House of Representatives of the Twenty-ninth General Assembly:*

I beg to inform your honorable bodies that there has been made to me a report of the acts and doings of the Iowa commission for the erection of monuments on the battlefield of Shiloh, a copy of which report I attach hereto for your information. From this report it will appear that the commission has entered into contract for a state monument, the contract price being \$24,800; that it has also entered into contract for eleven regimental monuments, the contract price being \$18,051. It has also paid out \$365.35 for designs, plans, blue prints, and other things connected with the construction of the monuments, making a total of \$43,216.35 fairly chargeable to the immediate work of erecting the monuments. It further appears from the report that the personal expenses of the commissioners up to this time have been \$1,256.67. Chapter 167, of the laws of the Twenty-eighth General Assembly, appropriated \$50,000 for the erection of the monuments and the actual expenses of the commissioners, it being provided, however, that such



actual expenses should not exceed in the aggregate the sum of \$2,000. In making the contracts for the monuments, the commission has borne in mind the propriety of signaling the completion of the work by appropriate dedicatory ceremonies to be held upon the battlefield, and there remains of the sum which could have been expended for the monuments \$4,783.65. Upon consultation with me, I advised the commission that while I regarded the dedication of so worthy and notable a work as important as the work itself, I could not, under the terms of the act to which I have referred, approve the expenditure of any part of the money for that purpose, and advised the commission to submit the matter to the general assembly for authority to use so much of the unexpended appropriation as might be necessary to defray the expenses of dedication.

It will be further observed that of the \$2,000 to which the commission was limited for personal expenses, there remains an unexpended balance of \$743.33. This sum, I am told, is sufficient to cover the expenses of the members of the commission at the final meeting upon the occasion of the dedication, but is not sufficient to cover the expenses of a committee of the commission to inspect the monuments and the work of the contractor during the course of construction. It is legally in the power of the commission to employ a third person or persons to supervise the construction and pay him or them from the unexpended balance of the monument fund. It is, however, desirable for many reasons that one or more members of the commission shall discharge this duty, and in the event of their doing so, which they are willing to do without compensation, their expenses must be borne from the unexpended balance of the expense fund which is not sufficient for that purpose.

In view of the premises, I submit to your honorable bodies the report with the recommendation that chapter 167 of the laws of the Twenty-eighth General Assembly be so amended as to authorize the commission to use such part of the unexpended appropriation as may be necessary to defray the expenses incident to the dedicatory services, and the actual expenses of a committee of the commission incurred in supervising the work of the contractors during the course of the construction of the monuments.

Respectfully submitted,

ALBERT B. CUMMINS.

DES MOINES, IOWA, February 5, 1902.

*Hon. A. B. Cummins, Governor of Iowa, Des Moines, Iowa:*

DEAR SIR—The Iowa commission for the erection of monuments on the battle field of Shiloh in session this day thinks proper to make this report of its doings in connection with the duty assigned it under chapter 167, acts of the Twenty-eighth General Assembly.

A preliminary organization of the commission was made at Davenport, June 14, 1900, at which time G. L. Godfrey was elected temporary chairman and John Hayes temporary secretary. At this meeting future plans of the commission were discussed.

The commission effected a permanent organization on November 21, 1900, by the election of E. B. Soper, chairman; W. B. Bell, vice-chairman

John Hayes, secretary. It immediately proceeded to the Military National park at Chickamauga, Tennessee, inspected the monuments there placed as also the memorials at Missionary Ridge, Orchard Knob and Lookout Mountain. Thence the commission proceeded to Corinth, Mississippi, and the Shiloh battle field twenty miles distant. There by appointment it met the Shiloh Military Park commission and visited the various portions of the battle field, fixed the locations for the Iowa state monument and for the eleven regimental monuments provided for in the act referred to. A record of these locations was made by the engineer in charge of the park and the commission returned to Iowa.

Before adjournment the commission appointed a committee consisting of the chairman and secretary to advertise as it might determine for designs and drawings for monuments to be erected, and the amount to be expended for state monument was fixed at not to exceed twenty-five thousand dollars, and for regimental monuments not to exceed two thousand dollars each. The committee subsequently prepared circulars inviting the submission of designs, distributed them among granite dealers throughout the country and advertised for designs in Chicago and Iowa papers. In response to such circular letters and advertising, nine designs for state monument were received and ten designs for regimental monuments.

Thereupon the chairman called a meeting of the commission and on April 10, 1901, it met at Des Moines to consider the designs submitted. After due deliberation it selected the design for state monument submitted by Prof. F. E. Triebe of New York City, and the design for eleven regimental monuments submitted by Sherman & Flavin, of Chicago, Illinois.

A committee on inscriptions for the state monument was then appointed and regimental inscriptions considered.

At this meeting of the commission the chairman, vice-chairman and secretary were directed and empowered to take all necessary steps preliminary to contracting for the monuments, and adjournment was had subject to the call of the chairman.

Pursuant to the call of the chairman, the commission met on June 28, 1901. Inscriptions for regimental and state monuments were agreed upon, and the chairman, vice-chairman and secretary were constituted a committee, with authority to contract with Prof. F. E. Triebel for the construction of the state monument, according to his design, at a cost not to exceed twenty-five thousand dollars.

The designs for both state and regimental monuments were shortly thereafter submitted to the Shiloh National Military Park commission for approval, in turn to be submitted by such commission to the secretary of war. Then ensued a long delay, and it was not until December 4, 1901, that the designs were approved and returned to this commission and the committee appointed in June was in position to proceed.

On the 18th of December, 1901, the committee met Professor Triebel in Des Moines and entered into contract with him for the construction of the state monument, at a cost of twenty-four thousand and eight hundred dollars, one copy of which contract is deposited with the auditor of state.

This committee, having been authorized to invite the submission of proposals for the construction of the eleven regimental monuments, adopted a circular which, on the 23d of December, 1901, was mailed to various granite dealers, wherein was set forth the purposes of the commission, and advice given that bids for the construction of these monuments would be received up to January 30, 1902, and that blue print copies of the design, and copies of the specifications, might be had on application.

In response to this circular thirty-five granite firms applied for plans and specifications, and on the 30th of January the commission had in its hands eleven sealed proposals which were opened at a meeting of the commission held February 4, 1902, and which were as follows:

P. N. Peterson Granite Co., St. Paul, Minn.....	\$18,051.00
Geo. H. Mitchell, Chicago, Ill.....	18,590.00
W. D. McIntosh, Manchester, Iowa.....	19,784.00
Triebel & Sons, Peoria, Ill.....	19,850.00
Chas. G. Blake & Co., Chicago, Ill.....	20,900.00
Van Amringe Granite Co., Boston, Mass.....	21,547.00
Muldoon Monument Co., Louisville, Ky.....	21,750.00
Schricker, Rodler & Co., Davenport, Iowa.....	21,877.00
Des Moines Marble & Mantel Co. ....	21,944.00
Smith & Jack, Barre, Vt.....	24,525.00
Culver Construction Co., Springfield, Ill.....	29,029.66

After due consideration, the P. N. Peterson Granite company of St. Paul, Minn., was awarded the contract to construct the eleven monuments for \$18,051.00, and a contract was entered into, one copy of which will be deposited with the auditor of state.

The present status of the appropriation made by the general assembly for the use of this commission is as follows:

Appropriation.....	\$50,000.00
State monument.....	\$24,800.00
Eleven regimental monuments.....	18,051.00
Designs and other items charged to monument fund, including today's vouchers.....	365.35
Commissioners' expenses charged to expense fund....	1,256.67
Monument fund unexpended.....	4,783.65
Expense fund unexpended.....	713.33—\$50,000.00

In the judgment of this commission, there should be supervision of the monuments during the course of construction, the expense of which should be defrayed from the monument fund.

Further, the commission has long had in mind that its work will be incomplete without provision for such dedicatory ceremonies as will reflect honor upon our state, touch the heart of every survivor of Shiloh and make the occasion memorable as a loving tribute to the thousands of Iowa soldiers who participated in the battle.

The commission doubts its authority to use, for the purposes named, any

part of the monument fund remaining unexpended, and desires such legislation as will give it some discretion in the matter.

Respectfully submitted in behalf of the commission.

W. B. BELL,  
*Chairman.*  
JOHN HAYES,  
*Secretary.*

Stuckslager of Linn moved that the Governor's message be referred to a committee of three, who shall draft a bill in accordance with the Governor's report.

Carried.

The Speaker appointed Messrs. Stuckslager of Linn, Greeley of Story, Springer of Buchanan, as this committee, in accordance with the motion of Mr. Stuckslager.

#### INTRODUCTION OF BILLS.

By Teachout of Polk, House file No. 210, a bill for an act to amend section 469 of the code, relative to the compensation of supervisors.

Read first and second time and referred to committee on Compensation of Public Officers.

By Warren of Marion, House file No. 211, a bill for an act to amend chapter 102 of the acts of the Twenty-eighth General Assembly, relating to the Iowa Industrial Reformatory for Women.

Read first and second time and referred to committee on Appropriations.

By Langan of Clinton (by request), House file No. 212, a bill for an act to establish a barbers' examining board to regulate the practice of barbering, the licensing of persons to carry on such practice, to insure better education, skill and proficiency of such practitioners, and to provide penalties for the violation thereof.

Read first and second time and referred to committee on Public Health.

By Kolthoff of Chickasaw, House file No. 213, a bill for an act to amend chapter 43 of the acts of the Twenty-seventh General Assembly, relative to the distribution of money to county or agricultural societies.

Read first and second time and referred to committee on Agriculture.

By Buchanan of Wapello, House file No. 214, a bill for an act to amend section 3016 of the code, relating to bushel weight.

Read first and second time and referred to committee on Agriculture.

By Buchanan of Wapello, House file No. 215, a bill for an act to amend section 2581 of the code, relating to itinerant physicians.

Read first and second time and referred to committee on Public Health.

By Calderwood of Scott, House file No. 216, a bill for an act to amend section 495 of the code, relating to the compensation of county recorders.

Read first and second time and referred to committee on Compensation of Public Officers.

By Lyman of Poweshiek (by request), House file No. 217, a bill for an act to amend section 3379 of the code in relation to descent of intestate property.

Read first and second time and referred to committee on Judiciary.

By Sweeley of Woodbury, House file No. 218, a bill for an act to amend section 2905 of the code, relating to conditional sales of personal property.

Read first and second time and referred to committee on Judiciary.

By Keagy of Dubuque, House file No. 219, a bill for an act making an appropriation for the Dubuque Rescue Home of Dubuque, Iowa.

Read first and second time and referred to committee on Appropriations.

By Moore of Davis, House file No. 220, a bill for an act to amend the military code of Iowa.

Read first and second time and referred to committee on Military.

By Moore of Davis, House file No. 221, a bill for an act to amend sections 2204 and 2214 of the code of Iowa.

Read first and second time and referred to committee on Military.

On motion of Clarke of Dallas, House file No. 91, a bill for an act to amend section 3496 and section 3501 of the code, relative to place of bringing action, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Clarke of Dallas, House file No. 120, a bill for an act to amend section 5254 of the code, providing for the finding and presentment of indictments without intervention of a grand jury, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Clarke of Dallas, House file No. 61, a bill for an act to amend section two thousand, nine hundred, and six (2906) of the code, relating to the incumbrance of personal property exempt to the head of a family, with a report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Clarke of Dallas, House file No. 100, a bill for an act to amend section four thousand, nine hundred and sixty-two (4962) of the code, relating to the punishment for keeping a gambling house, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Clarke of Dallas, House file No. 102, a bill for an act in relation to the cancellation of mortgages on real estate and deed of trusts, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Clarke of Dallas, House file No. 118, a bill for an act to amend chapter six (6), title twelve (12), of the code, by

providing for a bond when an action is commenced for the violation of the provisions of this chapter, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Clarke of Dallas, House file No. 138, by Stratton, a bill for an act to amend section 104, of title 2, chapter 4, and section 483, title 4, chapter 4 of the code, relating to rate of interest on state and county warrants, with report of committee recommending it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Temple of Clarke, House file No. 11, a bill for an act to repeal section four hundred and fifty-eight (458) of the code, and amend section four hundred and fifty-nine (459) of the code, relating to the disposition of the fund derived from the taxation of dogs, with report of committee recommending it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Temple of Clarke, House file No. 97, a bill for an act relating to the assignment of mortgages and other securities, and the listing of the same for taxation, with report of committee recommending it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Temple of Clarke, House file No. 143, a bill for an act to amend section relating to the levy and collection of a tax on dogs, and to repeal section four hundred fifty nine (459) of the code, and enact a new section in lieu thereof, relative to payment of damages for the killing or injury of sheep or other domestic animals by dogs, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Temple of Clarke, House file No. 136, a bill for an act to amend section 1304 of the code, relating to cases of property exempt from taxation, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Carter of Sioux, House file No. 87, a bill for an act to annul section six hundred fifty nine (659) of the code, relating to clerks of cities and their duties, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Dunham of Delaware, House file No. 78, a bill for an act to amend section 1726 of the code, in relation to notes taken for policies of insurance, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Mr. Dunham offered the following amendment to the bill.

MR. SPEAKER—I move that House file No. 78 be amended by striking out all of section one (1) of said bill after and including the word "inserting" in the second line of said bill and inserting in lieu thereof the following: "Inserting after the word 'shall' and preceding the word 'not,' appearing in the third line of said section, the following: 'if the maker is a resident of this state, be made payable in the county where he resides at the time of the execution of said note. Notes taken for policies of insurance shall.'"

Adopted.

Mr. Dunham moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Bealer, Black, Blake-more, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Frudden, Furry, Gilchrist, Greeley, Greene, Hamann, Hasselquist, Hawk,



Head, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Walden, Walters, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—89.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Freeman, Graff, Hertert, Kling, Marshall, Mattes, Pritchard, Townsend, Utterback, Warren—11.

So the bill passed and the title was agreed to.

On motion of Jaeger of Des Moines, House file No. 42, a bill for an act to amend chapter 44 of the laws of the session of the legislature of the territory of Iowa, approved December 18, 1843, incorporating the Aspen Grove Cemetery Association of Burlington, Iowa, conferring upon said association all of the rights, powers and privileges now possessed, or hereafter conferred by the statutes of Iowa upon corporations not for pecuniary profit, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee with amendments adopted.

Mr. Jaeger offered to amend the bill as follows:

Amend House file No. 42 by striking out publication clause.

Adopted.

Mr. Jaeger moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cas- sel, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cruik- shank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Frudden, Furry,

Gilchrist, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—89.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Cowles, Freeman, Graff, Hurn, Kling, Marshall, Mattes, Prichard, Townsend, Utterback—11.

So the bill passed and the title was agreed to.

On motion of Hughes of Iowa, House file No. 76, a bill for an act appropriating money to aid in completing and furnishing the Hospital for the Insane at Cherokee, for the purchase of land and for a repair and contingent fund, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

Senate file No. 9, a bill for an act to amend section 3825 of the code, making taxes on property in hands of receivers a preferred claim.

GEO. A. NEWMAN,  
*Secretary.*

Also:

**MR. SPEAKER**—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 19, a bill for an act authorizing the loaning of funds accumulated under chapter 1 of the acts of the Twenty-sixth General Assembly, or under section 742 of the code, and to legalize a contract between the city of Des Moines and the Des Moines Water Works company for a loan of such funds.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House file No. 18, a bill for an act to provide a water supply for military reservations of the United States in this state.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 46, a bill for an act to amend sections 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091 of the code, relating to taxes in aid of railroads, and extending the provisions thereof to trolley and electric railways.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Jenks of Pottawattamie, House file No. 10, a bill for an act to authorize the appointment of state and savings banks and loan and trust companies, organized under the laws of Iowa as executors, administrators, guardians, trustees, receivers and assignees, with report of committee recommending passage was taken up, considered and the report of the committee adopted.

Lyman of Poweshiek moved that this bill, House file No. 10, be referred to the committee on Judiciary.

Carried and the bill was so referred.

On motion, leave of absence was granted Teachout of Polk until Wednesday.

On motion of Jones of Mahaska, House adjourned till Monday, February 10th, at 2 P. M.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Monday, February 10, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. H. V. Adams, of Des Moines, Iowa.

Journal of Saturday, February 8th, was corrected and approved.

On motion of Hilsinger of Jackson, leave of absence was granted Meservey of Webster until Wednesday.

On motion of Wilson of Buena Vista, leave of absence was granted Gilchrist of Pocahontas until Tuesday morning.

On motion of Springer of Buchanan, leave of absence was granted Walters of Tama until tomorrow morning.

On motion of Sweet of Bremer, leave of absence was granted Boysen of Audubon until tomorrow morning.

On motion of Sokol of Jones, leave of absence was granted Kolthoff of Chickasaw until tomorrow morning.

PETITIONS AND MEMORIALS.

McNie of Benton presented memorial of mine operators of Iowa regarding blasting in mines.

Referred to committee on Mines and Mining.

McNie of Benton presented petition of I. O. O. F. lodges of Mt. Auburn, Iowa, and Norway, Iowa, asking the passage of a law regulating the wearing of emblems.

Referred to committee on Judiciary.

Hasselquist of Lucas presented petition of school teachers of Lucas county asking for an additional normal school.

Referred to committee on Normal Schools.

INTRODUCTION OF BILLS.

By Anderson of Warren, House file No. 222, a bill for an act to amend sections 1075, 1130, 1533, 1542, 1545, 1550 and 1551, and to repeal sections 1532 and 1540, and enact substitutes therefor, and to repeal sections 1541, 1546, 1553, 1554 and 1567 of the code, relative to the duties of township trustees; the duties of township clerks; the election, qualification, duties, compensation and payment of road supervisors; appointment and compensation of road superintendents; the consolidation of road districts; the levy and collection of road tax and the exemption of certain officers from payment of road poll tax. Also repealing divisions and subsections three, four, five and six of section 1554 of the code, relative to reports of supervisors.

Read first and second time and referred to committee on Roads and Highways.

By Barkley of Boone, House file No. 223, a bill for an act to repeal chapter 50 of the acts of the Twenty-eighth General Assembly.

Read first and second time and referred to Committee on Ways and Means.

By Carter of Sioux, House file No. 224, a bill for an act to amend section 4597 of the code, relative to fees to be charged by justices of the peace.

Read first and second time and referred to committee on Compensation of Public Officers.

By Fields of Plymouth (by request), House file No. 225, a bill for an act to amend section 308 of the code, relative to compensation of county attorney.

Read first and second time and referred to committee on Compensation of Public Officers.

By Hughes of Iowa (by request), House file No. 226, a bill for an act providing for paying Mrs. Mary Sullivan and Mrs. Maggie J. Edwards damages for personal injuries suffered by them at the State College of Agriculture and Mechanic Arts.

Read first and second time and referred to committee on Judiciary.

By Mattes of Sac, House file No. 227, a bill for an act to legalize the ordinances and the official acts of the town of Schaller, Sac county, Iowa.

Read first and second time and referred to committee on Judiciary.

By Stratton of Montgomery, House file No. 228, a bill for an act to provide for the admission and maintenance of feeble-minded women to the Institute for Feeble-Minded Children at Glenwood.

Read first and second time and referred to committee on Institution for Feeble-Minded Children.

By Sweet of Bremer, House file No. 229, a bill for act to amend section 2778 of the code of Iowa, relating to the elections of teachers.

Read first and second time and referred to committee on Schools and Text-Books.

By Payne of Appanoose, House file No. 230, a bill for an act requiring the county auditor to compile and prepare a financial report, and providing for the printing and distribution thereof.

Read first and second time and referred to committee to Judiciary.

By Robinson of Emmet, House file No. 231, a bill for an act authorizing the purchase of lot "A" of the plat of Pillsbury Point park and historical relics, the appointment of a custodian at an annual salary, and appropriating the sum of \$5,000 for such purpose.

Read first and second time and referred to committee on Public Lands and Buildings.

Stratton of Montgomery asked unanimous consent to withdraw House file No. 115 from further consideration.

Granted.

Carter of Sioux moved that House file No. 41 be recommitted to the committee on Municipal Corporations, but that it retain its place on the calendar.

Carried.

Greeley of Story moved that House file No. 109 be recommitted to the committee on Printing.

Carried.

Cheney of Clay moved that House file No. 57 be recommitted to committee on Judiciary.

Carried.

Sweet of Bremer offered the following concurrent resolution, and moved that the rules be suspended and the resolution adopted:

*Resolved*, By the House, the Senate concurring: That the Speaker of the House and the President of the Senate shall each declare his house adjourned *sine die* on Thursday, the 20th day of March, 1902, at 12 o'clock M.

The rules were suspended and the resolution adopted.

Dunham of Delaware moved that there be 500 extra copies of House file No. 170 printed.

Carried.

#### SENATE MESSAGES CONSIDERED.

Senate file No. 9, a bill for an act to amend sections 38 and 25 of the code, making taxes on property in the hands of receivers a preferred claim.

Read first and second time and referred to committee on Ways and Means.

Senate file No. 46, a bill for an act to amend sections 2084, 2085, 2086, 2087, 2088, 2089, 2090 and 2091 of the code, relating to taxes in aid of railroads and extending the provisions thereof to trolley and electric railways.

Read first and second time and referred to committee on Railroads and Commerce.

#### BILLS ON THEIR THIRD READING.

On motion of Hilsinger of Jackson, House file No. 47, a bill for an act to amend section three thousand, four hundred and thirty-nine (3439) of the code, relating to the limitation of actions on judgments, with report of committee recommending substitute,

and as so amended that same do pass, was taken up, considered and the report of the committee with substitute adopted.

Mr. Hilsinger moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jones, Keagy Kerr, Kling, Langan of Clinton, Langan of Crawford, Larrabee. Leech, McClure, McNie, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Temple, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Boysen, Cowles, Gilchrist, Graff, Jenks, Kendall, Kolthoff, Koontz, Lyman, McClurkin, Marshall, Meservey, Pritchard, Stuckslager, Teachout, Townsend, Utterback, Walters—19.

So the bill passed and the title was agreed to.

On motion, House file No. 66, a bill for an act to amend section 1483 of the code, and to reduce the width of roads, with report of committee recommending indefinite postponement, was taken up and considered.

The roll was demanded on the adoption of the committee report with the following result:

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore,



Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Dunham, Edwards, Eiker, English, Fields, Frudden, Furry, Greene, Hasselquist, Hawk, Head, Hurn, Jenks, Kerr, Kling, Langan of Crawford, Leech, McClure, McNie, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Walden, Willett, Wilson of Buena Vista, Wise, Wright—56.

The nays were:

Messrs. Bealer, Buchanan, Christianson, Dodds, Donahue, Flenniken, Freeman, Greeley, Hamann, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jones, Keagy, Kendall, Langan of Clinton, Larrabee, McClurkin, Mattes, Payne, Warren, Whiting, Wilson of Washington, Mr. Speaker—26.

Absent or not voting:

Messrs. Boysen, Cowles, Cruikshank, Gilchrist, Graff, Kolthoff, Koontz, Lyman, Marshall, Meservey, Pritchard, Stucklager, Teachout, Temple, Townsend, Utterback, Walters—18.

So the report was adopted and the bill was indefinitely postponed.

On motion of Clarke of Dallas, House file No. 103, a bill for an act to legalize the election held in the county of Dallas and state of Iowa, on the 6th day of November, 1900, and the propositions submitted at said election for the purpose of building a court house at Adcl, in said county, and borrowing money and issuing bonds therefor, and the manner of submitting said propositions, and the manner of the payment of bonds issued for said purpose, and all of the proceedings of the board of supervisors of said county with reference to said matter, and to authorize said county to issue bonds valid at said election, and to levy taxes to pay the same, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Clarke moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black,

Blakemore, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Langan of Clinton, Langan of Crawford, Larrabee, Leech, McClure, McClurkin, McNie, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—83.

The nays were:

None.

Absent or not voting:

Messrs. Boysen, Gilchrist, Graff, Hurn, Jenks, Kolthoff, Koontz, Lyman, Marshall, Meservey, Pritchard, Stuckslager, Teachout, Temple, Townsend, Utterback, Walters—17.

So the bill passed and the title was agreed to.

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote by which the concurrent resolution relative to the adjournment of this general assembly *sine die* March 20, 1902, at 12 o'clock noon, passed the House.

M. F. EDWARDS.

I second the same.

W. W. HAWK.

On motion of Bealer of Linn, House file No. 33, a bill for an act to amend section 1850, chapter 10, title 9, paragraph 3 of the code, relating to investment of funds of savings banks, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Bealer moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blake-more, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodde, Donahue, Edwards, English, Fields, Flenniken, Freeman, Frudden, Furry, Greeley, Greene, Hamann, Hasselquist, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Keagy, Kerr, Kling, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Moore, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Sweet, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—74.

The nays were:

Messrs. Dunham, Eiker, Jones, Kendall, McClure, Springer—6.

Absent or not voting:

Messrs. Boysen, Colclo, Gilchrist, Graff, Hawk, Hurn, Jenks, Kolthoff, Koontz, Marshall, Meservey, Mordhorst, Payne, Pritchard, Stuckslager, Teachout, Temple, Townsend, Utterback, Walters—20.

So the bill passed.

Carter of Sioux moved to amend the title by inserting the words "eighteen hundred and fifty" after the word "section" in the first line thereof, and by enclosing the figures "1850" in brackets. Also amend by striking out the words and figures "chapter 10, title 9, paragraph 4."

The motion prevailed, and the title as amended was agreed to.

Crouse of Adams moved that the House now adjourn until tomorrow, February 11th, at 10 o'clock.

Lost.

Warren of Marion moved that the House adjourn at 4 o'clock.

Carried.

Kerr of Grundy moved that when the House adjourns that it adjourn to meet at 9 o'clock tomorrow morning, Tuesday, February 11th.

Carried.

On motion of Anderson of Warren, House file No. 28, a bill for an act to amend section one thousand two hundred and seventy-two (1272) of the code, relating to the appointment of city officers to fill vacancies, with report of committee recommending passage with amendments, was taken up, considered and the report of the committee with amendments adopted.

Mr. Anderson moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Donahue, Dunham, Edwards, English, Flenniken, Freeman, Frudden, Furry, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Temple, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—82.

The nays were:

Mr. Fields—1.

Absent or not voting:

Messrs. Boysen, Dodds, Eiker, Gilchrist, Graff, Hurn, Kolthoff, Koontz, Marshall, Mattes, Meservey, Pritchard, Stuckslager, Teachout, Townsend, Utterback, Walters—17.

So the bill passed and the title was agreed to.

On motion of Buchanan of Wapello, House file No. 98, a bill for an act to amend chapter five (5), section seven hundred and forty-five (745), seven hundred and forty-seven (747) and seven hundred and forty-eight (748) of the code of 1897, relating to letting contracts for the purchase or erection of water works in cities of first class, with report of committee recommending

amendments and passage, was taken up, considered, and the report of the committee with amendments adopted.

Mr. Buchanan moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Freeman, Frudden, Furry, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Langan of Clinton, Langan of Crawford, Larrabee, Leech, McClure, McClurkin, McNie, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Temple, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—84.

The nays were:

None.

Absent or not voting:

Messrs. Boysen, Davenport, Flenniken, Gilchrist, Graff, Kolthoff, Koontz, Marshall, Mattes, Meservey, Pritchard, Stuckslager, Teachout, Townsend, Utterback, Walters—16.

So the bill passed and the title was agreed to.

In the absence of Koontz of Johnson, Kendall of Monroe called up report of committee on rules, which was adopted, on motion of Mr. Kendall.

House adjourned in accordance with previous motions.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Tuesday, February 11, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by Rev. DeWitt Clinton, of Iowa City.

The Journal of Monday, February 10th, was corrected and approved.

On motion of Edwards of Butler, leave of absence was granted Kolthoff of Chickasaw until next Monday.

#### PETITIONS AND MEMORIALS.

Sweet of Bremer presented petition of citizens of Bremer county relative to fish and game.

Referred to committee on Fish and Game.

#### REPORTS OF COMMITTEES.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 110, a bill for an act prohibiting any common carrier within this state from issuing, giving, or offering to give, any pass, mileage or frank, or permitting the same to be used on or over its lines by certain officers and persons, and prohibiting such officers and persons from soliciting, receiving or using the same, and providing penalties for the violation thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 206, a bill for an act to provide for the appointment of public examiners, defining the duties and fixing the compensation thereof, and providing for a uniform system of keeping the books of county treasurers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 123, a bill for an act to amend section 1441 of the code, relative to service of notice of expiration of right of redemption from tax sales, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 6, a bill for an act to amend section 4074 of the code, relating to proceedings auxiliary to execution, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 125, a bill for an act making it a crime to sell property upon which there is a landlord's lien for the rent, without the written consent of the landlord, and fixing the penalty therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Warren of Marion, from the committee on Insurance, submitted the following report:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 190, a bill for an act to amend section seventeen hundred forty-three (1743), chapter four (4), title nine (9) of the code, relating to

insurance other than life, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. L. WARREN,  
*Chairman.*

Ordered passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Lyman of Poweshiek, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 111, a bill for an act making an appropriation for the purchase of 30,000 railroad commissioners' official maps, to be distributed by the members of the general assembly and railroad commissioners.

Also, Senate joint resolution No. 4, recommending changes as to additional employes.

Also, Senate joint resolution No. 6, for the appointment of a joint committee to purchase a chair for the Governor, chair and gavel for the President of the Senate, and chair and gavel for the Speaker of the House.

Also, Senate file No. 49, a bill for an act appropriating money to aid in completing and furnishing the Hospital for Insane at Cherokee, for the purchase of land and for a contingent and repair fund.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By Roome of Winneshiek, House file No. 232, a bill for an act to provide for the establishment of a state park and camping ground for the state militia.

Read first and second time and referred to committee on Military.

By Townsend of Calhoun, House file No. 233, a bill for an act to amend section 2985 of the code, relating to the exemption of the homestead as to debts of deceased when descending to the issue of either husband or wife.

Read first and second time and referred to committee on Judiciary.



By Koontz of Johnson, House file No. 234, a bill for an act making an appropriation to the Iowa State Historical society.

Read first and second time and referred to committee on Appropriations.

By English of Polk, House file No. 235, a bill for an act to amend sections 5087 and 5089 of the code, relating to libel.

Read first and second time and referred to committee on Judiciary.

By Lyman of Poweshiek, House file No. 236, a bill for an act to repeal section 4932 of the code, referring to the crime of adultery and the punishment thereof, and to enact a substitute therefor.

Read first and second time and referred to committee on Judiciary.

By Sweeley of Woodbury, House file No. 237, a bill for an act to amend sections 1182, 1185, 1188, 1189, and 1190 of the code, to require county supervisors to give official bonds and providing for the approval thereof.

Read first and second time and referred to committee on Judiciary.

By Jones of Mahaska, House file No. 238, a bill for an act to require all railway companies or corporations to pay employes semi-monthly.

Read first and second time and referred to committee on Railroads and Commerce.

Dunham of Delaware moved the suspension of the rule and the adoption of the following resolution:

WHEREAS, The interests of this state demand that there shall be within her borders educational institutions which shall be recognized among the leading institutions of the kind in the nation, and this state, by her record of the past and virtues of the present, is worthy of the best of the best; and,

WHEREAS, The university of a state is, and has always been, looked upon as the ideal of its citizens as the place for the proper education and fitting of her sons and daughters for the battle of life; and,

WHEREAS, Owing to the unfortunate location of our State university on too limited area, in the heart of a city, with no room for growth or for the erection of commodious and artistic placement of proper buildings for the uses of such school; also, making it impossible to surround such school

with the proper intellectual atmosphere which should surround a great educational institution, and can only be attained when the same is somewhat removed from the busy marts of life; and,

WHEREAS, The buildings now belonging to the state at the State university are no more than can be used by the medical, dental and pharmaceutical departments of said university; therefore,

*Resolved*, That the Appropriations committee be instructed to take these matters into consideration in arranging for the disposition of the state funds; that it is the opinion of this House that said school should be dealt with liberally at present as to her needs for expenses, but that the appropriations should be made with the ultimate end in view of turning over to the medical, dental and pharmaceutical departments all buildings now on the State university campus and procuring on the bluffs across the river to the west, or on the beautiful rolling lands surrounding the university city, and removed from its business portions, a commodious and proper campus, and erecting thereon buildings which shall be an honor to the state and a credit to the guardians of her interests, and that all committees of this House be instructed to earnestly consider this proposition and report to this House any suggestion they can make which, in the mind of such committee, would be feasible to reach the end desired.

The rules were suspended and the resolution adopted.

Anderson of Warren moved that when this House do adjourn Thursday forenoon, February 13th, that it adjourn to meet at 2 p. m. the same afternoon.

Carried.

On motion of Sweeley of Woodbury, House file No. 117, a bill for an act to amend section four thousand eight hundred and seven (4807) of the code, relating to malicious mischief and trespass, with report of committee recommending passage, was taken up, considered and the report or the committee adopted.

Clarke of Dallas moved to amend by striking out the period at the end thereof, and adding thereto the words, " and by inserting in the fifth line thereof between the words 'telephone' and 'or,' the words 'electric light.' "

Carried.

Mr. Sweeley moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Temple, Townsend, Utterback, Walden, Walters, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—93.

The nays were:

None.

Absent or not voting:

Messrs. Hurn, Kolthoff, Marshall, Meservey, Stuckslager, Teachout, Warren—7.

So the bill passed and the title was agreed to.

On motion of Dunham of Delaware, House file No. 148, a bill for an act to amend section four hundred and twenty-three (423) of the code, relating to the powers of boards of supervisors, with report of committee recommending amendments and passage was taken up, considered and the report of the committee with amendments adopted.

Jones of Mahaska moved to amend by adding thereto the following:

“Section 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Daily Leader, newspapers published in Des Moines, Iowa.”

Adopted.

Mr. Dunham moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Temple, Townsend, Utterback, Walden, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—93.

The nays were:

None.

Absent or not voting:

Messrs. Hurn, Kolthoff, Meservey, Pritchard, Teachout, Walters, Warren—7.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, House file No. 12, a bill for an act to amend chapter nine (9), title twelve (12), of the code, in relation to mines and mining, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Jones of Mahaska moved to amend House file No. 12 by striking out the period at the end of the section and adding "for the unexpired term."

Adopted.

Mr. Kendall moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Temple, Townsend, Utterback, Walden, Walters, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—94.

The nays were:

None.

Absent or not voting:

Messrs. Hurn, Kolthoff, Meservey, Pritchard, Teachout, Warren—6.

So the bill passed and the title was agreed to.

On motion of Buchanan of Wapello, House file No. 31, a bill for an act relating to the sale of cocaine and providing punishment for the illegal sale thereof, with report of committee recommending amendments and passage, was taken up, considered and the report of the committee with amendments adopted.

Mr. Buchanan moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue,

Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweet, Temple, Townsend, Utterback, Walden, Walters, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—92.

The nays were:

None.

Absent or not voting:

Messrs. Colclo, Keagy, Kolthoff, Meservey, Pritchard, Sweeley, Teachout, Warren—8.

So the bill passed and the title was agreed to.

On motion of Mordhorst of Clinton, House file No. 67, by Mordhorst, a bill for an act to amend section 3497, relating to place of bringing action, with report of committee recommending substitute as amendment and its passage, was taken up, considered and the report of the committee with amendments adopted.

Mr. Mordhorst moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech,

McClure, McClurkin, McNie, Marshall, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Temple, Townsend, Utterback, Walden, Walters, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise Wright, Mr. Speaker—93.

The nays were:

None.

Absent or not voting:

Messrs. Cruikshan Kolthoff, Lyman, Meservey, Pritchard, Teachout, Warren—7.

So the bill passed and the title was agreed to.

On motion of Mordhorst of Clinton, House file No. 68, a bill for an act to amend section 3529 of the code, relating to manner of commencing action, with report of committee recommending substitute and passage, was taken up, considered and the report of the committee with substitute adopted.

Jones of Mahaska moved that the word "newspapers" be inserted in publication clause.

Carried.

Mr. Mordhorst moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blackmore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol Springer, Strat-

ton, Stuckslager, Sweeley, Sweet, Temple, Townsend, Utterback, Walden, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—90.

The nays were:

None.

Absent or not voting:

Messrs. Donahue, Hurn, Kolthoff, Marshall, Meservey, Pritchard, Teachout, Walters, Warren, Willett—10.

So the bill passed and the title was agreed to.

Bealer of Linn moved to reconsider the vote whereby House file No. 67 passed the House; also the vote whereby it was passed to its third reading.

Carried.

Mordhorst of Clinton, moved that House file No. 67 be amended by inserting the word "shall" after the word "importance," and the word "newspapers" after the word "Leader" in the second line of section 2.

Adopted.

The motion that the rule be suspended, and that the bill be considered engrossed and read a third time now, prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Craword, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton,



Stuckslager, Sweeley, Sweet, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—95.

The nays were:

None.

Absent or not voting:

Messrs. Graff, Kolthoff, Meservey, Pritchard, Teachout—5.

So the bill passed and the title was agreed to.

On motion of Hamann of Scott, House file No. 38, a bill for an act to amend section twenty-seven hundred and sixty-four (2764) of the code, relating to the taking of school census, with report of committee recommending amendments and passage, was taken up, considered and the report of the committee with amendments adopted.

Mr. Hamann moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Koontz, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—93.

The nays were:

None.

Absent or not voting:

Messrs. Hurn, Kolthoff, Langan of Clinton, Marshall, Meservey, Pritchard, Teachout—7.

So the bill passed and the title was agreed to.

The Speaker signed in the presence of the House, in open session, the following:

Senate file No. 49.

Senate file No. 111.

Senate joint resolution No. 4.

Senate joint resolution No. 6.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

Senate file No. 96, a bill for an act to amend section 296 of the code, relating to fees in probate matters.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 160, a bill for an act to amend section 2116 of the code, relating to duties of railway corporations to transport.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 26, a bill for an act to authorize library boards to condemn grounds for location of libraries and for additional library grounds.

GEO. A. NEWMAN,  
*Secretary.*

Also:

**MR. SPEAKER**—I am directed to inform your honorable body that the

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

Senate file No. 25, a bill for an act to amend section 727 of the code, relating to gifts and bequests for library purposes.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 40, a bill for an act to legalize the incorporation of certain corporations incorporated under the laws of the state of Iowa.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 21, a bill for an act to amend section 1400 of the code, to make taxes levied on buildings as personal taxes a lien thereon.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 44, a bill for an act to amend sections 118 and 119 of the code, defining the duties of state printer and state binder.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Dunham of Delaware, House file No. 93, a bill for an act to repeal section twenty-eight hundred and fourteen (2814) of the code, and to enact a substitute therefor, relating to schoolhouse sites, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Dunham moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Keagy, Kendall, Kerr, Kling, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stuckslager, Sweeley, Sweet, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—87.

The nays were:

Messrs. Calderwood, Jones, Stratton, Wilson of Washington—4.

Absent or not voting:

Messrs. Hurn, Kolthoff, Koontz, Marshall, Meservey, Pritchard, Teachout, Temple, Townsend—9.

So the bill passed and the title was agreed to.

On motion of Clarke of Dallas, Senate file No. 28, a bill for an act to amend section 104 of the code, relating to the payment of interest on warrants, with report of committee recommending passage was taken up, considered and the report of the committee adopted.

Mr. Clarke moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman,

Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Haselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jones, Keagy, Kerr, Kling, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Moore, Mordhorst, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Temple, Townsend, Utterback, Walden, Walters, Warren, Willett, Wilson of Buena Vista, Wilson, of Washington, Wise, Wright, Mr. Speaker—89.

The nays were:

None.

Absent or not voting:

Messrs. Donahue, Jenks, Kendall, Kolthoff, Koontz, Marshall, Meservey, Nagle, Pritchard, Teachout, Whiting—11.

So the bill was passed and the title was agreed to.

On motion of Hurn of Cerro Gordo, House file No. 187, a bill for an act to legalize the adoption of ordinances of cities, towns and incorporated towns, adopted under attempted suspension of the rule requiring thereof on three different days, the vote for such suspension having been by less than three-fourths of the whole number of members elected to the council, including the mayor, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Hurn moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Haselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin,

McNie, Marshall, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stuckslager, Sweeley, Sweet, Temple, Townsend, Utterback, Walden, Walters. Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—92.

The nays were:

None.

Absent or not voting:

Messrs. Donahue, Kolthoff, Koontz, Langan of Clinton, Meservey, Pritchard, Stratton, Teachout—8.

So the bill passed and the title was agreed to.

On motion of Clarke of Dallas, House file No. 161, a bill for an act to legalize certain assignments of mortgages, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Clarke of Dallas, House file No. 165, a bill for an act to amend section five thousand and seventy (5070) of the code, relative to the sale of flour, meal, or other mill products, by the sack or package, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Clarke of Dallas, House file No. 160, a bill for an act providing for the assignment of mortgages, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

Donahue of O'Brien moved that the House adjourn until 8 A. M. tomorrow.

Lost.

On motion of Coburn of Cherokee, House adjourned till 10 A. M. Wednesday, February 12th.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Wednesday, February 12, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. E. R. Mahood, of Marathon, Iowa.

The Journal of Tuesday, February 11, was read, corrected and approved.

On motion of Frudden of Dubuque leave of absence was granted Carter of Sioux until next Tuesday.

On motion of Clarke of Dallas leave of absence was granted Dunham of Delaware for today owing to ill health.

On motion of Black of Mills leave of absence was granted Davenport of Union indefinitely on account of sickness in his family.

On motion of English of Polk, leave of absence was granted Teachout of Polk until tomorrow.

On motion of Hertert of Shelby, leave of absence was granted Jaeger of Des Moines until tomorrow.

PETITIONS AND MEMORIALS.

Kling of Harrison presented petition of citizens of Dunlap, Iowa, asking passage of House file No. 59.

Referred to committee on Judiciary.

Black of Mills presented petition of J. P. Retelsdorf of Malvern, Iowa, asking change in present tax law.

Referred to committee on Judiciary.

Fields of Plymouth presented petition from citizens of Ply-

mouth county relative to the time limit on consent petitions under the mulct law.

Referred to committee on Suppression of Intemperance.

Wise of Black Hawk presented petition of ministerial union of Cedar Falls, relative to the same subject.

Referred to committee on Suppression of Intemperance.

Wise of Black Hawk presented petition of Brotherhood of Boilermakers and Iron Shipbuilders at Waterloo, Iowa, asking for free uniform text-books.

Referred to committee on Schools and Text-Books.

McNie of Benton presented petition of Keystone lodge No. 35, I. O. O. F., Keystone, Iowa, asking a law regulating the wearing of secret society emblems.

Referred to committee on Judiciary.

#### REPORTS OF COMMITTEES.

Mr. Temple, from the committee on Ways and Means, submitted the following report:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 181, a bill for an act to amend section four hundred ninety-eight (498) of the code, relating to fees for county recorders, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 43, a bill for an act to amend section thirteen hundred four (1304) of the code, in reference to exemptions from taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 132, a bill for an act to amend section thirteen



hundred four (1304) of the code, relating to the exemption of property by union soldiers and sailors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Ways and Means to whom was referred House file No. 172, a bill for an act relating to reports to be made by railway companies to the executive council to aid in the assessment of railway property for taxation, and providing for a uniform system in making the said reports, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 77, a bill for an act to amend chapter one (1), title seven (7) of the code, and for the repeal of section thirteen hundred four (1304), chapter one (1), title seven (7) of the code, relating to the exemption of honorably discharged union soldiers and sailors, their widows and minor orphans, beg leave to report back to the House the attached substitute for said House file No. 77, with the further recommendation that the substitute do pass.

COMMITTEE SUBSTITUTE FOR HOUSE FILE NO. 77.

A bill for an act to amend section thirteen hundred four (1304) of the code, relating to the exemption of property from assessment and taxation.

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

Section 1. That section thirteen hundred four (1304) of the code be and the same is hereby amended by striking out of said section subdivision seven (7) and inserting the following in lieu thereof:

7. The property not to exceed eight hundred dollars in actual value, of any honorably discharged union soldier or sailor of the war of the rebellion, or of the widow of such soldier or sailor. It shall be the duty of every assessor annually to make a list of all such soldiers, sailors and widows, and to return such list to the county auditor, upon forms to be furnished by such auditor for that purpose; but the failure on the part of any assessor so to do shall not effect the validity of any exemption. The auditor shall enter of record all applications for exemption under this act, and no person shall receive the benefit of such exemption unless application is made therefor.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Hughes of Iowa, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 86, a bill for an act to repeal section twenty-seven hundred eighteen (2718) of the code, and chapter eighty-two (82) laws of the Twenty-seventh General Assembly, amendatory thereto, and to enact a substitute therefor, relating to the support of the College for the Blind at Vinton, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out all after the enacting clause and substituting in lieu thereof the following:

Section 1. That section twenty-seven hundred and eighteen (2718) of the code and chapter eighty-two (82) of the acts of the Twenty-seventh General Assembly be and they are hereby repealed, and in lieu thereof is enacted the following:

For the support of the college and to meet the ordinary and current expenses thereof, including the compensation of officers, teachers and other employes, the purchase of supplies of food, clothing, furniture and furnishings, books, maps, apparatus, and other incidental expenses, there is hereby appropriated out of any money in the state treasury not otherwise appropriated, or so much thereof as may be needed, twenty-two dollars per month for nine months each year, for each resident pupil actually supported in the college. Said sum shall be placed to the credit of the college on the certificate of the board of control of state institutions, which shall show the average number of pupils in the college for the preceding month, and shall be paid from the state treasury, as provided by chapter one hundred eighteen (118) of the acts of the Twenty-seventh General Assembly and acts amendatory thereof.

Sec. 2. All expenses of the college incurred prior to the first day of March, A. D. 1902, shall be paid from the funds heretofore authorized by section twenty-seven hundred and eighteen (2718) of the code, as amended, and the monthly allowance authorized by this act shall be computed from the first day of February, A. D. 1902.

Sec. 3. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

JOHN HUGHES, JR.,

*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 188, a bill for an act to repeal section 2727 of the code, and chapter 83 of the acts of the Twenty-seventh General Assembly, amendatory thereto, and to enact a substitute therefor, relating to the support of the Iowa School for the Deaf at Council Bluffs, Iowa, beg leave to

report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that the same be amended by striking out all after the enacting clause and substituting in lieu thereof the following:

Section 1. That section twenty-seven hundred and twenty-seven (2727) of the code, and chapter eighty-three (83) of the acts of the Twenty-seventh General Assembly be, and they are hereby repealed and in lieu thereof is enacted the following:

For the support of the school and to meet the ordinary and current expenses thereof, including the compensation of officers, teachers and other employes, the purchase of supplies of food, clothing, furniture and furnishings, books, maps, apparatus and other incidental expenses, there is hereby appropriated, out of any money in the state treasury not otherwise appropriated, or so much thereof as may be needed, twenty-two dollars per month for nine months of each year, for each resident pupil actually supported in the school. Said sum shall be placed to the credit of the school on the certificate of the board of control of state institutions, which shall show the average number of pupils in the school for the preceding month, and shall be paid from the state treasury, as provided by chapter one hundred eighteen (118) of the acts of the Twenty-seventh General Assembly and acts amendatory thereof.

Sec. 2. All expenses of the school, incurred prior to the first day of April, A. D. 1902, shall be paid from the funds heretofore authorized by section twenty-seven hundred and twenty-seven (2727) of the code, as amended, and the monthly allowance authorized by this act shall be computed from the first day of February, A. D. 1912.

Sec. 3. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

JOHN HUGHES, JR.,

*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 311, a bill for an act to amend chapter 102, of the acts of the Twenty-eighth General Assembly, relating to the Iowa Industrial Reformatory for Women, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be referred to the committee on Judiciary.

JOHN HUGHES, JR.

*Chairman.*

So ordered.

Dunham of Delaware, from the committee on Schools and Text-Books, submitted the following report:

MR. SPEAKER—Your committee on Schools and Text-Books, to whom was referred House file No. 170, a bill for an act for compulsory education, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by inserting after the figures “(12)” and before the word “weeks,” both appearing in the sixth line of section one of said bill, the words, “consecutive school”, and by inserting after the word “road” and before the comma preceding the word “or”, both appearing in the eighth line of section one, the words, “except in those districts in which the pupils are transported at public expense”, and by inserting after the word “record” and before the period following the same, both appearing in the eighth line of section one, the words, “or judge thereof”, and that when said bill be so amended the same do pass.

GEO. W. DUNHAM,

*Chairman.*

Ordered passed on file.

Stratton of Montgomery, from the committee on Suppression of Intemperance, submitted the following report:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House file No. 88, a bill for an act to amend section two thousand, three hundred ninety-four (2394) of the code, relating to the sale of intoxicating liquor by permit holders, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. L. STRATTON,

*Chairman.*

Ordered passed on file.

Anderson of Warren, from the committee on Printing, submitted the following report:

MR. SPEAKER—Your committee on Printing, to whom was referred House file No. 27, a bill for an act to amend section one hundred and eighteen (118) and section one hundred and nineteen (119) of the code, defining the duties of the state printer and binder, beg leave to report that they have had the same under consideration, and have instructed me to report back to the House the attached substitute for House file No. 27, with the further recommendation that the substitute do pass:

SUBSTITUTE FOR HOUSE FILE NO. 27.—BY ANDERSON.

A bill for an act to amend section one hundred eighteen (118) and one hundred nineteen (119) of the code, defining the duties of the state printer and the state binder.

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

Section 1. That all that part of section one hundred eighteen (118) after the word “state” in the fifth line thereof, be stricken out and the following enacted in lieu thereof: “at the document room all documents,

journals, reports, official registers, laws, and all other publications which the secretary of state is or hereafter may be required by law to distribute, taking duplicate receipt for the same, one copy of which shall be delivered to the secretary of the executive council, who shall give the state printer credit for the paper necessarily used in the manufacture of said publication, and it is the duty of the secretary of state to see that the proper number of copies is so delivered. All other printing shall be promptly delivered to the secretary of the executive council at the supply department, by the state printer and the state binder. The state printer shall make certificate to the secretary of the executive council of the paper necessarily used in the printing of each and every job or publication on the presentation of the same, and after delivery of the work, the secretary of the executive council shall credit the state printer with the paper necessarily so used.

Sec. 2. That section one hundred nineteen (119) be amended by striking out the word "state" in the third line, and the word "state" in the fifth line, and the word "state" in the seventh line, and inserting in lieu thereof wherever the word "state" is stricken out, the words "executive council."

J. M. ANDERSON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Printing, to whom was referred House file No. 197, a bill for an act providing for the purchase of engravings, plates or cuts for state publications, and fixing the manner of paying the cost of the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. M. ANDERSON,  
*Chairman.*

Ordered passed on file.

Mr. Lyman, from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 18, a bill for an act to provide a water supply for military reservations of the United States in this state.

J. P. LYMAN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 25, a bill for an act to legalize the acts of the board of supervisors of Jefferson

county, Iowa, relating to the levying of a tax for the support of the poor, and legalizing the tax so levied.

J. P. LYMAN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 19, a bill for an act to authorize the loaning of funds accumulated under chapter one (1) of the acts of the Twenty-sixth General Assembly, or under section seven hundred forty-two (742) of the code, and to legalize a contract between the city of Des Moines and the Des Moines Water Works company for a loan of such funds.

J. P. LYMAN,  
*Chairman.*

Ordered passed on file.

Cruikshank of Lee, from the committee on Fish and Game, submitted the following report:

MR. SPEAKER—Your committee on Fish and Game, to whom was referred House file No. 175, a bill for an act to amend section two thousand, five hundred fifty-one (2551), chapter thirteen (13), title twelve (12) of the code, relating to protection of game, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. P. CRUIKSHANK,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Fish and Game, to whom was referred House file No. 130, a bill for an act to amend section two thousand five hundred and forty-seven (2547) of the code, and to prohibit the taking of fish from certain waters of the state, except with hook and line, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by inserting after the word "Section" in the title, the words, "two thousand five hundred and forty-seven" and inclosing in brackets the numerals "2547" in the same line, and by striking out the word and numerals "of 1897" in the same line.

That section 1 be amended by substituting the following in lieu thereof:

Section 1. That the words "or the Big Sioux" as they appear in the second line of section two thousand five hundred and forty-seven (2547) of the code, be stricken from said section and that the word "or" be inserted in

the second line of said section in place of the comma between the words "Mississippi" and "Missouri."

And that when so amended the same be reported back to the House with the recommendation that the same do pass.

J. P. CRUIKSHANK,  
*Chairman.*

Ordered passed on file.

Secor of Winnebago, from the committee on Horticulture, submitted the following report:

MR. SPEAKER—Your committee on Horticulture, to whom was referred House file No. 71, a bill for an act to amend sections sixteen hundred seventy-two (1672) and sixteen hundred seventy-three (1673) of the code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

EUGENE SECOR,  
*Chairman.*

On motion of Mr. Secor, report was adopted and bill was referred to the committee on Appropriations.

Temple of Clarke, from the committee on Municipal Corporations, submitted the following report :

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 150, a bill for an act to amend section 691 of the code, relating to the jurisdiction of the mayor of a city or town, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

M. L. TEMPLE,  
*Chairman pro tem.*

Ordered passed on file.

Cowles of Kossuth, from the committee on Elections, submitted the following report:

MR. SPEAKER—Your committee on Elections to whom was referred House file No. 81, a bill for an act to amend section one thousand one hundred and thirteen (1113) of the code, relating to polling places, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended, and when so amended the same do pass.

Amend by including the words "and towns" in the fourth line, section one (1) of the original bill, just after the word "cities."

Also amend by striking out section two (2).

GARDNER COWLES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Elections, to whom was referred House file No. 53, a bill for an act to amend section eleven hundred six (1106) of the code, by striking out the party circle opposite the name of each political party on the official ballot, and to repeal all acts or parts of acts in conflict therewith, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

GARDNER COWLES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Elections to whom was referred House file No. 82, a bill for an act to amend section one thousand eighty (1080) of the code relative to correction of registry of voters, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended, and when so amended the same do pass.

Amend by striking out section two (2) of the original bill.

GARDNER COWLES,  
*Chairman.*

Ordered passed on file.

Head of Greene, from the committee on Private Corporations, submitted the following report:

MR. SPEAKER—Your committee on Private Corporations, to whom was referred House file No. 121, a bill for an act to amend section sixteen hundred ten (1610) and section sixteen hundred eighteen (1618), as amended by chapter forty (40) of the acts of the Twenty-seventh General Assembly, and chapter fifty-six (56) of the acts of the Twenty-eighth General Assembly, relating to incorporations for pecuniary profit, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that the same do pass.

MAHLON HEAD,  
*Chairman.*

Ordered passed on file.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

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



Senate file No. 18, a bill for an act to amend section 4790 of the code in relation to the possession of burglars' tools.

GEO. A. NEWMAN,  
*Secretary.*

Sweeley of Woodbury called up the report of the committee on contest, Cottrell vs. Fields, and moved the adoption of the report.

Carried.

English of Polk was granted permission by the House to withdraw House file No. 235 from further consideration.

#### INTRODUCTION OF BILLS.

By Edwards of Butler, House file No. 239, a bill for an act to amend sections 1328 and 1329 of the code, and to amend sections 3 and 4 of chapter 42, acts of the Twenty-eighth General Assembly, relating to reports by and taxations of telephone and telegraph companies and requiring said companies to file with auditors, maps and schedules of their lines.

Read first and second time and referred to committee on Telegraph, Telephone and Express.

By Sweet of Bremer, House file No. 240, a bill for an act to amend section 1611, title 9, chapter 1 of the code, relating to the authorized indebtedness of certain corporations.

Read first and second time and referred to committee on Judiciary.

By Clarke of Dallas (by request), House file No. 241, a bill for an act to amend section 1759 of the code, and to provide for the insurance of plate glass.

Read first and second time and referred to committee on Insurance.

By Black of Mills, House file No. 242, a bill for an act for the relief of James T. Ward.

Read first and second time and referred to committee on Claims.

By Hughes of Iowa, House file No. 243, a bill for an act to repeal section 3231 of the code, relating to paupers, and enact a substitute therefor.

Read first and second time and referred to committee on Judiciary.

By Calderwood of Scott, House file No. 244, a bill for an act to repeal section 2692 of the code, and section 5 of chapter 78 of the acts of the Twenty-seventh General Assembly, relating to the support of children in the Iowa Soldiers' Orphans' Home.

Read first and second time and referred to committee on Soldiers' and Orphans' Home.

By Barker of Howard, House file No. 245, a bill for an act to refund to administrators and executors any surplus they have paid to the treasurer of state as collateral inheritance tax in excess of that legally due.

Read first and second time and referred to committee on Judiciary.

By Langan of Clinton, House file No. 246, a bill for an act to amend section 5702 of the code relating to contracts for convict labor.

Read first and second time and referred to committee on Labor.

By Koontz of Johnson, House file No. 247, a bill for an act relating to railways, railway companies, railway corporations, railroad companies and railroad corporations.

Read first and second time and referred to committee on Railroads and Commerce.

By Hamann of Scott, House file No. 248, a bill for an act relating to defining, regulating and conferring rights and powers upon interurban street railways and amending section 2026 of the code, relating to such railways.

Read first and second time and referred to committee on Railroads and Commerce.

By Lyman of Poweshiek, House file No. 249, a bill for an act to amend section 4811 of the code, with reference to jumping on and off cars in motion.

Read first and second time and referred to committee on Railroads and Commerce.

Gilchrist of Pocahontas offered the following resolution, and moved that the rule be suspended and the resolution be adopted:

*Resolved*, That the Pioneer Lawmakers' association of Iowa, which meets in the city of Des Moines on the 12th and 13th inst., be invited to visit the House at such time as will be most agreeable to them, and that the Speaker appoint a committee of three to extend the invitation, and to make arrangements for the reception of the association.

The rules were suspended and the resolution was adopted.

Kerr of Grundy offered the following resolution and moved that the rules be suspended and the resolution adopted:

WHEREAS, In the state of Kentucky in an humble log cabin surrounded by poverty and want, there was born on the 12th day of February, 1809, one whose life was destined to leave its mark upon the world for all time; therefore, be it

*Resolved*, By this House, on this, the ninety-third anniversary of his birth, that we commend the great character and unselfish patriotism of Abraham Lincoln to the youth and manhood of Iowa and the nation for their exemplification and example and that "With malice toward none and with charity for all we go forward in the right as God gives us to see the right."

The rules were suspended and the resolution adopted after remarks by Mr. Kerr.

The following report was offered:

MR. SPEAKER—Your committee appointed to draft resolutions on the life, character and public services of the late Lemuel R. Bolter, submit the following:

WHEREAS, The life and character of the deceased were such as to command our esteem and love, and his public services to the state and country were of such a character as to command the respect and gratitude of his fellow-citizens; therefore be it

*Resolved*, That in his death his children are bereft of a kind and loving father, the community of his residence deplores the passing of a loved and honored citizen, and the state loses the services, valuable counsel and exemplary life of one who was noted for patriotism and fidelity to all public interests.

*Resolved*, That we share and deeply sympathize with his family in their great bereavement, trusting that "He who doeth all things well" will sustain them in their sorrow, and they have the assurance that this affliction was permitted in love and mercy.

That these resolutions be printed in the Journal of the House, and that the Chief Clerk be directed to transmit an engrossed copy of the same to the bereaved family.

WILL C. WHITING,  
H. B. KLING,  
M. J. SWEELEY.

The report was unanimously adopted by rising vote after remarks by Messrs. Whiting of Monona, Temple of Clarke and Kendall of Monroe.

Wise of Black Hawk moved that the remarks made by Kerr of Grundy on this, the anniversary of the birth of Abraham Lincoln, and by Messrs. Whiting of Monona, Temple of Clarke, and Kendall of Monroe, on the death of Hon. Lemuel R. Bolter, be made a part of the records of this House and printed in the Journal.

Carried.

The speech of Kerr of Grundy on Lincoln follows:

**MR. SPEAKER**—Before the vote on that motion is taken, I desire to say a few words. In the long list of great men whose names adorn the pages of American history, none come so near to my heart as the illustrious name of Abraham Lincoln, for what he was, for what he did, and for how he died. When Abraham Lincoln took control of the government in 1861 he found the treasury bankrupt and the nation's credit at its lowest ebb. He stood in the presence of the greatest war of modern times. He saw secession lift its awful form and threaten the destruction of the Republic. He saw the fiery hand of treason and rebellion raised to grapple with this government on battlefields of blood. But the patriotism and statesmanship of Abraham Lincoln was equal to the tremendous task. He carried that great war on to a victorious end. He placed the flag of liberty and union where once the flag of treason floated, and from the flames of war and smoke of battle arose a redeemed, regenerated country. By the hand of Abraham Lincoln, the guiding genius of the great republic, by the power and wisdom of Almighty God, human slavery in America was overthrown. But scarcely had the first sounds of rejoicing over the great triumph for the Union been hushed when over the wires, with electric flash, came the sad and awful news that a great crime had been committed; the idol of a grateful people had fallen at the hands of an assassin. Through the embodied spirit of treason and slavery, the kind and tender heart of honest Abraham Lincoln was silenced forever. A grief-stricken people gave vent to their feelings in a flood of tears. Strong men bowed their heads and wept. Him who now has gone forever they had learned to love. In one vast funeral procession a mourning people followed his remains to their last resting place at Springfield. Along the railroads and at the stations the people gathered in their grief and shed tears of deepest sorrow, the tenderest type of honor ever paid to human greatness. Thus was the martyred death of that inspired emancipator, whose birthday we commemorate today.

The following is the speech of Whiting of Monona on Mr. Bolter:

**MR. SPEAKER**—Before voting on these resolutions, I wish to state for

the benefit of the few who did not personally know our departed member that Lemuel R Bolter was born in Zanesville, Ohio, July 27, 1834. His early life was not far different from thousands of other young men raised in the second quarter of the Nineteenth century. When 3 years old his father and grandfather fell in with the ever westward movement of the times and settled in Cass county, Michigan. In 1852, when only 18 years of age, he started for the gold fields of California. As you all know, in those days there was no Golden Gate special with palace cars speeding across what was then called the Great American desert. With no other conveyance save two strong limbs that nature gave him, this boy, who possessed strength and endurance far beyond his years, walked the entire distance to the Pacific coast. The hardships then endured, with the true American spirit, only developed in him the strong traits of character that have since characterized the people of Iowa. In these pioneer times he had the advantage of coming from the old revolutionary stock; as his grandfather, for whom he was named, spent that memorable winter with Washington at Valley Forge.

After three years hard work in the gold fields of California, he had saved money enough to return to his home in Michigan and take a course in law on which his heart had always been set.

He married Caroline J. Rinehart, March 31, 1856, in Cass county, Michigan.

In 1863 he came to Iowa and bought the farm in Harrison county which he still owned at the time of his death. It was not long before the people recognized his executive ability, for two years later they elected him to this body of the Eleventh General Assembly.

This was the humble beginning of the life of him who for twenty-two years was one of the lawmakers of the great state of Iowa and who, for nearly forty years, was one of the many thousands of citizens who were foremost in bringing our beloved state to the high position she now holds among the states of the Union.

Mr. Bolter served in this body in the Eleventh, Fifteenth, Sixteenth, Nineteenth and Twentieth, also in the Senate in the Twenty-first, Twenty-second, Twenty-third, Twenty-fourth, Twenty-seventh and Twenty-eighth General Assemblies, making the longest record of service in the two Houses of any man living or dead.

It is a fitting coincidence that these resolutions were returned on the day and in the presence of the Pioneer Lawmakers, who are honoring us with their presence.

His splendid services for our state during these years are now a matter of history and I need not refer to them here.

I once heard a senator say, except on purely political questions, it was always safe to vote with Bolter.

The mourning for the death of Senator Bolter, which occurred on June 29th, 1901, was not confined to his own community, but reached outside the border of his state.

The life of this departed member, who in one of his speeches said he "valued brains far above diamonds," will ever live as an inspiration to those who knew him to give the best they have to their fellow citizens, their state and their nation.

Mr. Speaker, I move you we adopt the resolutions by a rising vote.

Mr. Temple said:

MR. SPEAKER—I cannot refrain at this time to paying my humble tribute to the memory of the distinguished subject of these resolutions. I have enjoyed an acquaintance of a quarter of a century with Senator Bolter, and feel that I numbered him among my personal friends. I knew him as a man of sterling integrity; earnest in his convictions; strong and forceful, yet, withal charitable in his advocacy of them. He was an able lawyer; strong in trial and honest in his methods. His mind was keen, incisive and analytical. Having arrived at a conclusion he held to it with tenacity of purpose, and with rare persistence. He was a foe to sham and pretense; earnest, frank and loyal. His manner was usually gentle and kind, but when once aroused his indignation was earnest and uncompromising.

He was a friend to be prized and an enemy to be feared, for his language was caustic and severe when his sense of right led him to protest against what he believed to be wrong in word or action.

His ideal of his chosen profession of law was placed upon a high plane. He loved his profession as one that dealt with dearest rights of mankind, and demanded that others in the profession should, like himself, practice it as a means of bringing about justice, and not simply as a means of winning a cause. In politics he was a democrat of the old school, yielding to the creed of his party his fullest adherence, yet never allowing his political affiliations to bound the horizon of his friendships. As a legislator, while voting and acting loyally with his party on all party measures, he never allowed himself to seek for politics in legislation, but was ever ready and helpful, ignoring party lines in the matter of what he considered legislation for the public welfare. His long service in the general assembly of Iowa, a state so positively republican, while he was at all times a consistent member of the minority party, is a splendid and expressive tribute to the personal worth of the man, for without conspicuous worth and ability such a term of service would have been impossible. Those who knew him only in the last part of his service here can have but an inadequate conception of the man, for the hand of death was on him and he was conscious of its pressure while losing nothing of his sunny disposition, pleasant temper and unaffected, pleasing but natural manner; his mental vigor had somewhat abated, and thus the symmetry of his personality was impaired, but he remained loveable to the last.

Further words of eulogy are superfluous. His monument is the work of his well spent and busy life. The page of the Journal that we set apart to him today is not a point in the space he occupies in the journals of the general assembly of Iowa. For nearly a quarter of a century, modestly his record as a legislator was being made, and the minutes of his labors being recorded in the journals as an essential part of Iowa's history, and

the record of her legislation. His eulogy is written there; to endure while the state endures.

I earnestly second the motion of the gentleman from Monona.

SENATE MESSAGES CONSIDERED.

Senate file No. 21, a bill for an act to amend section 1400 of the code, making taxes levied on buildings as personal property taxes a lien thereon.

Read first and second time and referred to committee on Judiciary.

Senate file No. 160, a bill for an act to amend section 2116 of the code, relating to the duty of railway corporations to transport.

Read first and second time and referred to committee on Railroads and Commerce.

Senate file No. 18, a bill for an act to amend section 4790 of the code, in relation to the possession of burglars' tools.

Read first and second time and referred to committee on Judiciary.

Senate file No. 96, a bill for an act to amend section 296 of the code, relating to fees in probate matters.

Read first and second time and referred to committee on Judiciary.

Senate file No. 44, a bill for an act to amend sections 118 and 119 of the code, defining the duties of state printer and state binder.

Read first and second time and referred to committee on Printing.

Senate file No. 25, a bill for an act to amend section 727 of the code, relating to gifts and bequests for library purposes.

Read first and second time and referred to committee on Public Libraries.

Senate file No. 26, a bill for an act to authorize library boards to condemn grounds for location of libraries and for additional library grounds.

Read first and second time and referred to committee on Judiciary.

Senate file No. 40, a bill for an act to legalize the incorporation of certain corporations incorporated under the laws of the state of Iowa.

Read first and second time and referred to committee on Judiciary.

The Speaker appointed as the committee to invite the Pioneer Lawmakers of Iowa to visit the House at their convenience, Messrs. Gilchrist of Pocahontas, Hamann of Scott, Walters of Tama.

Temple of Clarke in the chair.

On motion of Boysen of Audubon, House file No. 55, a bill for an act to amend sections two thousand, seven hundred and eight (2708); two thousand, seven hundred and nine (2709), and two thousand, seven hundred and eleven (2711), title thirteen (13), chapter eight (8) of the code, to repeal sections twelve (12), thirteen (13) and fourteen (14), chapter one hundred (100), laws of the Twenty-eighth General Assembly, in relation to discharge of boys and girls from industrial schools, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Lyman of Poweshiek moved to amend by striking out section 5, the publication clause.

Lost.

Mr. Boysen moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

Speaker Eaton in the chair.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassel, Cheney, Christianson, Clarke, Colclo, Cowles, Crouse, Cruikshank, Dodds, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley,



Greene, Hamann, Hasselquist, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, McClure, McClurkin, McNie, Mattes, Meservey, Nagle, Nichols, Patton, Powers, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Temple, Townsend, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—83.

The nays were:

Messrs. Hawk, Lyman—2.

Absent or not voting:

Messrs. Carter, Coburn, Cummings, Davenport, Dunham, Jaeger, Kolthoff, Marshall, Mordhorst, Payne, Pipher, Pritchard, Springer, Teachout, Utterback—15.

So the bill passed and the title was agreed to.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

Senate file No. 157, a bill for an act to validate certain conveyances of real estate in which the husband or wife conveyed the contingent dower interest of the other spouse.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 68, a bill for an act to amend section 3346 of the code relating to claims of executors and administrators or in which they may be interested

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Substitute for Senate file No. 69, a bill for an act to amend section 8172 of the code, relating to the filing of petitions for divorce.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Campbell of Fremont, House file No. 29, a bill for an act to amend section 2799, chapter 14, title 13 of the code of 1897, relating to the meeting of independent districts and to enact in lieu thereof the following, with report of committee recommending substitute and passage, was taken up, considered and the report of the committee with amendment adopted.

Mr. Campbell moved to amend by striking out the word "or" in the eleventh line and inserting in lieu thereof the word "in."

Carried.

Calderwood of Scott moved that this bill, House file No. 29, be made a special order for Monday, February 17th, at 2 P. M.

Carried.

On motion of Clarke of Dallas, Senate file No. 6, a bill for an act to amend section four thousand and seventy-four (4074) of the code, relating to proceedings auxiliary to exemption, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

Hasselquist of Lucas moved that the House do now adjourn till 9 A. M. tomorrow.

Jenks of Pottawattamie moved to amend by making the hour 9:30.

Amendment adopted.

Motion as amended carried.

House adjourned till 9:30 A. M. tomorrow, February 13th.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Thursday, February 13, 1902. }

House met pursuant to adjournment, Speaker Eaton presiding.

Prayer was offered by Rev. E. G. Beyer, of Maynard, Iowa.

Gilchrist of Pocahontas offered the following report of committee appointed to wait upon the Pioneer Lawmakers' association of Iowa, and invite them to visit the hall of the House.

MR. SPEAKER—Your committee appointed to wait upon the Pioneer Lawmakers' association of Iowa, with an invitation to visit this hall, beg leave to report that they have performed their duties. The association has accepted our invitation, has appointed the time of their visit at 2:15 this afternoon when they will call upon the House.

F. C. GILCHRIST,  
A. W. HAMANN,  
C. E. WALTERS,  
*Committee.*

Report adopted.

#### PETITIONS AND MEMORIALS.

Cheney of Clay presented remonstrance of citizens of Palo Alto county, against House file No. 57, legalizing drainage of District No. 1, Independence township, Palo Alto county.

Read first and second time and referred to committee on Judiciary.

Dunham of Delaware presented petition of Farmers' institute of Delaware county, asking a law allowing county supervisors to aid county fairs.

Read first and second time and referred to committee on Agriculture.

Dunham of Delaware presented petition of Farmers' institute of Delaware county, asking that all taxes be paid in money.

Read first and second time and referred to committee on Roads and Highways.

Utterback of Keokuk presented petition of Atwood Coal company, Volunteer Coal company and Margaret Coal company, of What Cheer, Iowa, asking laws regulating blasting in mines.

Referred to committee on Mines and Mining.

Hughes of Iowa, offered the following resolution:

WHEREAS, The Hon. Elvin Tilton, an honored member of this House in the Eighteenth and Nineteenth General Assemblies, has recently departed this life.

*Resolved*, That a committee of three be appointed to present resolutions commemorative of the life, character and services of the deceased.

Laid over under rule 34.

At this time Colonel Alonzo Abernethy and Dr. Kiebles, from the Pioneer Lawmakers' association, appeared and reported to the House that the Pioneer Lawmakers' association of Iowa accepted the invitation tendered them to visit the House, and that they would arrive at 2:15 P. M.

#### INTRODUCTION OF BILLS.

By Teachout of Polk, House file No. 250, a bill for an act to amend sections 770, 771 and 773 and to repeal section 774, chapter 6 of the code, entitled "of streets and public grounds", said sections relating to the construction of viaducts over or under railroads on public streets and highways, and to the compensation of owners of property abutting on such streets and highways and to enact a substitute for section 774.

Read first and second time and referred to committee on Railroads and Commerce.

By Kerr of Grundy, House file No. 251, a bill for an act limiting the amount of money to be expended by candidates for nomination and election to public office, providing for the enforcement and prescribing penalties for its violation and abuse.

Read first and second time and referred to committee on Elections.

On motion of Buchanan of Wapello, House file No. 123 was re-referred to the committee on Judiciary.

## SENATE MESSAGES CONSIDERED.

Senate file No. 157, a bill for an act to validate certain conveyances of real estate in which the husband or wife conveyed the contingent dower interest of the other spouse.

Read first and second time and referred to committee on Judiciary.

Senate file No. 68, a bill for an act to amend section 3346 of the code, relating to claims of executors and administrators, or in which they may be interested.

Read first and second time and referred to committee on Judiciary.

Substitute for Senate file No. 69, a bill for an act to amend section 3172 of the code, relating to the filing of petitions for divorce.

Read first and second time and referred to committee on Judiciary.

On motion of Sweeley of Woodbury, leave of absence was granted Willett of Woodbury indefinitely.

On motion of Hurn of Cerro Gordo, leave of absence was granted Payne of Appanoose indefinitely.

On motion of Buchanan of Wapello, House file No. 3, a bill for an act relating to the use of streets and highways by automobiles or motor vehicles, and requiring the owners of such vehicles to register with the secretary of state, with report of committee recommending amendments and passage was taken up and considered.

Christianson of Hamilton moved to amend the committee report to House file No. 3, by substituting the words, "or other appropriate visible signal," for the words "or otherwise," as found in line four, paragraph four, page 237, House Journal of February 8th of the committee report.

Adopted.

On motion of Mr. Buchanan, the report of the committee with amendments, as amended by Christianson of Hamilton, was adopted.

Christianson of Hamilton moved to amend House file No. 3,

by striking out the word "fifteen," in line 4 of section 1, of the printed bill, and inserting in lieu thereof the word "twenty."

Lost.

Coburn of Cherokee moved to amend by inserting the word "similar" after the word "or" in the first line of section 1 in the printed bill, and also insert the word "similar" after the word "or" in the seventh line of said section in the printed bill. Also amend section 4 by inserting the word "similar" after the word "or" in the first line of said section of the printed bill, and also insert the word "similar" after the word "or" in the eighth line of section 4 in the printed bill.

Adopted.

Fields of Plymouth moved to amend by inserting the word "eighteen" in lieu of the word "fifteen" in line 4, section 1 of the printed bill.

Lost.

Christianson of Hamilton moved that House file No. 3 be made a special order for tomorrow morning, February 14th, at 10 A. M.

Lost.

Hawk of Jasper moved to amend by striking out the word " passage " in the second line of section 4 of the printed bill, and inserting the words " taking effect."

Adopted.

Sweeley of Woodbury moved to amend section 4 of the bill by striking out the word " height " at the close of the section, and inserting in lieu thereof the word " length."

Adopted.

Clarke of Dallas moved to amend by striking out the word " highway " in the second line of the printed bill, and inserting after the word " driveway " the words " of any city or incorporated town," and by inserting the word " not " between the words " shall " and " have " in the second line; by striking out the word " any " in the third line and inserting the word " a;" and by striking out the word " not " between the words " speed " and " greater;" and by striking out all between the word " hour " in the third line and the word " and " in the fifth line, and insert-

ing in lieu thereof the word "therein;" by striking out the word "highway" in the last line of said section 1 and inserting the words "streets, avenues or driveways."

Lost.

Christianson of Hamilton moved to strike out all of section five after the word "dollars" (second time) and substitute a period in place of the comma; also to strike out all of last section of amendments.

Lost.

Jones of Mahaska moved to amend by inserting after the word "act" in the second line of section 4 the following words: "and thereafter all owners shall within ten days after purchase thereof shall."

Adopted.

Christianson of Hamilton moved to refer the bill, House file No. 3, to the committee on Judiciary.

Lost.

Dodds of Des Moines moved that this bill be recommitted to the committee on Roads and Highways.

Lost.

Sweeley of Woodbury moved to amend section 1 by striking out the words "incorporated villages" in the third line of the printed bill and inserting in lieu thereof the word "towns."

Adopted.

Head of Greene moved to amend section 4 by inserting after the word "Certificate" in the fifth line of the printed bill, the words "and such certificate may be transferred to the purchaser of such registered automobile, motor or other vehicle."

Lost.

Fields of Plymouth moved to amend by striking out the word "fifteen" in the fourth line of section 1 of the printed bill, and inserting the word "seventeen" in lieu thereof.

Lost.

Mr. Buchanan moved that the rule be suspended, and that the

bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dodds, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Townsend, Utterback Walden, Walters, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—88.

The nays were:

None.

Absent or not voting:

Messrs. Carter, Davenport, Dunham, Gilchrist, Hamann, Kolt-hoff, Moore, Payne, Springer, Teachout, Temple, Willett—12.

So the bill passed.

Mr. Buchanan moved to amend the title by inserting the word "similar" between the words "or" and "motor."

Carried, and the title as amended was agreed to.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

**MR. SPEAKER**—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 18, a bill for an act to provide a water supply for military reservations of the United States in this state.

Also:



House file No. 19, a bill for an act to authorize the loaning of funds accumulated under chapter one (1) of the acts of the Twenty-sixth General Assembly or under section seven hundred forty-two (742) of the code, and to legalize a contract between the city of Des Moines and the Des Moines Water Works company for a loan of such funds.

Also:

House file No. 25, a bill for an act to legalize the acts of the board of supervisors of Jefferson county, Iowa, relating to the levying of a tax for the support of the poor, and legalizing the tax so levied.

J. P. LYMAN,  
*Chairman House Committee.*

E. K. WINNE,  
*Chairman Senate Committee.*

Ordered passed on file.

#### REPORTS OF COMMITTEES.

Hurn of Cerro Gordo, from the committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House file No. 183, a bill for an act to amend section 308, chapter 10, title 3 of the code, in relation to the time of payment of compensation of county attorneys, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

D. W. HURN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House file No. 210, a bill for an act to amend section 469 of the code, relative to the compensation of supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

D. W. HURN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House file No. 216, a bill for an act to amend section 495 of the code, relating to the compensation of county recorders, beg leave

to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that the same be indefinitely postponed.

D. W. HURN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House file No. 48, a bill for an act to fix compensation of appraisers of property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that the same do pass.

D. W. HURN,  
*Chairman.*

Ordered passed on file.

Sokol of Jones, from the committee on Penitentiaries, submitted the following report:

MR. SPEAKER—Your committee on Penitentiaries, to whom was referred House file No. 126, a bill for an act to amend section 5716 of the code, relating to compensation of officers and employes of state penitentiaries, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

F. J. SOKOL,  
*Chairman.*

Ordered passed on file.

Eiker of Decatur, from the committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 73, a bill for an act to amend section number two thousand, five hundred twenty-four (2524) of the code, in relation to the powers of the dairy commissioner, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended, and when so amended that the same do pass.

Amend by striking out that part of section one (1) of the original bill after the word "amended," in the third line, to, and including the word "also," in the fifth line, and by striking out the publication clause.

B. L. EIKER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Public Health, to whom was

referred House file No. 215, a bill for an act to amend section two thousand, five hundred eighty-one (2581) of the code, relating to itinerant physicians, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

B. L. EIKER,  
*Chairman.*

Ordered passed on file.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 124, a bill for an act to repeal section 1374 of the code, relating to property withheld or omitted from assessment, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 173, a bill for an act to amend section 4872 of the code, in relation to perjury, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 207, a bill for an act to amend section 3089 of the code, relating to mechanics' liens, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out section 1 and inserting in lieu thereof the following:

"Section 1. That section three thousand and eighty-nine (3089) of the code be amended by inserting after the comma following the word 'land', in the third line thereof, the words, 'or along, in connection with or abutting thereon' followed by a comma; and by inserting after the word 'on', in the ninth line thereof, a comma, followed by the words, 'along, in connection with or abutting upon'," and when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 204, a bill for an act to amend section 468 of the code, relating to supplies for county officers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 195, a bill for an act to amend section 106 of the code, relative to the time of settlement of the auditor of state with the treasurer of state, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 180, a bill for an act to amend section 227 of the code, and to provide an additional judge for the Third Judicial district, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Stuckslager of Linn, from the committee on Claims, submitted the following report:

MR. SPEAKER—Your committee on Claims, to whom was referred House file No. 17, a bill for an act to reimburse Louis Case for money paid by him for clothing to equip a portion of the Ninth regiment Iowa Volunteers in the war of the rebellion, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that the same do pass.

W. C. STUCKSLAGER,  
*Chairman.*

Ordered passed on file.

Edwards of Butler, from the committee on Telegraph, Telephone and Express, submitted the following report:

MR. SPEAKER—Your committee on Telegraph, Telephone and Express, to whom was referred House file No. 289, a bill for an act to amend section

one thousand, three hundred twenty-eight (1328) and one thousand, three hundred twenty-nine (1329) of the code, and to amend section three (3) and four (4) of chapter forty-two (42), acts of the Twenty-eighth (28) General Assembly, relating to reports by and taxation of telegraph and telephone companies and requiring said companies to file with county auditors maps and schedules of their lines, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out the word "on" before the word "its" in section four (4) of the third line and inserting in lieu thereof the word "in." Also, in section five (5) in the third line after the word "map" by inserting the words "drawn on an accurate scale as large as feasible." And, as so amended, that the bill do pass.

M. F. EDWARDS,  
*Chairmn.*

Ordered passed on file.

The Speaker signed in the presence of the House, in open session:

House file No. 18.

House file No. 19.

House file No. 25.

On motion of Marshall of Lee, House file No. 164, a bill for an act to amend section five thousand, three hundred and fourteen (5314) of the code, relating to the compensation of attorneys, with report of committee recommending passage as amended was taken up, considered and the report of the committee, with amendment, adopted.

Mr. Marshall moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Bealer, Black, Boysen, Calderwood, Campbell, Carden, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dodds, Donahue, Edwards, Eiker, English, Fields, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Keagy, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Meservey, Mordhorst, Nichols, Patton, Pipher, Powers,

Pritchard, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Teachout, Townsend, Walden, Walters, Warren, Whiting, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—76.

The nays were:

Messrs. Barkley, Kendall, Larrabee, Nagle, Wilson of Washington—5.

Absent or not voting:

Messrs. Bailey, Blakemore, Buchanan, Carter, Cassel, Davenport, Dunham, Flenniken, Hamann, Jones, Kolthoff, Mattes, Moore, Payne, Robinson, Sweet, Temple, Utterback, Willett—19.

So the bill passed and the title was agreed to.

On motion of Edwards of Butler, House file No. 156, a bill for an act concerning and defining kidnaping for the purpose of ransom, and prescribing the punishment therefor, with report of committee recommending passage as amended, was taken up, considered and the report of the committee, with amendments, adopted.

Mr. Edwards moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dodds, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Teachout, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—89.

The nays were:

None.

Absent or not voting:

Messrs. Carter, Davenport, Dunham, Hamann, Kolthoff, Marshall, Moore, Payne, Sweet, Willett, Wilson of Washington—11.

So the bill passed, and the title was agreed to.

On motion of Clarke of Dallas, Senate file No. 1, a bill for an act to provide for the compilation of the laws of the Twenty-seventh, Twenty-eighth and Twenty-ninth General Assemblies, to annotate the same and the code and rules of the supreme court, and to publish said compilation and annotations as a supplement to the code, and to provide for the appointment of a supervising committee, and making an appropriation therefor, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Clarke moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Cruikshank, Cummings, Dodds, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kling, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClure, McNie, Marshall, Mattes, Meservey, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—87.

The nays were:

None.

Absent or not voting:

Messrs. Carter, Crouse, Davenport, Dunham, Hamann, Kerr, Kolthoff, Langan of Crawford, McClurkin, Moore, Payne, Stuck-slager, Willett—13.

So the bill passed and the title was agreed to.

On motion of Coburn of Cherokee, House file No. 131, a bill for an act to amend section fifteen hundred and twenty-eight (1528), chapter two (2), title eight (8) of the code, in relation to the powers and duties of trustees; and for the repeal of sections fifteen hundred and thirty (1530), and fifteen hundred and thirty-one (1531), chapter two, title eight of the code, relating to county road fund and expenditure, with report of committee recommending indefinite postponement, was taken up, considered and the report of the committee adopted.

So the bill was indefinitely postponed.

Warren of Marion moved to adjourn until 1:30 this afternoon.

Carried and the House adjourned.

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#### AFTERNOON SESSION.

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House met at 1:30 P. M., Speaker Eaton in the chair.

Journal of Wednesday, February 12th, corrected and approved.

#### PETITIONS AND MEMORIALS.

Hamann of Scott presented petition of citizens of Scott county, asking the passage of a law regulating the barber trade.

Referred to committee on Public Health.

Flenniken of Clayton presented remonstrance of 1,800 citizens of Clayton county, against the pardon of Wesley Elkins.

Referred to committee on Pardons.

On motion of Warren of Marion, House file No. 194, a bill for an act for the relief of the grantees of John Carsner, and for the purpose of having a patent issued in his name for a certain tract of land, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.



Speaker *pro tem* Kendall in the chair.

Mr. Warren moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummins, Dodds, Donahue, Edwards, Eiker, English, Fields, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Walden, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—88.

The nays were:

None.

Absent or not voting:

Messrs. Carter, Davenport, Dunham, Flenniken, Kolthoff, Koontz, Marshall, Payne, Townsend, Utterback, Walters, Willett—12.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE APPOINTED TO DRAFT RESOLUTIONS OF RESPECT  
TO THE MEMORY OF HON. CHARLES E. BROWN.

MR. SPEAKER—Your committee appointed to draft resolutions of respect to the memory of the Hon. Charles E. Brown, respectfully submit the following:

WHEREAS, Hon. Charles E. Brown, an honored member of the Seventeenth General Assembly of Iowa from Howard county, died in Ottumwa July 23, 1901, and

WHEREAS, The life and character of the deceased were such as to command our love and esteem, and his public services to the state and country

were of such distinction as to demand the respect and gratitude of his fellow citizens; therefore, be it

*Resolved*, That in his death the state has lost an able, conscientious citizen, a man who suffered the inconvenience of pioneer life in the cause of religion and state; that we extend to his children our sincere sympathy in their affliction.

*Resolved*, That these resolutions be entered in the Journal of the House, and the Chief Clerk of the House be instructed to present an engrossed copy thereof to his sons.

A. W. BUCHANAN,  
W. K. BARKER,  
RAYMOND C. LANGAN,  
*Committee.*

Mr. Buchanan moved the adoption of the report of the committee.

Adopted unanimously by rising vote.

The following speeches by Buchanan of Wapello, Barker of Howard and Langan of Clinton, on the death of Rev. Brown, were ordered printed in the Journal on motion of Warren of Marion.

Mr. Buchanan said:

MR. SPEAKER—It is not the intention to take the time of this House in a long eulogy of the deceased. His life of usefulness to the state should not be passed without some little comment.

Charles E. Brown left his home in New York in 1842. He came to the territory of Iowa as a pioneer missionary. He was a man of excellent judgment, strong character, and of a progressive nature, and could have obtained a high place in the commercial world, but preferred rather to devote his life to the betterment of his fellow men. He gained no great wealth, but was able to give his sons an education that has given to the state men eminent in the railroad and commercial world.

It was not my privilege to know the deceased personally; coming to our city at the advanced age of over fourscore years he made but few acquaintances, but those who knew him well, held him in high esteem.

Being possessed of his full mental faculties he saw the approaching end and was full of the faith, and died as he had lived, believing if a man die he shall live again.

Mr. Speaker, I move the rules be suspended and this resolution be adopted by a rising vote.

Mr. Barker said:

MR. SPEAKER—It is well for us to pause a moment in our legislative duties that our thoughts may revert to the early pioneers of our state who have passed the way of all mortality—that we may pay our tributes of respect to their memory, their virtues, and their worth.

The life of the subject of these memorial resolutions was measured by more than four score and eight years and about half that long and useful life was passed in Howard county.

It therefore seems proper that I, as the representative of that county in this general assembly, should add my contribution to his worth as a man and as a citizen of our county and state.

Charles E. Brown was born in Oneida county, N. Y., February 23, 1813, and died in Ottumwa, July 23, 1901.

He studied for the ministry and was a graduate of Colgate university New York. He was married in 1838 to Miss Francis Lyon, who was his companion for nearly fifty years in his journey upon earth. Three sons survive him, two of them being worthy citizens of Wapello county, Iowa, and the third has gained a national reputation in railroad circles by rising from the humble position of brakeman to that of general manager of the Chicago, Burlington & Quincy railroad, and then vice-president of the Lake Shore & Michigan Southern railway, and is at this time vice-president of the New York Central.

Soon after leaving college, the subject of these resolutions concluded to devote his life to the service of his fellowman as a missionary. Leaving his home of comparative ease and comfort in New York, he came west in 1842 and settled in the territory of Iowa about two miles from Maquoketa, in Jackson county, and for the greater part of the next twelve or thirteen years he devoted his time to his chosen work among the early settlers, from Davenport northward to the state of Minnesota, facing the storms and enduring the chilly blasts of winter among the pioneers of those days with that tireless energy and zeal which was so characteristic of him in any cause which he espoused.

At or about the time of the organization of Howard county, he settled there and was elected its first county superintendent of schools.

He was also an active and an honored member of the Seventeenth General Assembly, serving acceptably in that body as a representative of Howard county.

Throughout his life, whether in the cabin or more pretentious dwelling, he was always the same social but devout Christian gentleman, practicing in his daily walk those precepts he sought to inculcate in others. He was intensely loyal and patriotic and when his conclusions were reached upon any subject, they were definite and positive.

He advocated his religious and political opinions with earnestness, sincerity, and fidelity, and he was never vacillating or uncertain. He had a clear head and a strong mind. He was never known to compromise with what he believed to be a wrong.

In short, his life was spent in the service of mankind and it was his greatest pleasure to aid in the uplifting and in the elevation of all humanity and for those in affliction he was generous and was ever ready with kindly sympathy and assistance.

When the infirmities of age were gathering about him, when he realized his time on earth was short, without sickness, without pain, and without a murmur, he folded his hands across his breast and lapsed into that dreamless sleep from which there is no awakening upon earth, but he had an abiding faith and trust that, in a better world, he would awaken in the likeness of his Master that he had served so long and so faithfully.

I second the motion of the gentleman from Wapello to adopt the resolutions.

Mr. Langan said:

MR. SPEAKER—A word and I am done.

I shall not attempt to give a biographical sketch of the deceased, nor dwell at length upon his private or public life. That has been done by those more intimate with him than I. However, it should be an especial pleasure to every young man to chronicle to world, in brief, at least, some characteristic of those who have lived long and served the interests of the state well and good.

The subject of these resolutions, Rev. C. E. Brown, a member of the Seventeenth General Assembly of Iowa, settled in Jackson county, adjoining my home county on the north, some sixty years ago. In the wilderness of that county, with but the meager compensation of one hundred dollars per year, he served the scattered population as a missionary, administering to them the consolations of his sacred calling. Coming from New York an educated and polished young man, possessing those qualifications which would have entitled him to recognition amid the cultured environments of his home state, he demonstrated his earnest and sacrificing nature. The duties of his vocation were ever pleasant. His labors for religion and state were ceaseless. While he expounded the truths of the gospel from the rudely devised and primitively constructed pulpit, he exemplified good citizenship by his daily life. His unselfish spirit prevailed through life. Death only could release him from his chosen work. A few lines from his home paper tells the reward of his beautiful life.

“Death came in his eighty-ninth year, July 23, 1901, at Ottumwa, Iowa, from a gradual failing of his vital powers and the end was peaceful and painless.”

What more in this world can we ask for than a happy death at the completion of life's labors?

Thus ended a man who made the world better for having lived, better for having played a part on the stage of life. Thus ended a pioneer, a type of man which on account of natural and apparent reasons is rapidly passing away. Each general assembly records on its journal the names of former

members who are called to "the undiscovered country, from whose bourn no traveler returns."

Too much cannot be said of the man who braved the vicissitudes which beset the path of the pioneer. No encomium expresses or contemplates the suffering endured by him. The proud state of Iowa stands as a huge monument in memory, or rather in triumph, for his labors. His work is a matter of family history. Hardly had the hand of the pioneer father felled the oak of the forests and placed it as a log of the sheltering cabin till duty's cause called him, or a son, to a service on the battle field, Some returned to enjoy the labor of the past, others sleep beneath the ground on which they consecrated their lives.

We can never fully estimate the debt of gratitude we owe the pioneer. Only the highest type of the unselfish man could have faced the task. His work had the force of the mythical wand of magic and transformed the once impenetrable forests and expanseless prairies of Iowa to fields teeming in wealth. A word of consideration is, at the best, but meager recognition of service tendered the state when there was a scarcity of learning but a broad field of conquest.

That service made possible the bright galaxy of Iowa statesmen now at Washington. It made possible a Wilson, a Shaw, a Dolliver, an Allison and a Cummins.

Mr. Speaker, let the name of him who has passed away be cherished by the members of this assembly; let the history of his life be preserved as the reward of one who nurtured society in its infancy with the sustaining and soothing influence of a guardian during the wild and tumultuous period of pioneer days.

Therefore, I second the motion to adopt the resolutions as read.

Speaker Eaton resumed the chair.

Committee on Pardons was excused from further attendance on this session after 3 P. M.

The doorkeeper announced the arrival of the honorable body of pioneer lawmakers, who took seats on the floor of the House vacated for their use.

Ex-Lieutenant-Governor B. F. Gue, president of the Pioneer Lawmakers' association, was conducted to a seat at the Speaker's right.

The Speaker with rare feeling welcomed the Pioneer Lawmakers' Association, and introduced Marshall of Lee, who welcomed the association on behalf of the House.

Response was made by ex-Lieutenant Governor B. F. Gue, president of the association.

Other speeches were made by Gilchrist of Pocahontas and Hamann of Scott on the part of the House, and Judge Samuel H. Fairall of Iowa City and Colonel Samuel A. Moore on the part of the Pioneer Lawmakers' association, after which, at 3 P. M., the association withdrew.

On motion of Hughes of Iowa, House adjourned till 9:30 A. M. tomorrow, February 14, 1902.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Friday, February 14, 1902. }

House met pursuant to adjournment, Speaker Eaton presiding.

Prayer was offered by the Rev. L. F. Troutman, Dows, Iowa.

On motion of Wright of Guthrie, leave of absence was granted Greeley of Story indefinitely.

On motion of Crouse of Adams, leave of absence was granted Campbell of Fremont until Monday.

On motion of Langan of Clinton, leave of absence was granted Mordhorst of Clinton until Monday.

On motion of Hamann of Scott, leave of absence was granted Meservey of Webster until Tuesday morning.

On motion of Lyman of Poweshiek, leave of absence was granted Dunham of Delaware indefinitely on account of illness.

On motion of Carden of Henry, leave of absence was granted McClure of Adair until Tuesday.

INTRODUCTION OF BILLS.

By Fields of Plymouth, House file No. 252, a bill for an act to define and regulate the practice of optometry, and for the creation of a board of examiners in optometry.

Read first and second time and referred to committee on Public Health.

By Calderwood of Scott, House file No. 253, a bill for an act for the protection of cities and to regulate contracts for public purposes involving the use of streets and alleys, public squares and highways in such cities.

Read first and second time and referred to committee on Municipal Corporations.

By Sweeley of Woodbury, House file 254, a bill for an act to supervise and control long distance telephone lines and systems, to provide for the connection of such lines or systems with local systems, and for the fixing of joint rates for service.

Read first and second time and referred to committee on Telegraph, Telephone and Express.

By Sweeley of Woodbury, House file No. 255, a bill for an act to amend section 725 of the code, relating to the powers of cities and towns, and to authorize cities and towns to supervise or control telephone plants or systems, prescribe regulations relating thereto, and to fix and regulate telephone rates and service.

Read first and second time and referred to committee on Municipal Corporations.

By Sweeley of Woodbury, House file No. 256, a bill for an act to amend sections 720 and 724 of the code, relating to the powers of cities and towns, and to authorize cities and towns to purchase, establish, erect, maintain, operate, lease or sell telephone plants or systems.

Read first and second time and referred to committee on Municipal Corporations.

By Hughes of Iowa, House file No. 257, a bill for an act fixing a uniform time at which all annual appropriations shall begin.

Read first and second time and referred to committee on Judiciary.

By Teachout of Polk, House file No. 258, a bill for an act to amend section 2150 of the code, in relation to common carriers.

Read first and second time and referred to committee on Railroads and Commerce.

By Springer of Buchanan, House file No. 259, a bill for an act making appropriation for construction, repair and contingent funds for the state hospital at Independence.

Read first and second time and referred to committee on Appropriations.

By Teachout of Polk, House file No. 260, a bill for an act to



amend section 2008 of the code, relating to filing of transcript in condemnation proceedings.

Read first and second time and referred to committee on Judiciary.

Stratton of Montgomery offered the following resolution, and moved the rule be suspended and the resolution adopted:

*Resolved*, That hereafter committee reports in House Calendar shall contain date of House Journal where such reports appear, when amendments to, or a substitute for, a bill is recommended.

Adopted.

Sweeley of Woodburry asked unanimous consent to withdraw House file No 46 from further consideration.

Consent granted.

Townsend of Calhoun, offered the following, and moved the rule be suspended and the resolution be adopted:

*Resolved*, That the addresses presented at the reception to the Pioneer Lawmakers' association by this House be printed in the Journal of the House.

Adopted.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

Senate file No. 122, a bill for an act to amend section 2, of chapter 67 of the laws of the Twenty-eighth General Assembly, relating to savings banks.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 147, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the

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

Senate file No. 134, A bill for an act appropriating money to pay expresse, freight and cartage.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 70, a bill for an act to repeal section 853 of the code, and section 2 of chapter 28 of the acts of the Twenty-seventh General Assembly and amend subdivision 6 of section 1005 of the code, relating to the subject of taxes for library purposes in cities acting under special charter.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate joint resolution No. 2, relative to repealing sections 34, 35 and 36, of article 3 of said constitution, and providing to adopt the following in lieu thereof as a substitute therefor.

GEO. A. NEWMAN,  
*Secretary.*

JOINT RESOLUTION NO. 2.

For an amendment to the constitution of the state of Iowa, proposing the repeal of sections 34, 35, 36, of article three (3) of said constitution, and proposing to adopt the following in lieu thereof and as a substitute therefor.

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

That sections thirty-four (34), thirty-five (35) and thirty-six (36), of article three (3) of the constitution of the state of Iowa, be repealed, and the following be adopted in lieu thereof:

Section 34. The senate shall be composed of fifty members, to be elected from the several senatorial districts established by law, and at the next session of the general assembly, held following the taking of the state and national census, they shall be apportioned among the several counties, or districts of the state according to population as shown by the last preceding census.

Sec. 35. The house of representatives shall consist of not more than one hundred and ten members. The ratio of representation shall be determined by dividing the whole number of the population of the state, as shown by the last preceding state or national census, by the whole number of

counties then existing or organized, but each county shall constitute one representative district and be entitled to one representative, but each county having a population in excess of the ratio number, as herein provided, of three-fifths or more of such ratio number, shall be entitled to one additional representative.

Sec. 36. The general assembly shall, at the first regular session held, following the adoption of this amendment, and at each succeeding regular session held next after the taking of such census, fix the ratio of representation, and apportion the additional representatives as hereinbefore required. Be it further

*Resolved*, That this resolution and the amendment to the constitution therein contained and proposed, be, and the same is hereby referred to the next succeeding general assembly for action. And the secretary of state is hereby directed to cause the same to be published for three months previous next preceding the day of election of members of the next general assembly, as provided by law.

On motion of Anderson of Warren, House file No. 179, a bill for an act for the relief of the grantees of John Noble and W. A. Noble, and for the purpose of having a patent issued in their names for a certain tract of land, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Anderson moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were :

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dodds, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hertert, Hilsinger, Hughes, Hurn, Jaeger, Jenks, Jones, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Moore, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Townsend, Utterback, Walden, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—82.

The nays were:

None.

Absent or not voting:

Messrs. Campbell, Carter, Davenport, Dunham, Greeley, Hawk, Head, Hufschmidt, Keagy, Kolthoff, McClure, Marshall, Meservey, Mordhorst, Payne, Temple, Walters, Willett—18.

So the bill passed and the title was agreed to.

On motion of Clarke of Dallas, Senate file No. 12, a bill for an act amending section five thousand fifty-two (5052) of the code, relating to the use or sale of bottles, boxes, casks, kegs and barrels of another, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Clarke moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were :

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dodds, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greene, Hamann, Hasselquist, Head, Hertert, Hilsinger, Hughes, Jaeger, Jenks, Jones, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Moore, Nagle, Nichols, Patton, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Walden, Walters, Warren, Whiting, Wilson of Washington, Wise, Wright, Mr. Speaker—76.

The nays were:

None.

Absent or not voting:

Messrs. Campbell, Carter, Davenport, Dunham, Gilchrist, Greeley, Hawk, Hufschmidt, Hurn, Keagy, Kolthoff, McClure, Marshall, Meservey, Mordhorst, Payne, Pipher, Springer, Tea-

chout, Temple, Townsend, Utterback, Willett, Wilson of Buena Vista—24.

So the bill passed and the title was agreed to.

On motion of Hertert of Shelby, House file No. 162, a bill for an act to amend section twenty-five hundred seventy-one (2571) of the code, relating to time of meetings of local boards of health, with report of committee recommending passage as amended, was taken up, considered and the report of the committee, with amendment, adopted.

Mr. Hertert moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boyesen, Buchanan, Calderwood, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dodds, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hughes, Hurn, Jaeger, Jenks, Jones, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Moore, Nagle Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley Sweet, Utterback, Walden, Walters, Warren, Whiting, Wise, Wright, Mr. Speaker—79.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Campbell, Carter, Davenport, Dunham, Gilchrist, Greeley, Hufschmidt, Keagy, Kolthoff, McClure, Marshall, Meservey, Mordhorst, Payne, Teachout, Temple, Townsend, Willett, Wilson of Buena Vista, Wilson of Washington—21.

So the bill passed and the title was agreed to.

Warren of Marion moved that the House reconsider its vote on House file No. 179, by which the bill passed the House; also

the vote by which the rule was suspended, the bill considered engrossed and passed to its third reading.

Carried.

Lyman of Poweshiek moved that the bill, House file No. 179, be recommitted to the committee on Judiciary, and that it retain its place on the calendar.

Carried, and the bill was so referred.

On motion of Sweet of Bremer, House file No. 198, a bill for an act to legalize the official acts of the town council of the incorporated town of Sumner, in Bremer county, Iowa, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Sweet moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dodds, Donahue, Edwards, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hughes, Hurn, Jaeger, Jenks, Jones, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Moore, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Utterback, Walden, Walters, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—83.

The nays were:

None.

Absent or not voting:

Messrs. Campbell, Carter, Davenport, Dunham, Eiker, Gil-

christ, Greeley, Hufschmidt, Keagy, Kolthoff, McClure, Marshall, Meservey, Mordhorst, Payne, Townsend, Willett—17.

So the bill passed and the title was agreed to.

On motion of Coburn of Cherokee, House file No. 125, a bill for an act making it a crime to sell property upon which there is a landlord's lien for the rent without the written consent of the landlord and fixing the penalty therefor, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Coburn moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Bealer, Black, Blakemore, Boysen, Buchanan, Carden, Cassel, Cheney, Christianson, Coburn, Colclo, Cruikshank, Cummings, Dodds, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Hamann, Hasselquist, Hawk, Head, Hertert, Hughes, Jaeger, Jenks, Kling, Koontz, Leech, Lyman, McClurkin, McNie, Mattes, Moore, Nagle, Pipher, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Utterback, Walters, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright—60.

The nays were:

Messrs. Barker, Barkley, Calderwood, Clarke, Cowles, Crouse, Gilchrist, Greene, Hilsinger, Hurn, Kerr, Langan of Crawford, Larrabee, Nichols, Patton, Powers, Pritchard, Springer, Temple, Walden, Warren, Mr. Speaker—22.

Absent or not voting:

Messrs. Campbell, Carter, Davenport, Dunham, Greeley, Hufschmidt, Jones, Keagy, Kendall, Kolthoff, Langan of Clinton, McClure, Marshall, Meservey, Mordhorst, Payne, Townsend, Willett—18.

So the bill passed and the title was agreed to.

The following explanation of vote was filed:

**MR. SPEAKER**—I vote "no" on House file No. 125 because I do not believe a man can be made guilty of larceny of property of which he is himself the

absolute and unqualified owner, even though there may be a lien upon it created by statute.

G. W. CLARKE.

Hughes of Iowa moved that Calendar No. 74, House file No. 110, be made a special order for next Wednesday, February 19th, at 10:30 A. M.

Carried.

On motion of Jenks of Pottawattamie, House file No. 206, a bill for an act providing for the appointment of public examiners, defining the duties and fixing the compensation thereof, and providing for a uniform system of keeping the books of county treasurers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Jenks of Pottawattamie moved that House file No. 206 be made a special order for next Tuesday, February 18th, at 10:30 A. M.

Carried.

On motion of Langan of Clinton, House file No. 190, a bill for an act to amend section seventeen hundred and forty-three (1743), of chapter four (4), title nine (9) of the code, relating to insurance other than life, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Gilchrist of Pocahontas moved to amend the bill by inserting after the last word, being the word "loss," the following:

Provided, that after the loss occurs, the insured may waive the provisions hereof as to the residence of arbitrators or appraisers.

Wise of Black Hawk offered the following as a substitute for the amendment now pending:

Amend House file No. 190 by adding: "Section 2. Provided, that the provisions of this act shall not apply to the adjustment of losses sustained by manufacturing plants or any line of industry or property requiring special knowledge."

Lost.

Amendment of Mr. Gilchrist adopted.

Langan of Clinton moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Barker, Blakemore, Boysen, Buchanan, Carden, Cheney, Christianson, Coburn, Colclo, Cowles, Cruikshank, Cummings,



Dodds, Donahue, Eiker, Frudden, Gilchrist, Graff, Greene, Hertert, Hughes, Jaeger, Jenks, Jones, Kendall, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, McClurkin, Mattes, Patton, Pipher, Pritchard, Robinson, Roome, Springer, Stratton, Sweeley, Townsend, Utterback, Warren, Whiting, Wilson of Washington, Wright, Mr. Speaker—47.

The nays were :

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Calderwood, Clarke, Crouse, Edwards, English, Fields, Freeman, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hurn, Kerr, Leech, Lyman, McNie, Moore, Nagle, Nichols, Powers, Secor, Sokol, Stuckslager, Sweet, Teachout, Temple, Walden, Walters, Wilson of Buena Vista, Wise—36.

Absent or not voting:

Messrs. Campbell, Carter, Cassel, Davenport, Dunham, Flenniken, Furry, Greeley, Hufschmidt, Keagy, Kolthoff, McClure, Marshall, Meservey, Mordhorst, Payne, Willett—17.

So the bill, having failed to receive a constitutional majority, was lost.

#### REPORTS OF COMMITTEES.

Temple of Clarke, from the committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 41, a bill for an act to amend section eight hundred fifty-one (851) and eight hundred fifty-two (852) of the code, as amended by chapter thirty (30) of the acts of the Twenty-eighth General Assembly relating to park commissioners in certain cities, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by substitute for committee substitute and when so amended it do pass.

#### SUBSTITUTE FOR COMMITTEE SUBSTITUTE FOR HOUSE FILE NO. 41.

A bill for an act to amend section three (3), of chapter thirty (30) of the acts of the Twenty-eighth General Assembly, relating to the levy of taxes for park purposes in certain cities.

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

Section 1. That section three (3), of chapter thirty (30) of the acts of the Twenty-eighth General Assembly, be, and is hereby amended by striking out the word "twenty-five" in the fourth (4th) line thereof, and inserting in

lieu thereof the word "twenty-two", and by striking out the word "twenty-five" in the fifth (5th) line thereof and inserting in lieu thereof the word "twenty-two."

M. L. TEMPLE,  
*Chairman pro tem.*

Ordered passed on file.

Mr. Temple, from the committee on Ways and Means, submitted the following report:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 6, a bill for an act relating to the assessment and collection of the collateral inheritance tax, and repealing chapter four (4) of title seven (7) of the code, and chapter thirty-seven (37) of the acts of the Twenty-seventh (27) General Assembly, and chapter fifty-one (51) of the acts of the Twenty-eighth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that the same be amended as follows, and when so amended the same do pass: Amend section one (1) by striking out the word "thereafter" and also the comma (,) following in the sixth line, and the word "thereafter" be inserted after the word "is" in the seventh line of said section.

That section one (1) be further amended by striking out the period (.) following the word "respectively" in the twenty-fourth (24) line, and that a semicolon (;) be substituted therefor and the following words inserted: "Provided that when the property descends by inheritance, gift, devise or bequest, to a brother or sister, or to husband or wife, of a lineal descendant of the deceased, the same shall be exempt to the amount of five thousand dollars (\$5,000) after the payment of all debts as the same are hereinafter defined."

Amend section two (2) by inserting the words "monument or tombstone" to follow the word "expenses" in line four (4). Also amend section two (2) by inserting the words "and attorneys' fees" after the word "cost" in line four (4). That section two (2) be further amended by striking out the words "death of decedent" in line nine (9) and the words "date of appointment of executor or administrator" be substituted therefor.

Amend section six (6) by striking out of line twenty-three (23) the words "to pay the tax," the same being redundant.

Amend section nine (9) in line three by transposing the words "for the purpose of computing said tax," the same to be inserted after the word "appraisers" in line four (4) of said section nine (9). Also that section nine (9) be further amended by striking out of lines four (4) and five (5), counting from the bottom of the section the words "the written consent of the treasurer of state that such relief is procured," and that there be inserted in lieu thereof the words "ten days' notice has been served upon the treasurer of state that such relief is demanded," and that there be inserted before the word "application" in the sixth line, counting from the bottom of said section, the words "hearing of said."

That section ten (10) be amended by striking out that part of section beginning with the words "father, the mother, etc." in line three (3) and down to and including the words "of such child" in fifth line of said section, and the words "any of the persons mentioned as the beneficiaries in section one (1) of this act" be inserted in lieu thereof. That section ten be further amended by inserting after the word "remainder" in the fifth line, counting from the last line of said section, the words "subject to the exemptions hereinbefore provided."

That section thirteen be amended by inserting in the eighth line thereof, after the word "court," the words "sitting in probate in which the estate is pending" and by placing a period (.) after the word "tax" in line eleven of said section, and by striking out all of said section following said period.

That section eighteen (18) be amended by striking out the word "fifteen" in line three (3) and inserting the word "sixteen" in lieu thereof, and by striking out of the fourth line of said section the words "death of testator or intestate" and inserting in lieu thereof the words "appointment of the executor or administrator" and by inserting after the word "annum" in line six (6) of said section the words "from the date when due and payable unless the court or judge thereof, for cause, shall extend the time, and then only from such time as extended."

That section nineteen (19) be amended by striking out the word "is" in the seventh (7) line and inserting the words "shall be" in lieu thereof.

Amend section twenty-five (25) by striking out that part of the section beginning with the word "father" in line fourteen (14) and ending with, and including the word "state" in line seventeen (17) and insert the words "persons mentioned in section one (1) hereof" in lieu thereof.

Amend section twenty-nine (29) by inserting the words "in an estate liable to the inheritance tax" following the word "decedent" in the third line of said section.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 15, a bill for an act to repeal chapter ninety-seven (97) of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor providing for the levy of a special tax of one-fifth of a mill on the dollar upon the assessed valuation of the taxable property of the state, for the erection, repair, improvement and equipment of buildings for the State University of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Hurn of Cerro Gordo, from the committee on Compensation of Public Officers, submitted the following report.

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House file No. 141, a bill for an act to repeal section 510 of the code, in reference to the compensation of deputy sheriffs, and the enactment of the following in lieu thereof, beg leave to report that they had the same under consideration, and have instructed me to report back to the House the attached substitute for said House file No. 141, with the further recommendation that the substitute do pass.

COMMITTEE SUBSTITUTE FOR HOUSE FILE NO. 141, BY BOYSEN.

A bill for an act to repeal section five hundred and nine (509) and section five hundred and ten (510) of the code, in reference to the compensation of sheriffs and deputy sheriffs, and the following enacted in lieu thereof.

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

That section five hundred and nine (509) and section five hundred and ten (510) of the code be repealed and the following substituted therefor:

Section 1. In counties having a population of over forty-five thousand the sheriff shall receive in full compensation for his services, except the expenses hereinafter provided for, thirty-five hundred dollars per annum, to be paid out of the receipts of the office. In counties having a population of over twenty-eight thousand and less than forty-five thousand the sheriff shall receive in full compensation for his services, except the expenses hereinafter provided for, three thousand dollars per annum, the same to be paid out of the receipts of the office. In counties having a population of less than twenty-eight thousand the sheriff shall receive in full compensation for his services, including the salary provided by section five hundred and eleven (511) of the code, the sum of two thousand dollars per annum, the same to be paid out of the receipts of the office. And any excess over the sums provided in all counties shall be paid into the county treasury annually. In all counties, the expenses necessarily incurred and actually paid while engaged in the performance of official duties in serving criminal process, or commitments to the penitentiaries, industrial schools or asylums, shall be allowed by the board of supervisors and paid as other claims against the county, and he shall be allowed to retain all mileage collected by him in the service of civil process. Provided, that in counties having a less population than twenty-eight thousand, in which the receipts of the office and salary allowed under section five hundred and eleven (511) of the code, do not amount to the sum of eighteen hundred dollars per annum, the board of supervisors shall, at the January session thereof following, make an allowance to the sheriff of a sum equal to the difference between the fixed salary plus the receipts of the previous year, and eighteen hundred dollars. And in counties having a population of more than twenty-eight thousand and less than forty-five thousand, in which the receipts of the office and salary allowed by the board do not in any year amount to the sum of two thousand dollars, the board of supervisors shall, at the January session thereof following, make an allowance to the sheriff of a sum equal

to the difference between the fixed salary plus the receipts of the office for the previous year, and two thousand dollars. And provided further, that all fees earned and uncollected at the end of each year shall belong to the county, and when paid shall by the clerk of the district court be reported to the board of supervisors and paid into the county treasury.

Sec. 2. In all counties the sheriff shall in writing appoint one or more persons, not holding a county office, as deputy or deputies, for whose acts he shall be responsible and from whom he shall require a bond, which appointment and bond shall be approved by the officer having the approval of the principal's bond; and such appointment may be revoked in writing, which appointment and revocation shall be filed and kept in the auditor's office. In all cases the board of supervisors shall fix the number of deputies and shall fix the salary of such deputies at not exceeding one thousand dollars per annum each, in counties having a population of over twenty-eight thousand, and at not exceeding six hundred dollars per annum each, in counties having a population of less than twenty-eight thousand; and in all counties the chief deputy shall be paid by the sheriff out of the compensation allowed him under the provisions of the preceding section, and all other deputies shall be paid by the county.

D. W. HURN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House file No. 129, a bill for an act to amend section 253, title 3, chapter 2 of the code of Iowa, 1897, changing the salaries of district judges, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by substituting therefor the following:

SUBSTITUTE, BY CUMMINGS, FOR HOUSE FILE NO. 129.

A bill for an act to amend section two hundred fifty-three (253) of the code, relating to the salaries of district judges.

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

Section 1. That section two hundred fifty-three (253) of the code be amended by striking out the words "two thousand, five hundred" in the second line thereof, and inserting in lieu thereof the words "three thousand three hundred."

And when so amended that the same do pass.

D. W. HURN,  
*Chairman.*

Ordered passed on file.

House file No. 175, a bill for an act to amend section 2551, chapter 13, title 12 of the code, relating to protection of game, with report of committee recommending it be indefinitely post-

poned, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

The following motion to reconsider was filed:

MR. SPEAKER—I move that the vote on House file No. 190, by Langan of Clinton, be reconsidered and also the vote by which it went to the third reading.

C. E. WALTERS.

I second above motion.

T. P. WALDEN.

On motion of Christianson of Hamilton, leave of absence was granted Robinson of Emmet until Tuesday.

Nagle of Van Buren moved that the House do now adjourn until 9 A. M. tomorrow.

Warren of Marion moved to amend by making the hour 9:30.

Amendment adopted.

Motion as amended carried.

House adjourned till 9:30 A. M., Saturday, February 15th.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Saturday, February 15, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. J. W. Day of Des Moines, Iowa.

The Journal of Thursday, February 13th, was corrected and approved.

Journal of Friday, February 14th, was corrected and approved.

On motion of Carden of Henry, leave of absence was granted McClurkin of Louisa until Tuesday.

On motion of Jaeger of Des Moines, leave of absence was granted Dodds of Des Moines until Tuesday.

On motion Wilson of Washington, leave of absence was granted Carter of Sioux until Monday.

On motion of Wilson of Washington, leave of absence was granted Temple of Clarke until Monday.

On motion of Whiting of Monona, leave of absence was granted Cruikshank of Lee until Wednesday.

On motion of Wilson of Washington, leave of absence was granted Coburn of Cherokee until Monday.

On motion of Powers of Floyd, leave of absence was granted Nichols of Muscatine until Monday.

On motion of Black of Mills, leave of absence was granted Sweet of Bremer until Tuesday morning.

On motion of Mattes of Sac, leave of absence was granted Buchanan of Wapello until next Monday.

On motion of Langan of Clinton, leave of absence was granted Sweeley of Woodbury until Monday.

On motion of Langan of Clinton, leave of absence was granted Walters of Tama until Monday.

On motion of Lyman of Poweshiek, leave of absence was granted Secor of Winnebago until Tuesday.

On motion, leave of absence was granted Bealer of Linn until Tuesday morning.

#### PETITIONS AND MEMORIALS.

Fields of Plymouth presented petition of citizens of Le Mars, Iowa, relative to fire insurance regulations.

Referred to committee on Insurance.

Pritchard of Wright presented petition of citizens of Wright county relative to the ten per cent exemption bill.

Referred to committee on Judiciary.

Kendall of Monroe presented petition of about forty citizens of Melrose, Iowa, relative to Head exemption bill.

Referred to committee on Judiciary.

Fields of Plymouth presented petition of Professional Teachers' association of Plymouth county, asking compulsory education law.

Referred to committee on Schools and Text-Books.

Jenks of Pottawattamie offered the following concurrent resolution, which was laid over under rule 34:

**WHEREAS**, The city of Des Moines is infected with smallpox to an alarming extent, and the danger of contagion is imminent so as to endanger the health of the members of the general assembly, and no proper quarantine of infected persons or places is maintained by the city authorities; therefore, be it

*Resolved*, By the House, the Senate concurring: That when the Twenty-ninth General Assembly adjourns on Wednesday, February 19, 1902, that it stand adjourned until 10 A. M. on the first Monday of June, 1902.

#### REPORTS OF COMMITTEES.

Moore of Davis, from the committee on Military, submitted the following report:



MR. SPEAKER—Your committee on Military, to whom was referred House file No. 220, a bill for an act to amend the military code of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that same do pass.

SAMUEL A. MOORE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Military, to whom was referred House file No. 221, a bill for an act to amend sections twenty-two hundred and four (2204) and twenty-two hundred and fourteen (2214) of the code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with their approval and recommendation that the same be referred to the committee on Appropriations.

SAMUEL A. MOORE,  
*Chairman.*

So ordered.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 57, a bill for an act to legalize the establishment of drainage ditch and drainage district No. 1, of Palo Alto county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 145, a bill for an act to repeal chapter eight of title sixteen of the code, and enact a substitute therefor relating to the care of friendless children, and the establishment, regulation and visitation of homes for friendless children, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended the same do pass:

Amend section 3 by striking out the figures in parenthesis, as follows: “(1)” in first line, “(2)” in second line, “(3)” in fifth line, and “(4)” in seventh line; and strike out, commencing after the semicolon after the word “illfame” in the fifth line down to and including the semicolon after the word “child” in the seventh line (being what is now known and designated as paragraph or sub-section 3).

Amend section 5 by striking out, after the period following the word "notices" in the ninth line, all down to and including the period after the word "practicable" in the eleventh line (which strikes out "The procedure shall be the same as that followed by courts of equity so far as practicable").

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 203, a bill for an act to amend section 3287 of the code, relating to the recording of wills, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 179, a bill for an act for the relief of grantees of John Noble and W. A. Noble, and for the purpose of having a patent issued in their names for a certain tract of land, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that the same be amended by striking out the word "east" after the figures in brackets (77) in the fifth line of the sixth paragraph, commencing with the word "whereas," and inserting in lieu thereof the word "north."

Amend section 1 by inserting after the figures in brackets "(77)" in the third line the following: "North of," and when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 236, a bill for an act to repeal section 4932 of the code, referring to the crime of adultery, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARK,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred

House file No. 227, a bill for an act to legalize the ordinances and the official acts of town of Schaller, Sac county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No 183, a bill for an act to amend sections 2905 and 2906 of the code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered pass on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 57, a bill for an act to legalize the establishment of drainage ditch and drainage district number one of Palo Alto county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

On motion of Mr. Clarke the report of the committee was adopted and the bill was indefinitely postponed.

Eiker of Decatur, from the committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 88, a bill for an act repealing section two thousand, five hundred seventy (2570) of the code, in relation to quarantine and expenses thereof, and enacting a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the house with the attached substitute as an amendment, with the recommendation that when so amended that the same do pass.

A bill for an act to repeal section two thousand, five hundred and seventy (2570) of the code and enact a substitute therefor, in relation to quarantine and the expenses thereof.

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

Section 1. That section two thousand, five hundred and seventy (2570) of the code is hereby repealed and the following enacted in lieu thereof:

When any person shall be sick or infected with smallpox or to her

infectious or contagious disease dangerous to public health, whether a resident or otherwise, the local board of health shall make such provisions as are best calculated to protect the inhabitants therefrom, and may remove such person to a separate house, or to a pesthouse, or detention or other hospital, and shall provide needful assistance, nurses, medical attendance and supplies. If in the judgment of said board such person cannot be removed, then he shall be cared for at the place where he resides in the same manner as above provided. In case of the removal of more than one person to the same house, or to any pesthouse, or detention or other hospital, it shall provide needful assistance, nurses, medical attendants and supplies necessary for their proper care.

All bills for expenses incurred in carrying out the provisions of this section shall be filed with the clerk of the local board of health, which board shall examine the same and act thereon at its next regular meeting after the same have been filed with the clerk, and certify the amount allowed thereon by it to the county auditor, and the county board of supervisors shall act upon said bills as thus certified at its first regular meeting thereafter. The local board of health shall allow an amount on such bills as shall be reasonable, and the certificate of the local board of health shall be *prima facie* evidence of the correctness of such bills.

• When one or more persons shall be confined in a house, or pesthouse, or detention or other hospital, the local board of health shall ascertain the total amount of expense incurred for the care of such persons, which amount shall be equitably apportioned by the local board of health between the several persons cared for, and when so apportioned the president and clerk of said board shall certify to the county auditor the name of such person or persons and their proportional share, and the county shall recover the same in any court of competent jurisdiction within this state, and the certificate of the president and clerk of said board shall be *prima facie* evidence of the amount furnished such person or persons.

In case of the inability of any person or persons, or those liable for their support, to pay for the expenses incurred as provided in this section, such expense shall be paid by the county, and the board of supervisors of said county shall, at the time it levies the general taxes, levy on the property of the city, town or township, from which expenses were certified a sufficient tax to reimburse the county to the extent of one-third of the amount paid it under the provisions of this act. In the event that any of the expenses made as aforesaid shall be collected from private individuals after said tax has been levied on the property of the city, town or township, said city, town or township shall have credited to them one-third of the amount so collected. It is further provided that nothing herein contained shall be construed to prevent any person quarantined, as herein provided, from employing at his own expense the physician or nurse of his choice, and no part of the expense of the physician or nurse employed by the board of health shall be apportioned to him under the provisions of this act.

The forcible removal of infected persons, as herein provided, shall be effected by an application made to any civil magistrate, in the manner provided for the removal and abatement of nuisances, who shall issue the

warrant as directed in such cases, to remove such person or persons to the place designated by the local board of health, or to take possession of the condemned or infected houses or lodgings, which warrant shall be executed under the direction of the local board of health, and such officer shall receive a reasonable compensation to be determined and allowed by said board.

Sec. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

B. L. EIKER,  
*Chairman.*

Ordered passed on file.

Temple of Clarke filed the following:

REVENUE REPORT OF COMMITTEE ON WAYS AND MEANS OF SENATE  
AND HOUSE.

MR. SPEAKER—In accordance with the joint action of the Ways and Means committee of the Senate and House, we hereby submit a report of the state's finances.

The following is a statement of the estimated available revenue for the biennial fiscal period ending June 30, 1903, under existing statutes:

Net treasury cash balance, July 1, 1901..... \$1,143,888.17

PROCEEDS STATE LEVY.

2.6 mills, last half of 1901.....	\$ 575,000.00	
2.7 mills, 1902.....	1,500,000.00	
2.6 mills, first half 1903.....	750,000.00	
Interest on taxes.....	28,000.00	—\$2,853,000.00
Sale of laws.....		3,000.00
Corporation taxes.....		360,000.00
Receipts from institutions under board of control.....		160,500.00
Fees, state officers.....		238,400.00
Support and care county inmates at state institutions.....		764,000.00
U. S. aid to Soldiers' home.....		80,000.00
Collateral inheritance tax.....		160,000.00
Miscellaneous sources.....		15,000.00

Grand total for biennial fiscal period..... \$5,777,788.17

The following is a statement of the estimated expenditures for the same period:

EXECUTIVE OFFICERS.

Adjutant-general.....	8,000.00
Attorney-general.....	14,560.00
Auditor of state.....	27,640.00
Board of control.....	53,000.00
Clerk supreme court.....	12,920.00
Commissioner of labor statistics.....	6,000.00
Commissioner pharmacy enforcement.....	2,400.00
Custodian public property.....	48,000.00
Dairy commissioner.....	16,000.00
District judges, fifty-three.....	265,000.00
Executive council, expenses.....	9,080.00
Fish and game warden.....	2,400.00
Governor.....	30,200.00
Librarian.....	12,720.00
Mine inspector.....	21,460.00
Railway commission.....	24,200.00
Secretary of state.....	23,800.00
Superintendent public instruction.....	12,180.00
Superintendent weights and measures.....	100.00
Supreme judges, six.....	48,000.00
Supreme court, contingent fund.....	8,500.00
Supreme court reporter.....	4,200.00
Supreme court clerk's fund.....	200.00
Supreme court rooms, bailiff's salary.....	1,560.00
Treasurer of state.....	18,120.00

EDUCATIONAL INSTITUTIONS, ETC.

Agricultural college.....	97,200.00
Board educational examiners.....	2,500.00
Normal school.....	125,500.00
State university.....	256,500.00
Teachers' institutes.....	10,000.00

VARIOUS INSTITUTIONS, ETC.

Arrest of fugitives.....	10,000.00
Agricultural societies.....	38,000.00
Veterinary surgeon.....	10,000.00
Board of health.....	10,000.00
State binder.....	38,000.00
Condemnation of real estate.....	7,500.00
Collateral inheritance tax, enforcement.....	9,100.00
Farmers' institutes.....	6,000.00
Geological survey and expenses.....	21,560.00
Historical collection and library.....	20,000.00
Historical collection, curator's salary.....	3,200.00
Historical society.....	2,000.00
Horticultural society.....	5,000.00
Interest school fund loans.....	1,313.00

Iowa state library.....	\$ 9,000.00
Weather bureau.....	5,400.00
Mail carrier.....	2,200.00
Militia.....	100,400.00
Miscellaneous freight and expressage.....	8,000.00
Miscellaneous code, 36.....	1,000.00
Miscellaneous code, 164.....	9,300.00
Miscellaneous code, 165.....	67,000 00
Providential contingencies.....	50,000.00
State printer.....	65,000.00
Reward for arrest of murderers.....	1,000.00
Relief of Metz.....	480 00
Relief of Hull.....	480.00
State Agricultural society.....	6,800.00
State library commission.....	4,000.00
Twenty-ninth General Assembly.....	130,000.00
Miscellaneous.....	15,000.00

## INSTITUTIONS UNDER BOARD OF CONTROL.

Penitentiary, Anamosa.....	225,544.83
Hospital, Clarinda.....	296,388.44
School for the deaf.....	110,711.87
Soldiers' Orphans' Home.....	125,228 47
Industrial School for Boys.....	116,112.59
Penitentiary, Fort Madison.....	195,381.89
Institution for Feeble-Minded Children.....	291,213. 3
Hospital, Independence.....	355,404.11
Industrial Home, Knoxville.....	1,000.00
Soldiers' Home.....	239,573 23
Industrial School for Girls.....	50,146.92
Hospital for Insane, Mount Pleasant.....	309,591.21
College for the Blind.....	65,202.51
Hospital for Insane, Cherokee.....	90,000.00

Grand total.....\$4,286,673.00

In addition to the estimated foregoing expenditures, there should be considered the undrawn extraordinary appropriations of the Twenty-seventh and Twenty-eighth General Assemblies amounting to \$793,433.00, which were available at the beginning of this biennial period. These appropriations had not been drawn from the state treasury, and were on July 1, 1901, a liability which must be paid on demand. Considering then this sum as a liability, it should be added to the grand total estimated expenditures as above indicated of \$4,286,673.00 which would make the grand total \$5,080,116.00.

Grand total of estimated available revenue for the biennial fiscal period ending June 30, 1903, is.....	\$5,777,788.17
Grand total of estimated expenditures for the biennial fiscal period ending June 30, 1903, is.....	5,080,116.00
Balance.....	\$ 697,672.17

The above balance (\$697,672.17) represents "the probable amount of money available for disbursements" by the appropriations committees of this general assembly under present statutes and conditions. We believe that experience will slightly increase rather than diminish this amount, but that is entirely problematical.

Owing to changes which have taken place in the salaries and expenses of various departments, the above estimates vary slightly from the figures submitted in the biennial report of the auditor of state. Estimates for the board of control have been increased \$1,565; freight and expressage, \$3,500; and miscellaneous expenses, \$15,000, making a total increase of \$20,065. This increase, however, is more than wiped out by the decrease recommended by the board of control estimate formerly made by them for the expenses of the Hospital for the Insane at Cherokee, the saving on this item as it now stands being \$70,000. A reduction of \$5,000 has also been made in the estimated expenses of the Twenty-ninth General Assembly. This explanation is pertinent to the subject only in comparing the present recommendations with those made to the governor in the biennial report of the auditor of state.

J. M. JUNKIN,

*Chairman Senate Ways and Means Committee.*

M. L. TEMPLE,

*Chairman House Ways and Means Committee.*

Ordered passed on file.

Lyman of Poweshiek moved that when this House adjourn today that it adjourn till Monday, February 17th, at 2 P. M.

Carried.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has rejected the following bill, in which the concurrence of the Senate was asked:

House file No. 33, a bill for an act to amend section 1850 of the code, relating to the investment of funds of savings banks.

GEO. A. NEWMAN,

*Secretary.*

#### INTRODUCTION OF BILLS.

By Head of Greene, House file No. 261, a bill for act to amend section 585 of the code, relating to the condemnation of land for gravel for roads.

Read first and second time and referred to [committee on Roads and Highways.



By Edwards of Butler, House file No. 262, a bill for an act to repeal sections 2, 3, 6 and 7 of chapter 45 of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor, and to amend section 1, chapter 45, acts of the Twenty-eighth General Assembly, relating to taxation of express companies.

Read first and second time and referred to committee on Telephone, Telegraph and Express.

By Barkley of Boone, House file No. 263, a bill for an act repealing sections 2, 3, 4 and 5, chapter 116, acts of the Twenty-eighth General Assembly, also defining the duties of Iowa library commission, transferring the associate and traveling libraries from the state library board to the Iowa library commission, and providing for an appropriation for the extension of the work of the Iowa library commission; also amending section 168 of the code of 1897, and repealing sections 2868, 2869, 2871, 2873, 2874 of said code; also repealing chapter 148 of the acts of the Twenty-seventh General Assembly.

Read first and second time and referred to committee on Public Libraries.

By Wilson of Buena Vista (by request), House file No. 264, a bill for an act to amend sections 2505 and 2506 of the code of Iowa, relating to the inspection of petroleum products.

Read first and second time and referred to committee on Public Health.

By Boysen of Audubon, House file No. 265, a bill for an act making provision for the support of the department of Industrial School for Boys at Eldora, Iowa, amendatory to chapter 81 of the acts of the Twenty-seventh General Assembly, relating to support of the industrial school.

Read first and second time and referred to committee on Industrial Schools.

By English of Polk, House file No. 266, a bill for an act to amend section 1533 of the code, relating to duties of township trustees.

Read first and second time and referred to committee on Ways and Means.

By English of Polk, House file No. 267, a bill for an act to

amend section 1542 of the code, relating to the certifying delinquent road tax.

Read first and second time and referred to committee on Ways and Means.

By Hurn of Cerro Gordo (by request), House file No 268, a bill for an act to amend the law relating to public health; an act to amend sections 2564, 2565, 2568, 2571, 2574, 2575 of the code, and chapter 67 acts of the Twenty-seventh General Assembly.

Read first and second time and referred to committee on Public Health.

By Teachout of Polk, House file No. 269, a bill for an act to amend section 1366 of the code, relating to the assessment of taxes.

Read first and second time and referred to committee on Ways and Means.

#### SENATE MESSAGES CONSIDERED.

Senate file No. 147, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies.

Read first and second time and referred to committee on Appropriations.

Senate file No. 134, a bill for an act appropriating money to pay expressage, freight and cartage.

Read first and second time and referred to committee on Appropriations.

Senate joint resolution No. 2, for an amendment to the constitution of the state of Iowa, proposing the repeal of sections 34, 35, 36, of article three (3) of said constitution, and proposing to adopt the following in lieu thereof and as a substitute therefor.

Read first and second time and referred to committee on Constitutional Amendments.

Senate file No. 122, a bill for an act to amend section 2, of chapter 67 of the laws of the Twenty-eighth General Assembly, relating to savings banks.

Read first and second time and referred to committee on Banks and Banking.

Senate file No. 70, a bill for an act to repeal section 853 of the code, and section 2 of chapter 28 of the acts of the Twenty-seventh General Assembly, and amend subdivision 6, of section 1005 of the code, relating to the subject of taxes for library purposes in cities acting under special charter.

Read first and second time and referred to committee on Municipal Corporations.

On motion of Anderson of Warren, House file No. 179, a bill for an act for the relief of the grantees of John Noble and W. A. Noble, and for the purpose of having a patent issued in their names for a certain tract of land, with report of committee recommending passage was taken up, considered and the report of the committee adopted.

Mr. Anderson moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Black, Boysen, Calderwood, Carden, Cassel, Cheney, Christianson, Clarke, Colclo, Crouse, Donahue, Edwards, Eiker, English, Fields, Flenniken, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hughes, Hurn, Jaeger, Jenks, Jones, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McNie, Mattes, Moore, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Roome, Springer, Stratton, Teachout, Townsend, Walden, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—63.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Blakemore, Buchanan, Campbell, Carter, Coburn, Cowles, Cruikshank, Cummings, Davenport, Dodds, Dunham, Freeman, Frudden, Greeley, Hertert, Hufschmidt,

Keagy, Kolthoff, McClure, McClurkin, Marshall, Mersevey, Mordhorst, Nichols, Payne, Robinson, Secor, Sokol, Stuckslager, Sweeley, Sweet, Temple, Utterback, Walters, Warren, Willett—37

So the bill passed and the title was agreed to.

On motion of McNie of Benton, House file No. 86, a bill for an act relating to the support of the College for the Blind at Vinton, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee, with amendments, adopted.

Head of Greene moved that further consideration of this bill, House file No. 86, be deferred until next Thursday.

Carried.

On motion of Fields of Plymouth, House file No. 130, a bill for an act to amend section 1547 of the code, and to prohibit the taking of fish from certain waters of the state except with hook and line, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee, with amendments, adopted.

Mr. Fields moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Black, Boysen, Calderwood, Carden, Cassel, Cheney, Christianson, Clarke, Colclo, Crouse, Donahue, Edwards, Eiker, English, Fields, Flenniken, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hughes, Jaeger, Jones, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McNie, Mattes, Moore, Nagle, Patton, Pipher, Powers, Pritchard, Roome, Springer, Stratton, Teachout, Townsend, Walden, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—61.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Blakemore, Buchanan, Campbell, Carter, Coburn, Cowles, Cruikshank, Cummings, Davenport, Dodds, Dunham, Freeman, Frudden, Greeley, Hertert, Hufschmidt, Hurn, Jenks, Keagy, Kolthoff, McClure, McClurkin, Marshall, Meservey, Mordhorst, Nichols, Payne, Robinson, Secor, Sokol, Stuckslager, Sweeley, Sweet, Temple, Utterback, Walters, Willett—39.

So the bill passed and the title was agreed to.

Jones of Mahaska in the chair.

On motion of Wilson of Buena Vista, House file No. 121, a bill for an act to amend section 1610, and section 1518 as amended by chapter 40 of the acts of the Twenty-seventh General Assembly, and chapter 56 of the Twenty-eighth General Assembly, relating to incorporations for pecuniary profit, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Wilson moved to amend the bill by inserting the word "dollars" in the seventh line, after the figures "\$2,000" in brackets and strike out of section 3 the words "publication clause."

Adopted.

Mr. Wilson moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Black, Boysen, Calderwood, Carden, Cassel, Cheney, Christianson, Clarke, Crouse, Donahue, Edwards, Eiker, English, Fields, Flenniken, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hughes, Jaeger, Jenks, Jones, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McNie, Mattes, Moore, Nagle, Patton, Powers, Pritchard, Roome, Springer, Stratton, Townsend, Walden, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright—58.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Blakemore, Buchanan, Campbell, Carter, Coburn, Colclo, Cowles, Cruikshank, Cummings, Davenport, Dodds, Dunham, Freeman, Frudden, Greeley, Hertert, Hufschmidt, Hurn, Keagy, Kolthoff, McClure, McClurkin, Marshall, Meservey, Mordhorst, Nichols, Payne, Pipher, Robinson, Secor, Sokol, Stuckslager, Sweeley, Sweet, Teachout, Temple, Utterback, Walters, Willett, Mr. Speaker—42.

So the bill passed.

Hughes of Iowa moved to amend the title by inserting the words "of the code" in the title.

Adopted and the title, as amended, was agreed to.

On motion of Wright of Guthrie, House file No. 195, a bill for an act to amend section 106 of the code, relative to the time of settlement of the auditor of state with the treasurer of state, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Wright moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Barker, Barkley, Black, Boysen, Calderwood, Carden, Cassel, Cheney, Christianson, Clarke, Colclo, Crouse, Donahue, Edwards, Eiker, English, Fields, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hughes, Jaeger, Jones, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McNie, Mattes, Moore, Patton, Powers, Pritchard, Roome, Springer, Stratton, Teachout, Townsend, Walden, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright—56.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Bailey, Bealer, Blakemore, Buchanan, Campbell, Carter, Coburn, Cowles, Cruikshank, Cummings,

Davenport, Dodds, Dunham, Flenniken, Freeman, Frudden, Greeley, Hertert, Hufschmidt, Hurn, Jenks, Keagy, Kolthoff, McClure, McClurkin, Marshall, Meservey, Mordhorst, Nagle, Nichols, Payne, Pipher, Robinson, Secor, Sokol, Stuckslager, Sweeley, Sweet, Temple, Utterback, Walters, Willett, Mr. Speaker—44.

So the bill passed and the title was agreed to.

On motion of Clarke of Dallas, House file No. 180, a bill for an act to amend section No. 227 of the code, and to provide an additional judge for the Third judicial district, with report of committee recommending it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Clarke of Dallas, House file No. 204, a bill for an act to amend section 468 of the code of 1897, relating to supplies for county officers, with report of committee recommending it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Langan of Clinton leave of absence was granted Jaeger of Des Moines and Hertert of Shelby until Tuesday morning.

Wilson of Washington moved that the House do now adjourn.

Carried, and the House adjourned till Monday, February 17th, at 2 P. M.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Monday, February 17, 1902. }

House met pursuant to adjournment with Speaker Eaton in the chair.

Prayer was offered by the Rev. A. G. Martyn of Denison, Iowa.

The Journal of Saturday, February 15th, was corrected and approved.

#### PETITIONS AND MEMORIALS.

Colclo of Carroll presented remonstrance of Rev. Jos. Kuemper and twelve others against House files No. 170, 134 and 45.

Referred to committee on Schools and Text-Books.

Buchanan of Wapello presented four petitions of Iowa mine operators in regard to shot-firing in mines.

Referred to committee on Mines and Mining.

Willett of Woodbury presented remonstrance of citizens and taxpayers of Woodbury county, relating to the election of supervisors.

Referred to committee on Elections.

Nichols of Muscatine presented petition of citizens of Muscatine, relating to barbers' license bill.

Referred to committee on Public Health.

Hughes of Iowa called up his resolution in regard to the appointment of a committee of three to draft resolutions in respect to the memory of the Hon. Elvin Tilton, which was laid over from Saturday under rule 34, and moved that it be adopted.

The motion prevailed and the resolution was adopted.



## INTRODUCTION OF BILLS.

By Temple of Clarke, House file No. 270, a bill for an act to repeal section 5167 of the code, and enact a substitute therefor relating to the time of commencing actions in criminal causes.

Read first and second time and referred to committee on Compensation of Public Officers.

By Temple of Clarke, House file No. 271, a bill for an act to repeal section 2701 of the code, and to enact a substitute therefor, relating to the compensation of the superintendent and assistants of the institution for feeble-minded children.

Read first and second time and referred to committee on Judiciary.

By Hurn of Cerro Gordo, House file No. 272, a bill for an act requiring the clerk and treasurer of cities and towns to keep books showing the funds of municipal corporations, and to provide for a publication of a financial statement annually.

Read first and second time and referred to committee on Municipal Corporations.

By Teachout of Polk, House file No. 273, a bill for an act to amend section 661 and section 674 of title 5, chapter 2 of the code of 1897, relating to assessors in cities and towns.

Read first and second time and referred to committee on Municipal Corporations.

By Teachout of Polk, House file No. 274, a bill for an act to amend section 295 of the code, relating to change in title to real estate.

Read first and second time and referred to committee on Judiciary.

## REPORT OF COMMITTEE.

Stuckslager of Linn, from the special committee on the governor's message, submitted the following report:

MR. SPEAKER—Your committee, to whom was referred the governor's message, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with a bill for an act to amend chapter 167, laws of the Twenty-eighth General Assembly, entitled, "An act to provide for the erection of monuments to

mark the positions occupied by the Iowa volunteers at the battle of Shiloh, Tennessee, and to make an appropriation to pay the expenses of the commission," a copy of which bill is hereto attached and made a part of this report, with the recommendation that the same do pass.

W. C. STUCKSLAGER,

*Chairman.*

The bill, House file No. 275, was read first and second time and passed on file.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval, House file No 19, a bill for an act to authorize the loaning of funds accumulated under chapter one (1) of the acts of the Twenty-sixth General Assembly, or under section seven hundred forty-two (742) of the code, and to legalize a contract between the city of Des Moines and the Des Moines Water Works company for a loan of such funds.

Also, House file No. 18, a bill for an act to provide a water supply for military reservations of the United States in this state.

Also, House file No. 25, a bill for an act to legalize the acts of the board of supervisors of Jefferson county, Iowa, relating to the levying of a tax for the support of the poor, and legalizing the tax so levied.

J. P. LYMAN,

*Chairman.*

February 17, 1902.

The House here took up special order No. 1, House file No. 29, a bill for an act to amend section 2799, chapter 14, title 13 of the code of 1897, relating to the uniting of independent districts, with report of committee recommending passage as amended, was taken up and considered.

Calderwood of Scott moved that further consideration of this bill be postponed, and that the bill be made a special order for next Friday, February 21st, at 10:30 A. M.

Carried.

On motion of Hurn of Cerro Gordo, leave of absence was granted Barker of Howard indefinitely.

On motion of Gilchrist of Pocahontas, leave of absence was granted Wise of Black Hawk until tomorrow.

On motion of Freeman of Pottawattamie, leave of absence was granted Jenks of Pottawattamie until Tuesday.

Calderwood of Scott moved that a committee be appointed to invite and escort General Fitzhugh Lee, who is on the floor of the House, to the Speaker's desk.

Carried.

The Speaker appointed as such committee, Calderwood of Scott, Hasselquist of Lucas, Kerr of Grundy.

The Speaker introduced General Fitzhugh Lee, who briefly addressed the House.

On motion of Cummings of Marshall, House file No. 128, a bill for an act amendatory of chapter one (1), title three (3) of the code, relating to the organization of the supreme court, with report of committee recommending passage as amended, was taken up, considered and the report of the committee, with amendment, adopted.

Head of Greene moved to amend section 5, House file No. 128, by striking out the word "six" at the end of the first line (printed bill) and inserting the word "five" in lieu thereof.

Lost on a division by a vote of 28 for and 32 against.

Temple of Clarke moved that the House adjourn till 10 A. M. tomorrow, Tuesday, February 18th.

Carried, and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Tuesday, February 18, 1902. }

House met pursuant to adjournment, Speaker Eaton presiding.

Prayer was offered by the Rev. D. G. Bruce of Des Moines, Iowa.

The Journal of Monday, February 17th, was read, corrected and approved.

The Speaker appointed Hughes of Iowa, Wright of Guthrie, and Utterback of Keokuk, as a committee to draft resolutions in accordance with the resolution of Hughes of Iowa on the death of the Hon. Elvin Tilton.

On motion of Furry of Hardin, leave of absence was granted Secor of Winnebago for the day.

Dunham of Delaware moved that House file No. 170, calendar No. 84, be made a special order for Thursday, February 20th, following the consideration of House file No. 86.

Carried.

The House took up further consideration of House file No. 128, which was pending at adjournment on yesterday.

Sweeley of Woodbury moved that section 5 of House file No. 128 be stricken out and the following substituted therefor:

Section 5. For the time intervening between the taking effect of this act and the 1st day of January, 1908, each judge of the supreme court shall receive, in addition to his salary now fixed by law, the sum of one thousand dollars per year in full compensation for the increased expense, including clerk hire, which compliance with this act imposes upon him; and on and after the 1st day of January, 1908, the salary of said judges shall be five thousand dollars per year.

Black of Mills moved that House file No. 128 be referred to the committee on Compensation of Public Officers.

Carried and the bill was so referred.

On motion of Jaeger of Des Moines, House file No. 41, a bill for an act to amend sections two (2) and three (3) of chapter thirty (30) of the acts of the Twenty-eighth General Assembly, relating to the levy of taxes for park purposes in certain cities, with report of committee recommending passage as amended by substitute, was taken up, considered and the report of the committee, with substitute as amended, adopted.

Mr. Jaeger moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Husselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Whiting, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—91.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Cruikshank, Frudden, Kerr, Payne, Secor, Walters, Warren, Wilson of Washington—9.

So the bill passed and the title was agreed to.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the

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

Concurrent resolution relative to the committee on Retrenchment and Reform enquiring into the delay of certain state officers, commissioners and departments in complying with chapter 6 of the acts of the Twenty-eighth General Assembly:

*Resolved*, By the Senate, the House concurring, that

WHEREAS, Certain state officers, commissioners and departments have neglected to comply with chapter six of the acts of the Twenty-eighth General Assembly, thus detracting from the value and interfering with the prompt publication of the report therein provided for; therefore, be it

*Resolved* by the Senate, the House concurring: That the committee on Retrenchment and Reform inquire into the cause of such neglect and report such proposed legislation as may be deemed necessary to secure the enforcement of said law.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 192, a bill to amend section 2572 of the code, relating to the enforcement of rules and regulations of the state board of health.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 26. A bill for an act to legalize and confirm the acts of George C. Murtry and Herbert J. McMurtrie, notaries public of the state of Iowa.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 103, a bill for an act to legalize the election held in the county of Dallas, and state of Iowa, on the 6th day of November, 1900, and the propositions submitted at said election for the purpose of building a courthouse at Adel in said county, and borrowing money and issuing bonds therefor, and the manner of submitting said propositions and the manner

of payment of bonds issued for said purpose, and all the proceedings of the board of supervisors with reference to said matter.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House file No. 119, a bill for an act to legalize the acts of the Independent school district of Allerton, Wayne county, Iowa, in voting bonds at an election held March 12, 1900, for the rebuilding of a schoolhouse in said Independent district and to enable such district to issue such bonds.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 42, a bill for an act to amend chapter 44 of the laws of the session of the legislature of the territory of Iowa, approved December 18, 1843, incorporating the Aspen Grove Cemetery association of Burlington, Iowa, conferring upon said association all the rights, powers and privileges now possessed or hereafter conferred by the statutes of Iowa upon corporations not for pecuniary profit.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file 74, a bill for an act to legalize the official acts of W. E. Haskins, a notary public of Howard county, Iowa.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed a substitute for the following bill, in which the concurrence of the Senate was asked:

Substitute for House file No. 187, a bill to legalize the adoption of ordinances of cities and towns, and incorporated towns adopted under attempted suspension of the rule requiring the reading thereof on three different days, the vote for such suspension having been less than three-fourths of the whole number of members elected to the council, including the mayor.

GEO. A. NEWMAN,  
*Secretary.*

Also:

Mr. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 34, a bill for an act to legalize the ordinances of the town of Conway, Iowa.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 159, a bill for an act providing for the purchase of engravings, plates and cuts for state publications, and fixing the manner of paying the cost of the same.

GEO. A. NEWMAN,  
*Secretary.*

#### SPECIAL ORDER.

On motion of Furry of Hardin, House file No. 206, special order No. 3, a bill for an act providing for the appointment of public examiners, defining the duties and fixing the compensation thereof, and providing for a uniform system of keeping the books of county treasurers, was taken up and considered.

Mr. Furry moved to amend House file No. 206 by striking out the word "he" in the seventh line of section 4 of the printed bill, and inserting the word "they" in lieu thereof; also by striking out the word "period" in the fourth line, section 6, of the printed bill and inserting the word "system" in lieu thereof.

Adopted.

Hawk of Jasper moved to amend by inserting the following as section 6, and renumbering the succeeding sections to correspond:

Section 6. Said examiners shall examine at least once each year the books and accounts of all state officers and all state offices and shall make a full and detailed report of the condition thereof to the governor.

Lost.

Head of Greene moved to amend section 6 by inserting the words "auditors and clerks" after the word "treasurer," in the third line thereof (printed bill), and by inserting the words



"auditor and clerk" after the word "treasurer" in the fourth line.

Adopted.

Lyman of Poweshiek moved to amend section 7 by inserting after the word "incurred" in the fifth line of the printed bill, the following, "in making the examinations in his county."

Adopted.

Dunham of Delaware moved to amend by inserting after the word "state", in the first line, the words, "and state auditor."

Adopted.

Barkley of Boone moved to amend by striking out of the fifth line of section 3 of the printed bill, the words, "boards of supervisors of any county", and inserting in lieu thereof the words, "treasurer of state."

Lost.

Jones of Mahaska moved to amend by striking out section 10.

Lost on a division of the House by a vote of 29 for and 32 against.

Hertert of Shelby moved that section 3 of said House file No. 206 be amended by inserting after the word "treasurer" in third line of said section 3, "and county auditors."

Lost on a division of the House by a vote of 13 for and 35 against.

Teachout of Polk moved to amend section 7, line 3, by striking out all after the words "addition thereto" to the period in said line, and inserting in lieu thereof "hotel expenses not exceeding two dollars per day and railroad transportation."

Adopted.

Cowles of Keokuk moved to strike out of the fourth line of section 3 of the printed bill the following words: "At least once each year;" also the word "other."

Lost.

Mr. Furry moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Greeley, Greene, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Keagy, Kendall, Kerr, Kling, Langan of Clinton, Leech, Lyman, McClurkin, McNie, Marshall, Mattes, Meservey, Mordhorst, Nagle, Pipher, Robinson, Roome, Springer, Sweeley, Sweet, Teachout, Townsend, Utterback, Warren, Wilson of Buena Vista, Wise, Mr. Speaker—68.

The nays were:

Messrs. Bailey, Blakemore, Cowles, Dodds, Graff, Head, Jones, Kolthoff, Koontz, Langan of Crawford, Larrabee, McClure, Moore, Nichols, Patton, Powers, Pritchard, Sokol, Stratton, Stuckslager, Temple, Walden, Whiting, Willett, Wilson of Washington, Wright—26.

Absent or not voting:

Messrs. Barker, Cruikshank, Frudden, Payne, Secor, Walters—6.

So the bill passed.

Head of Greene moved to amend the title by inserting after the word "treasurers" the words "auditors and clerks."

Adopted, and the title, as amended, was agreed to.

On motion of Campbell of Fremont, House file No. 52, a bill for an act making it a crime to advise, counsel or employ another to commit murder, and fixing the punishment thereof, with report of committee recommending passage as amended by substitute, was taken up, considered and the report of the committee, with substitute as amended, adopted.

Campbell of Fremont moved to amend by striking out the word "punishable" in the third line and insert the word "punished" in lieu thereof.

Adopted.

Mr. Campbell moved that the rule be suspended, and that the

bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cas-  
sel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse,  
Cummings, Davenport, Dodds, Donahue, Dunham, Edwards,  
Eiker, English, Fields, Flenniken, Freeman, Furry, Gilchrist,  
Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Her-  
tert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Keagy, Ken-  
dall, Kerr, Kling, Kolthoff, Koontz, Langan of Crawford, Larra-  
bee, Leech, Lyman, McClure, McClurkin, McNie, Marshall,  
Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton,  
Pipher, Powers, Pritchard, Robinson, Roome, Sokol, Springer,  
Stratton, Stuckslager, Sweeley, Sweet, Teachout, Townsend,  
Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena  
Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—90.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Cruikshank, Frudden, Hurn, Jones, Langan of  
Clinton, Payne, Secor, Temple, Walters—10.

So the bill passed and the title was agreed to.

Donahue of O'Brien moved that the House do now adjourn  
until tomorrow, February 19th, at 9 A. M.

Carter of Sioux moved to amend by making the hour 10 A. M.

Adopted.

Motion, as amended, carried.

House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Wednesday, February 19, 1902. }

The House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. J. B. Harris of Boone, Iowa.

On motion of Clarke of Dallas, leave of absence was granted Crouse of Adams until next Monday.

#### PETITIONS AND MEMORIALS.

Koontz of Johnson presented remonstrance of 400 citizens of Johnson county, against House files No. 170, 134 and 45.

Referred to committee on Schools and Text-Books.

Sweeley of Woodbury presented petition of citizens of Woodbury county, relating to the election of supervisors.

Referred to committee on Elections.

Sweet of Bremer presented petition of thirty-two soldiers of Bremer county, asking for the soldiers' homestead exemption bill.

Referred to committee on Judiciary.

Buchanan of Wapello presented petition of painters' union of Ottumwa, Iowa, requesting joint resolution urging congress to have war vessels built in this country.

Referred to committee on Federal Relations.

Carter of Sioux presented petition of citizens of Sioux county, asking a time-limit on consent petitions under the mulct law.

Referred to committee on Suppression of Intemperance.

McNie of Benton presented petition of West Irving lodge

No. 283, I. O. O. F. of Elberon, Iowa, relating to wearing emblems of orders.

Referred to committee on Judiciary.

Langan of Clinton presented petition of painters' and decorators' union of Clinton, Iowa, requesting joint resolution urging congress to have war vessels built in this country.

Referred to committee on Federal Relations.

Willett of Woodbury presented petition of citizens of Woodbury county, relating to the election of supervisors.

Referred to committee on Elections.

Cummings of Marshall presented petition of citizens of Marshall county, relating to woman suffrage.

Referred to committee on Constitutional Amendments.

#### REPORTS OF COMMITTEES.

Hughes of Iowa, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 147, a bill for an act appropriating money to defray the expenses of the inauguration ceremony, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,

*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 186, a bill for an act appropriating money to pay expressage, freight and cartage, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN HUGHES, JR.,

*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 193, a bill for an act appropriating money to defray the expenses of the inaugurating ceremonies, beg leave to report that they have

had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 134, a bill for an act appropriating money to pay expressage, freight and cartage, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 20, a bill for an act to create an additional state normal school in the state institution formerly occupied as the Industrial Home for the Blind at Knoxville, in Marion county, and to convert said property to said uses and purposes, and to provide for the maintenance, equipment and improvement thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the report of the committee on Normal Schools be adopted and the amendment offered by said Normal School committee be adopted, and that when so amended, the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 92, a bill for an act defining the crime of the commission of crime as an occupation, and providing the penalty therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by adopting the following substitute, and when so amended the same do pass:

A BILL

For an act relating to the indictment and punishment of persons who have been convicted of felony two or more times in this state, or in this and other states, and making certain evidence competent proof thereof.

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

Section 1. Whoever has been twice convicted of crime, sentenced and

committed to prison, in this or any other state, or by the United States, or once in this state and once at least in any other state, or by the United States, for terms of not less than three years each, shall, upon conviction of a felony committed in this state after the taking effect of this act, be deemed to be a habitual criminal, and shall be punished by imprisonment in the penitentiary for a term of not less than twenty-five years, provided that no greater punishment is otherwise provided by statute, in which case the law creating the greater punishment shall govern; and further provided, that if the person so convicted shall show, to the satisfaction of the court before whom such conviction was had, that he was released from imprisonment, upon either of said sentences, upon a pardon granted for the reason that he was innocent, such conviction and sentence shall not be considered as such under this act.

SECTION 2. On the trial of any cause, under the provisions of this act, a duly authenticated copy of the former judgment and commitment, from any court in which such judgment and commitment was had, for either of the crimes formerly committed by the party indicted under this act, shall be competent and *prima facie* evidence of such former judgment and commitment, and may be used in evidence upon the trial of said cause.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary submits herewith House file No. 276, a bill for an act to protect sheriffs and other peace officers in procuring evidence for the identification of criminals, or persons accused of crime, and beg leave to report that they have had the same under consideration, and have instructed me to report the same to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Read first and second time and passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 167, a bill for an act to amend sections 2024 and 2025 of the code, relating to the condemnation of real estate by the state, and the payment of damages therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by adopting the following substitute therefor:

A BILL

For an act providing for the condemnation of real estate by the state

for the use and benefit of institutions of the United States, and the payment of damages therefor.

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

Section 1. Whenever, in the opinion of the governor of the state, the public interest requires the laying or construction of any drain, sewer or aqueduct, and the acquisition of an easement therefor, upon or across private property, or the taking of any real estate for the making or construction of any drain, sewer or aqueduct, or for rifle ranges, exercise, drill or parade grounds, yards, walls, buildings or other improvements or conveniences for the use or benefit of any fort, arsenal, military post or other institution of the United States, upon or across private property, the same proceedings may be had in the name of the state as are provided for the taking of private property for works of internal improvement by chapter 4, title 10 of the code, and the proceedings shall be conducted by the county attorney of the county in which the land is situated, whenever directed by the governor, or he may appoint some other person for that purpose.

Sec. 2. When the amount of the damages is finally determined, the sheriff or clerk, as the case may be, shall certify the amount thereof to the governor who shall, by an order endorsed thereon, direct the payment of the same, including all costs and expenses incurred, and the auditor of state shall issue a warrant on the treasury for the amount, which shall be paid out of such money as may have been deposited in the treasury by the United States, or by any person and persons for and on its behalf, and when paid to the sheriff or persons entitled thereto, the governor and auditor of state are hereby authorized and instructed to convey the easement or real estate so taken, and all of the rights of the state so acquired therein, to the United States, by good and sufficient deed of conveyance, executed for, on behalf of, and in the name of the state of Iowa, and thereupon the United States, through the proper officer or agent, may enter upon the premises and construct the desired work.

Sec. 3. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at the city of Des Moines, Iowa.

And when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 123, a bill for an act to amend section 1441 of the code, relating to service of notice of expiration of right of redemption from tax sales, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out all after the enacting clause, and inserting in lieu thereof the following:



Section 1. That section one thousand, four hundred and forty-one (1441) of the code, be amended by inserting after the word "situated," in the fifth line of said section, the following: "And upon any lien holder appearing of record," and by adding to said section, at the close thereof, the following: "But the failure to serve any lien holder, as in this section prescribed, shall not vitiate the title as between the holder of the tax deed and the holder of the patent title, but shall only give such lien holder a right of redemption until ninety (90) days after such completed service is had on him."

And when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 40, a bill for an act to legalize the incorporation of certain corporations incorporated under the laws of the state of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 18, a bill for an act to amend section 4790 of the code, in relation to the possession of burglars' tools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 96, a bill for an act to amend section 296 of the code, relating to fees in probate matters, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 233, a bill for an act to amend section 2985 of the code, relat-

ing to the exemption of the homestead as to debts of the deceased when descending to the issue of either husband or wife, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Wise of Black Hawk, from the committee on Railroads and Commerce, submitted the following report:

MR. SPEAKER—Your committee on Railroads and Commerce, to whom was referred House file No. 182, a bill for an act to amend section two thousand and twenty-eight (2028) of the code, relating to the taking of private property for works of internal improvement, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that the same do pass.

C. A. WISE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Railroads and Commerce, to whom was referred Senate file No. 46, a bill for an act to amend sections two thousand and eighty-four (2084), two thousand and eighty-five (2085), two thousand and eighty-six (2086), two thousand and eighty-seven (2087), two thousand and eighty-eight (2088), two thousand and eighty-nine (2089), two thousand and ninety (2090), two thousand and ninety-one (2091) of the code, relating to taxes in aid of railways, and extending the provisions thereof to trolley and electric railways, beg leave to report the same back to the House with the recommendation that the same do pass.

C. A. WISE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Railroads and Commerce, to whom was referred Senate file No. 167, a bill for an act to amend section twenty-one hundred sixteen (2116) of the code, relating to the duty of railway corporations to transport, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. A. WISE,  
*Chairman.*

Ordered passed on file.

Crouse of Adams, from the committee on Animal Industry, submitted the following report:

MR. SPEAKER—Your committee on Animal Industry, to whom was referred House file No. 178, a bill for an act to protect the owners of breeding stock, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. S. CROUSE,  
*Chairman.*

Ordered passed on file.

Coburn of Cherokee, from the committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House file No. 149, a bill for an act to amend sections 1487 and 2028 of the code, relating to the establishment of roads and highways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. F. COBURN,  
*Chairman.*

Ordered passed on file.

Eiker of Decatur, from the committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 268, a bill for an act to amend the law relating to public health, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended and when so amended the same do pass.

Amend by striking out section four (4) of the original bill, and number sections five (5) and six (6) of the original bill, sections four (4) and five (5) respectively.

B. L. EIKER,  
*Chairman.*

Ordered passed on file.

Temple of Clarke, from the committee on Ways and Means, submitted the following report:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 184, a bill for an act to amend section four thousand and eleven (4011), chapter three (3), title nineteen (19) of the code of 1897, relative to personal earnings, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that the same be amended as follows, and when so amended the same do pass: That all the bill following

the word "except" in the fifth line be stricken out and the following be substituted in lieu thereof:

"As to debts contracted after the fourth (4th) day of July, 1902, for the family expenses of the debtor there shall be exempt from liability only ninety per cent. of the personal earnings of such debtor, earned or becoming due within ninety days next preceding the levy, but all the earnings of the members of his family to whose earnings he may be entitled shall be exempt for the period of ninety days after the same becomes due."

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Mr. Temple also submitted the following report:

MR. SPEAKER—The undersigned, a minority of your committee on Ways and Means, beg leave to state that they have had under consideration House file No. 184 and amendments thereto. They further state that they dissent from the report of the majority of your committee, and recommend that said House file and amendment be indefinitely postponed.

N. E. KENDALL,  
G. E. HILSINGER,  
WM. LARRABEE, JR.,  
A. J. WILSON,  
T. P. WALDEN,  
NATE WRIGHT,  
EMORY H. ENGLISH.

Ordered passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your Joint Committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 1, a bill for an act to provide for the compilation of the laws of the Twenty-seventh, Twenty-eighth and Twenty-ninth General Assemblies, to annotate the same and the code, and the rules of the supreme court to and including the May term, 1902, of the supreme court, and to publish said compilation and annotations as a supplement to the code, and to provide for the appointment of a supervising committee, and making an appropriation therefor.

Also: Senate file No. 12, a bill for an act to amend section 5052 of the code, relating to the use or sale of bottles, boxes, casks, kegs and barrels of another.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Ordered passed on file.

Temple of Clarke submitted the following:

MR. SPEAKER—Your committee appointed to draft resolutions of respect to the memory of Hon. Jacob Proudfoot, respectfully submit the following:

WHEREAS, The Hon. Jacob Proudfoot, an honored member of the House of the Sixteenth General Assembly, from Clarke county, has departed this life, full of years and the honors of a well-spent life; therefore be it

*Resolved*, That while we sympathize with his bereaved family in the loss of the christian patriarch, whose love, counsel and direction were ever toward the right; with the state in the loss of another of those sturdy, God-fearing pioneers, who laid its foundations, deep and strong; and with the community in which he lived with the loss of a man whose hand was always ready to guide and assist in every good work, we yet rejoice in the fact that his life was spared beyond the span ordinarily allotted to man, and that his death, like his life, was a benediction and inspiration to all who believe in an immortality where the progress made in this life will be taken up and perfected.

*Resolved*, That the life and character of the deceased were such as to command our esteem and love, his public services were such to state, county and community as to command the respect and gratitude of his fellow men, and that he left the world better for having lived in it.

*Resolved*, That these resolutions be printed in the Journal of the House and that the Chief Clerk be directed to transmit a copy of the same to the bereaved family.

M. L. TEMPLE,  
S. T. MESERVEY,  
JOSEPH MATTES,

*Committee.*

In submitting this report Mr. Temple spoke as follows:

MR. SPEAKER—I move the adoption of the resolutions just read.

As the representative of the county which he once represented, and the successor of the deceased in this body, I cannot refrain from saying a few words in this presence in testimony of the many good qualities of heart and mind of the Hon. Jacob Proudfoot.

He was born October 29, 1822, in Harrison county, then the state of Virginia, now West Virginia. In the year 1855, he bade adieu to the state of his nativity, and took up his journey to the then new and boundless west, traveling overland with his family by team from Virginia, arriving in Warren county, Iowa, where he made his home until the 9th of April, 1856, at which time he settled in the little post village of Liberty, in Clarke county, where he lived until his death, except a temporary residence of one year in Indianola, while his sons were attending college at that place.

He was of sturdy Scotch ancestry, his grandfather having come from the Highlands of Scotland to America, in the dark days of the Revolution, to cast his fortunes with the struggling colonists.

Mr. Proudfoot was a profoundly religious man from his youth up having become a member of the Methodist Episcopal church February 10, 1839, and was continually a class leader in the church meetings of that denomination from 1854 until the time of his death.

He was in politics an earnest, consistent republican, accepting the tenets of that party to their full and logical extent, yet, withal, a liberal and charitable man, believing in the broadest liberty of human thought and action consistent with good citizenship. He was not a politician in the sense of the word that might imply that he was a seeker after preferment within the party, but was constant in attendance at the township caucus and the county convention, realizing that the privileges of American citizenship carry with them corresponding duties, and that no man should complain of the character of the ticket nominated unless he himself has participated among the people in shaping the nominations and policies of his party.

He held the office of member of the board of supervisors of Clarke county for several terms, and was noted for his breadth of information, his sterling integrity, his wise economy, and his broad liberality, when liberality was required.

At the general election of 1875 he was elected as representative from Clarke county to the Iowa house, and thus became a member of the Sixteenth General Assembly, I believe the last which held its meetings in the old state house. His career in the general assembly was approved by the people, and the record made by his votes and committee work was one creditable and satisfactory, characterized by a high order of intelligence and strict devotion to duty, the courage of his convictions appearing in every action.

By a singular complication of political conditions he was denied a renomination and consequent second term. But so strong was the approval of the people of his candidacy that the nominee who defeated him in the convention was overwhelmingly defeated at the polls, notwithstanding the earnest support given him by Mr. Proudfoot.

In his private life he was known to be a man of strong convictions upon all great moral and political questions, and one who unhesitatingly gave voice to his convictions whenever duty required. He never compromised or faltered. He was insensible to that fear which makes men dally and trifle upon such subjects; a foe to all that is evil and immoral, prompt and outspoken, teaching by example as well as precept, strong in his convictions upon temperance, upon religious subjects, and upon political issues, so that it is a high tribute to his worth and character that in all his long life he never made an enemy.

From 1856 to the time of his death he lived in the little post village of Liberty, some fifteen miles removed from the county seat, and from railway communications, in a quiet, primitive settlement. But he found ample opportunity in this secluded corner of the world to do the life-work of a Christian gentleman.

He never acquired any great amount of property, because he was not

ambitious. And, yet, he was a good, comfortable liver. He gave to his family all the comforts of a pleasant American home, without ostentation, extravagance, or parsimony. Dying at the age of 78 years, in his death he illustrated the sublime lesson of his life.

His end was one of the most beautiful of any with which I have been acquainted in many years. It evokes from one the declaration, "Let me die the death of the righteous, and let my last end be like His." On the day that saw his passing away from time to eternity, he went to the field in the morning, and performed a half-day's toil with the vigor of the strong man. He returned to his home for luncheon a little after 12 o'clock and remarked to his aged wife that he believed he would rest that afternoon. After luncheon he went down to the village postoffice, and received his mail, including the newspapers, of which he always was a liberal patron. He spent the summer afternoon sitting in the shade of the awning of the village grocery store, reading from the papers to his friends and neighbors who surrounded him, and at nearly 6 o'clock of that summer evening returned to his home, remarking, after supper, that he felt a strange sensation, not of pain and sickness, but of something indescribable and unusual. His son and daughter-in-law came over to his residence in the later evening, and he retired to his bed about 9 o'clock, after having sat in the evening twilight and chatted pleasantly with his family. About 10 o'clock some of the family visited the bedroom of the venerable patriarch, and found that the angel of death was bearing away his spirit to the other side of the dark river which divides time from eternity, his inanimate clay bearing upon its countenance a sweet smile, which beamed like a halo from that rugged, honest face after death had done its last work.

It was my privilege to attend the funeral, held at that little country church, where all the neighbors from all the country round came to bear its last sad tribute of respect to an honored and an upright man, whose life in the world had made the world brighter and purer.

I never saw more unaffected and deeper grief than was depicted upon the faces of those who had known him for nearly the last half century. There is little to be said of the life passed in the quiet, unambitious manner in which his life was passed. One of England's most loved poets has said more than I can say at this, or any other time:

" Let not ambition mock their useful toil,  
Their homely joys and destiny obscure;  
Nor grandeur hear with a disdainful smile,  
The short and simple annals of the poor.

" The boast of heraldry, the pomp of power,  
And all that beauty, all that wealth e'er gave,  
Await alike the inevitable hour,  
The paths of glory led but to the grave.

" Nor you, ye proud, impute to these the fault,  
If memory o'er their tomb no trophies raise,  
Where through the long drawn aisle and fretted vault,  
The pealing anthem swells the notes of praise.

“Can storied urn or animated bust,  
 Back to its mansion call the fleeting breath;  
 Can honor's voice provoke the silent dust,  
 Or flattery soothe the dull, cold ear of earth.”

'Tis not the man who most moves the crowd with silver voice, nor he who stirs the passions of men, who most impresses himself upon the life of the world. The state or nation can be no greater, and no better, than the average of the individuals who compose it, and he who lives to bring that average up to the level of good, practical citizenship, and the maintenance of an humble post in life with truth and fidelity, does more for state and nation, for mankind and God, than they who strive for goals that can never be by human effort reached.

With this little tribute to this grand, strong, honorable, God-fearing man, who was content well to fill an humble place in life's economy, Mr. Speaker, I trust the motion will prevail.

The resolutions were adopted unanimously by a rising vote.

#### SPECIAL ORDER.

The House here took up for consideration special order No. 2, which was set for 10:30, House file No. 110, a bill for an act prohibiting any common carrier within the state from issuing, giving or offering to give any free pass, ticket, mileage or frank, or permitting the same to be used on or over its lines by certain officers and persons, and prohibiting such officers and persons from soliciting, receiving or using the same, and providing penalties for the violation thereof.

Hughes of Iowa, seconded by Larrabee of Fayette, moved that the report of the committee be adopted, and demanded the roll call on the adoption of the report of the committee.

On the question, Shall the committee report be adopted?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Black, Blakemore, Calderwood, Campbell, Carden, Carter, Cassel, Christianson, Clarke, Colclo, Cowles, Cummings, Davenport, Dodds, Dunham, Edwards, Eiker, English, Fields, Furry, Gilchrist, Graff, Greene, Hasselquist, Hawk, Head, Hilsinger, Hughes, Hurn, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Lyman, McClurkin, McNie, Mattes, Meservey, Nichols, Robinson, Secor, Springer, Stratton, Sweeley, Teachout, Temple, Utterback, Walden, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Mr. Speaker—61.



The nays were:

Messrs. Bealer, Boysen, Buchanan, Cheney, Coburn, Cruikshank, Donahue, Flenniken, Freeman, Frudden, Greeley, Hamann, Hertert, Hufschmidt, Jaeger, Jenks, Langan of Crawford, Leech, McClure, Marshall, Moore, Mordhorst, Nagle, Patton, Pipher, Powers, Pritchard, Roome, Sokol, Stuckslager, Sweet, Townsend Walters, Willett, Wise, Wright—36.

Absent or not voting:

Messrs. Barker, Crouse, Payne.

So the report was adopted.

Hamann of Scott offered the following amendment, and moved its adoption:

Amend House file No. 110 by striking out the first word "or" in the sixth line of section 1 of the printed bill, and inserting after the word "convention" in the same line, the words "or minister of the gospel or priest in holy orders."

Also, by striking out the second "or" in the second line of section 2 of said bill and inserting after the word "state" in line 3, section 2, the words "or minister of the gospel or priest in holy orders."

Temple of Clarke moved to lay this amendment on the table.

Cowles of Kossuth asked for information, whether or not the tabling of this amendment did not carry with it the original bill.

The Speaker gave it as his opinion that the tabling of this amendment carried with it the original bill.

Hughes of Iowa, seconded by English of Polk, demanded the roll call on this motion, which resulted as follows:

On the question, Shall the amendment be laid on the table?

The yeas were:

Messrs. Anderson, Bealer, Boysen, Buchanan, Calderwood, Carden, Cheney, Coburn, Cruikshank, Dodds, Donahue, Fields, Flenniken, Freeman, Fruden, Graff, Greeley, Greene, Hamann, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Keagy, Langan of Crawford, Leech, Lyman, McClure, McClurkin, Marshall, Meservey, Moore, Mordhorst, Nagle, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Sokol, Stuckslager, Sweet, Teach-

out, Temple, Townsend, Walters, Willett, Wilson of Buena Vista, Wise, Wright—53.

The nays were:

Messrs. Bailey, Barkley, Black, Blakemore, Campbell, Carter, Cassel, Christianson, Clarke, Colclo, Cowles, Cummings, Davenport, Dunham, Edwards, Eiker, English, Furry, Gilchrist, Hasselquist, Hawk, Head, Hilsinger, Jones, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, McNie, Mattes, Nichols, Secor, Springer, Stratton, Sweeley, Utterback, Walden, Warren, Whiting, Wilson of Washington, Mr. Speaker—44.

Absent or not voting:

Messrs. Barker, Crouse, Payne—3.

So the amendment was laid upon the table.

The following explanation of vote was filed:

MR. SPEAKER—I changed my vote from "no" to "aye" on the motion to table the amendment to House file No. 110, under the apprehension that it might be necessary so to do to enable me to move a reconsideration of the vote whereby said amendment as well as the original bill was tabled.

JOHN HUGHES, JR.

The ruling of the Speaker on the question as to whether or not the tabling of an amendment carried with it the original bill was called for, and he gave as his decision, citing Cushing's Manual, that the tabling of this amendment also tabled the bill, House file No. 110, and House file No. 110 was declared laid on the table.

Carter of Sioux moved that the House do now adjourn till 2 P. M.

Carried.

House adjourned.

## AFTERNOON SESSION.

House met pursuant to adjournment, Speaker Eaton in the chair.

On motion of Boysen of Audubon House file No. 141, a bill for an act to repeal section 510 of the code, in reference to the compensation of deputy sheriffs, and the enactment of the following in lieu thereof, with report of committee recommending passage as amended by substitute, was taken up, considered and the report of the committee, with substitute as amendment, adopted.

Mr. Boysen moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Coburn, Colclo, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Keagy, Kling, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Patton, Pipher, Robinson, Roome, Secor, Springer, Stuckslager, Sweet, Teachout, Temple, Walters, Warren, Willett, Wise, Wright, Mr. Speaker—74.

The nays were:

Messrs. Blakemore, Clarke, Cowles, Frudden, Graff, Jones, Kerr, Nagle, Nichols, Powers, Sokol, Stratton, Sweeley, Walden, Wilson of Buena Vista—15.

Absent or not voting:

Messrs. Barker, Crouse, Kendall, Kolthoff, Larrabee, Payne, Pritchard, Townsend, Utterback, Whiting, Wilson of Washington—11.

So the bill passed and the title was agreed to.

On motion of English of Polk, House file No. 172, a bill for an act relating to reports to be made by railway companies to the

executive council, to aid in the assessment of railway property for taxation and providing for a uniform system of making said reports, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. English moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Coburn, Colclo, Cowles, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—96.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Clarke, Crouse, Payne—4.

So the bill passed and the title was agreed to.

On motion of Hufschmidt of Allamakee, House file No. 62 was recalled from the committee on Compensation of Public Officers and referred to the committee on Printing.

Cowles of Kossuth moved that the amendment of Hamann of Scott to House file No. 110 be taken from the table.

On this motion the roll was demanded by Messrs. Hughes of Iowa and Whiting of Monona.

On the question, Shall the motion prevail?

The yeas were:

Messrs. Bailey, Black, Blakemore, Calderwood, Campbell, Carter, Cassel, Christianson, Colclo, Cowles, Cummings, Davenport, Dunham, Edwards, Eiker, English, Fields, Furry, Gilchrist, Hawk, Head, Hilsinger, Hughes, Jones, Kendall, Kling, Langan of Clinton, Larrabee, McNie, Mattes, Nichols, Robinson, Secor, Springer, Stratton, Sweeley, Teachout, Walden, Warren, Whiting, Mr. Speaker—41.

The nays were:

Messrs. Anderson, Barkley, Bealer, Boysen, Buchanan, Carden, Cheney, Coburn, Cruikshank, Dodds, Donahue, Flenniken, Freeman, Frudden, Graff, Greeley, Greene, Hamann, Hasselquist, Hertert, Hufschmidt, Hurn, Jaeger, Jenks, Keagy, Kolthoff, Koontz, Langan of Crawford, Leach, Lyman, McClure, McClurkin, Marshall, Meservey, Moore, Mordhorst, Nagle, Patton, Pipher, Powers, Pritchard, Roome, Sokol, Stuckslager, Sweet, Temple, Townsend, Utterback, Walters, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright—54.

Absent or not voting:

Messrs. Barker, Clarke, Crouse, Kerr, Payne—5.

So the motion to take the amendment to House file No. 110 from the table was lost.

Hughes of Iowa submitted the following report:

MR. SPEAKER—Your committee, appointed to present resolutions commemorative of the life, character and services of Hon. Elvin Tilton, beg leave to submit the following report:

WHEREAS, the Hon. Elvin Tilton, an honored member of this House from Iowa county in the Eighteenth and Nineteenth General Assemblies, departed this life at Stuart, Guthrie county, July 28, 1901; therefore, be it

*Resolved*, That in his decease his wife is bereaved of a devoted husband, his children of an affectionate father, the community of a generous neighbor and the state of a useful and patriotic citizen.

*Resolved*, That this House extend to the bereaved wife and sorrowing children, its sincere sympathy in their sorrow and affliction, and the clerk of the House is hereby instructed to mail an engrossed copy of these resolutions to the family of the deceased, and to enter the same upon the Journal of the House.

JOHN HUGHES, JR.,  
A. M. UTTERBACK,  
NATE WRIGHT.

On motion of Mr. Hughes the report of the committee was adopted.

The Speaker signed in the presence of the House in open session, Senate file No. 1, and Senate file No. 12.

Jenks of Pottawattamie called up his concurrent resolution relative to adjournment to the first Monday in June and moved its adoption.

Sweet of Bremer moved to amend the resolution by striking out the words "Wednesday, February 19th," and inserting in lieu thereof the words "Friday, February 21st," also by striking out the word "June" and by inserting in lieu thereof the word "May".

Lost.

Carter of Sioux moved to lay the resolution on the table.

Carried.

House file No. 181, a bill for an act to amend section 498 of the code, relating to fees of county recorders, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

#### INTRODUCTION OF BILLS.

By Nichols of Muscatine, House file No. 277, a bill for an act to provide for the encouragement of the live stock interests of the state, and to appropriate money therefor.

Read first and second time and referred to committee on Appropriations.

By Bealer of Linn, House file No. 278, a bill for an act to authorize the improvement of the channels of meandered streams dividing the territory within the corporate limits of certain cities, and to authorize the reclaiming of waste lands between the meandered lines of said streams within said corporate limits, and to create a commission therefor, and defining its powers and prescribing its duties.

Read first and second time and referred to committee on Municipal Corporations.

By Buchanan of Wapello, House file No. 279, a bill for an act regulating the business of fire insurance and to increase the public revenue.

Read first and second time and referred to committee on Insurance.

By Carden of Henry, House file No. 280, a bill for an act making an appropriation for the purchase of land, tombstone and erection thereof for the proper marking of the grave of one Charles Shepherd, a soldier who served in the war of the Revolution, died in 1845, and who lies in an unmarked grave near Millspaugh's mills, Henry county, Iowa.

Read first and second time and referred to committee on Appropriations.

By Carter of Sioux, House file No. 281, a bill for an act to provide for the manner of paying the salary or compensation of deputy state officers and deputy county officers, prohibiting their principals receiving or retaining any part thereof, and punishing the violation thereof.

Read first and second time and referred to committee on Compensation of Public Officers.

By Carter of Sioux, House file No. 282, a bill for an act to amend section 2077 of the code, relative to compensation for the transportation of passengers.

Read first and second time and referred to committee on Railroads and Commerce.

By Campbell of Fremont (by request), House file No. 283, a bill for an act to legalize copy of certified record of the supreme court of the United States in case of the Burlington & Missouri River Railroad company.

Read first and second time and referred to committee on Judiciary.

By Campbell of Fremont, House file No. 284, a bill for an act to legalize transcript of deed record.

Read first and second time and referred to committee on Judiciary.

By Clarke of Dallas, House file No. 285, a bill for an act to pay

sundry persons named in this bill for material and labor furnished by them in the erection of the medical hospital of the Iowa State University, erected in 1897.

Read first and second time and referred to committee on Appropriations.

By committee on Roads and Highways, House file No. 286, a bill for an act to repeal section 1532 and to amend section 1533 of the code, relating to public roads.

Read first and second time and passed on file.

By Freeman of Pottawattamie, House file No. 287, a bill for an act to amend section 496 of the code, relating to the employment of additional help by county recorders.

Read first and second time and referred to committee on Compensation of Public Officers.

By Hasselquist of Lucas, House file No. 288, a bill for an act to amend section 2754 of the code, relating to the election of school treasurers in independent districts.

Read first and second time and referred to committee on Schools and Text-Books.

By Hufschmidt of Allamakee, House file No. 289, a bill for an act to require counties and townships to construct bridges, culverts and approaches of sufficient strength to sustain traction engines in certain cases.

Read first and second time and referred to committee on Roads and Highways.

By Jones of Mahaska, House file, No. 290, a bill for an act to amend section 1805 of the code, relating to exemption of insurance policies and proceeds thereof.

Read first and second time and referred to committee on Insurance.

By Lyman of Poweshiek, House file No. 291, a bill for an act to amend section 2451 of the code in regard to revocation of statements of consent for sale of intoxicating liquors.

Read first and second time and referred to committee on Suppression of Intemperance.



By Mattes of Sac, House file No. 292, a bill for an act to provide for the encouragement and development of the dairy interests of the state and to appropriate money therefor.

Read first and second time and referred to committee on Appropriations.

By Moore of Davis, House file No. 293, a bill for an act to legalize the conveyance of certain real estate to the township trustees of Fox River township, Davis county, Iowa, for graveyard and church purposes.

Read first and second time and referred to committee on Judiciary.

By Meservey of Webster, House file No. 294, a bill for an act to amend section 2757 of the code, relating to time of meeting of boards of school directors, and to amend sections 2762, 2764, 2765, 2769, 2785, 2793, 2801 of the code, to conform therewith.

Read first and second time and referred to committee on Schools and Text-Books.

By Pipher of Cass (by request), House file No. 295, a bill for an act to provide for the establishment by county surveyors of lost or disputed sections and block corners.

Read first and second time and referred to committee on Judiciary.

By Sweeley of Woodbury, House file No. 296, a bill for an act to amend chapter 1, title 7 of the code, and to provide for the assessment and taxation of franchises for the operation of telephone plants, systems and exchanges.

Read first and second time and referred to committee on Telegraph, Telephones and Express.

By Teachout of Polk, House file No. 297, a bill for an act to prevent sales of stocks of merchandise in fraud of creditors.

Read first and second time and referred to committee on Judiciary.

By Sweet of Bremer, House file No. 298, a bill for an act to amend section 2522 of the code, relating to reports to the dairy commissioner by milk dealers and operators of creameries and

cheese and condensed milk factories and providing a penalty for violations of the section as amended.

Read first and second time and referred to committee on Agriculture.

By Jaeger of Des Moines, House file No. 299, a bill for an act to amend section 654, chapter 2 of the code, relating to police matrons in cities of a population of 25,000 or over.

Read first and second time and referred to committee on Municipal Corporations.

By Clarke of Dallas, House file No. 300, a bill for an act to provide for an exhibit of the arts, industries and resources of the state of Iowa, at the Louisiana Purchase exposition, to be held in the city of St. Louis, in the state of Missouri.

Read first and second time and referred to committee on Appropriations.

Flenniken of Clayton moved that the House do now adjourn till 9:30 A. M. tomorrow, February 20th.

Meservey of Webster moved to amend by making the hour 10 A. M.

Whiting of Monona moved to amend the amendment by making the hour 9 A. M.

Amendment adopted.

Amendment of Mr. Meservey as amended by Mr. Whiting adopted.

Motion of Mr. Flenniken, as amended, carried.

House adjourned till 9 A. M. tomorrow, February 20th.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Thursday, February 20, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by Chancellor W. B. Craig of Drake university, Des Moines, Iowa.

The Journal of Tuesday, February 18th, was read and approved.

On motion of Gilchrist of Pocahontas, leave of absence was granted Wilson of Washington for the morning session.

PETITIONS AND MEMORIALS.

Sweet of Bremer presented petition relating to marking the graves of Gen. Joseph M. Street and others located at Agency, Iowa.

Mr. Sweet moved this be referred to a committee of three, to be appointed by the Speaker.

Carried.

Sokol of Jones presented petition of citizens of Anamosa, relative to House file No. 184, regarding the exemption of personal earnings.

Referred to committee on Ways and Means.

Carden of Henry presented petition asking an appropriation to properly mark the spot where Charles Shepherd, a Revolutionary soldier, lies buried at Millspaugh's Mills, Iowa.

Referred to committee on Appropriations.

Hamann of Scott presented remonstrance of Loras Council No. 252, Knights of Columbus, and citizens of Scott county, relating to compulsory education and free text-books.

Referred to committee on Schools and Text-Books.

Colclo of Carroll presented remonstrance of citizens of Carroll county against House files No. 170, 134 and 45.

Referred to committee on Schools and Text-Books.

REPORTS OF COMMITTEES.

Boysen of Audubon, from the committee on Industrial Schools, submitted the following report:

**MR. SPEAKER**—Your committee on Industrial Schools, to whom was referred House file No. 265, a bill for an act making provision for the support of the department of the Industrial School for Boys at Eldora [amendatory to chapter eighty-one (81) of the acts of the Twenty-seventh General Assembly, relating to support of the industrial school], beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass, with the further recommendation that the same be referred to the committee on Appropriations.

**ASMUS BOYSEN,**  
*Chairman.*

On motion of Mr. Boysen the report of the committee was adopted and the bill was referred to the committee on Appropriations.

Black of Mills, from the committee on Institute for Feeble-Minded, submitted the following report:

**MR. SPEAKER**—Your committee on Institute for Feeble-Minded, to whom was referred House file No. 228, a bill for an act to provide for the admission and maintenance of feeble-minded women at Glenwood, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

**C. W. BLACK,**  
*Chairman.*

Ordered passed on file.

Wright of Guthrie, from the committee on Agriculture, submitted the following report:

**MR. SPEAKER**—Your committee on Agriculture, to whom was referred House file No. 214, a bill for an act to amend section three thousand sixteen of the code, relating to bushel weight, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended

by striking out the word "nineteenth" in the third line and inserting the word "twenty-ninth" in lieu thereof.

And when so amended the same do pass.

NATE WRIGHT,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House file No. 168, a bill for an act to enable the owners of lands to drain them, when the same cannot be done without affecting the lands of others, prescribing the powers and duties of county supervisors and other officers in the premises and to provide for the repair and enlargement of such drains, and repealing certain acts therein specified, and declaring an emergency, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

Amend section 2, by inserting after the word "with," in the sixth line the words, "the notes of a preliminary survey of the proposed route, together with" and insert after the word "three" in the twelfth line the word, "resident," and by striking out the words "and householders" following the words "freeholders" in the twelfth line; strike out the word "duplicate" in the eighteenth line and insert in lieu thereof the word "list;" strike out the word "sold" in the twelfth line of the third page of the same section, and insert in lieu thereof the word "let;" strike out the comma after the word "surveyor" in the nineteenth line of the third page of the same section and insert the words "or civil engineer selected by the board of supervisors."

Amend section 20 by striking out the word "duplicate" in the twelfth line, and inserting in lieu thereof the word "list."

Amend section 21 by inserting after the word "surveyor" in the first line the words "or civil engineer selected by the board of supervisors;" and strike out the word "duplicate" in the twentieth line, and insert in lieu thereof the word "list."

Amend section 22 by striking out the words "county surveyor" in the seventh line, and insert in lieu thereof the words "township trustees;" strike out the word "he" where it appears in the ninth line, and insert in lieu thereof the word "they;" strike out the word "surveyor" in thirteenth line, and insert in lieu thereof the word "trustee."

Amend section 23 by pluralizing the word "trustee" in the second line; and strike out the word "he" in the sixth line and insert in lieu thereof the word "they;" and strike out the word "his" in the eighth line and insert in lieu thereof the word "their" and strike out the word "he" in the ninth line and insert the word "they" in lieu thereof; strike out the word "he" in the fifteenth line and insert in lieu thereof the word "they;" and strike out the word "him" in the seventeenth line and insert in lieu thereof the word "them;" and strike out the word "him" in the eighteenth line and

insert in lieu thereof the word "them" and strike out the the words "with his surities on his official bond" in the twenty-fourth and twenty-fifth lines.

Amend section 27 by striking out the words "he resides" in fourth and fifth lines and inserting in lieu thereof the words "the land affected by such ditch is located."

Amend section 31 by striking out the word "and" in the first line and inserting in lieu thereof the word "or".

Amend by striking out section 36.

And that when said bill be so amended the same do pass.

NATE WRIGHT,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 164, a bill for an act to prohibit gift enterprises and doing business with trading stamps, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 270, a bill for an act to repeal section 5167 of the code, and enact a substitute therefor, relating to the time of commencing actions in criminal causes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER -Your committee on Judiciary, to whom was referred House file No. 152, a bill for an act to legalize the acts of John Hardiman and Joseph Garrity, trustees of Washington township, Jones county, in the purchase of a road-grader for the use of said township and the issuance of an order in payment therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARK,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 10, a bill for an act to authorize the appointment of state and savings banks and loan and trust companies, organized under laws of Iowa, as administrators, executors, guardians, trustees, receivers and assignees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 169, a bill for an act to prohibit gift enterprises and doing business with trading stamps, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Barkley of Boone submitted the following report:

MR. SPEAKER—Your committee appointed to present appropriate resolutions respecting the life, character and public service of the late Hon. A. J. Holmes of Boone county, Iowa, beg leave to submit the following report:

WHEREAS, The Hon. A. J. Holmes, honored and distinguished as a citizen, legislator and soldier, a member of the Nineteenth General Assembly of Iowa, and of the Forty-eighth, Forty-ninth and Fiftieth congresses of the United States, departed this life on the 21st day of January, 1902; therefore,

*Be it Resolved*, That in his death his family are bereaved of an honored and affectionate husband and father; the state, of an able and patriotic citizen, while his services to the nation as congressman, and soldier of '61 and '65, entitle him to be remembered as a loyal and able legislator and as one of the bravest of the brave in the "time that tried mens' souls."

*Be it further Resolved*, That we extend to his family and friends our sincere sympathy in this their hour of sorrow and affliction, and that the clerk of the House is hereby instructed to mail an engrossed copy of these resolutions to his family and enter the same upon the Journal of the House.

A. J. BARKLEY,  
MAHLON HEAD,  
GARDNER COWLES.

In moving the adoption of the report of the committee, Mr. Barkley said:

**MR. SPEAKER**—Adoniram J. Holmes was born in Wayne county, Ohio, March 2, 1843. He remained there with his parents until he was twelve years old, when he accompanied them to Palmyra, Wisconsin, where they made a permanent settlement. In 1863 he entered the Twenty-fourth Wisconsin infantry, as a private soldier, but was soon mustered out to accept a commission in the Thirty-seventh Wisconsin infantry. He endured "hardships as a good soldier" and participated in many severe battles. At the battle of Stone river he was severely wounded. At Petersburg, Va., he was captured at the blowing up of the mine under the fortifications, and was confined for eight months in southern prisons.

After he was mustered out he returned to Wisconsin, where he attended Milton college. Later he took a law course in the state university at Ann Arbor, where he graduated and was admitted to the bar in 1867. In that year he removed to Boone, Iowa, where he entered on the practice of his profession. His business was very successful for several years. He then drifted into politics. He served one term as mayor of Boone. In 1881 he was chosen a member of this body, serving in the session of 1882. Although in the legislature but a single term, he acquired a reputation as an active, useful and energetic legislator, and his record was one of which his friends may always be proud.

He was nominated and elected to the Forty-eighth congress from the old Tenth district, and was returned to the Forty-ninth and Fiftieth congresses. After his service in congress, he was unanimously elected sergeant-at-arms of the house of representatives at Washington. Upon retiring to private life, he resumed the practice of his profession, and was honored by being twice elected as county attorney.

Major Holmes was a brave soldier, a useful and public-spirited citizen, a man of honor and a gentleman in every respect. He passed away as he had lived, with the hearty esteem of all who knew him. He died at Clarinda, Iowa, January 21, 1902.

Mr. Speaker, I move the adoption of the report of the committee.

Report adopted by a unanimous vote.

#### INTRODUCTION OF BILLS.

By Hilsinger of Jackson, House file No. 301, a bill for an act to amend chapter 15, title 12 of the code, repealing sections 2540, 2542, 2544, 2551, 2552, 2554, 2556 of the code, and enacting substitutes therefor; amending section 2561, making further provisions additional to said chapter 15, relating to the care and propagation of fish and the protection of birds and game.

Read first and second time and referred to committee on Fish and Game.



By Hilsinger of Jackson, unanimous consent being given by the House, House file No. 302, a bill for an act making an appropriation for the fish and game commission of the state of Iowa.

Read first and second time and referred to committee on Appropriations.

By Sweet of Bremer, House file No. 303, a bill for an act to repeal section 2523 of the code, relating to milk tests and to enact a substitute therefor.

Read first and second time and referred to committee on Agriculture.

By English of Polk, unanimous consent being given by the House, House file No. 304, a bill for an act to reimburse Matthew R. Sadler for damage caused to him by the agents and the employees of the state of Iowa.

Read first and second time and referred to committee on Claims.

By Teachout of Polk, House file No. 305, a bill for an act to prohibit and punish the secret or unlawful tapping of water or gas pipes or electric light or power wires, or the appropriation or use of water or gas or electric currents for light or power purposes without the knowledge or consent of the owner.

Read first and second time and referred to committee on Judiciary.

By Cowles of Kossuth, House file No. 306, a bill for an act to license auctioneers who are not actual residents of the state of Iowa.

Read first and second time and referred to committee on Judiciary.

By Bealer of Linn, House file No. 307, a bill for an act creating the Twenty-first Judicial district of the state of Iowa, and providing for the election of one judge in the Eighteenth Judicial district of Iowa, and defining the jurisdiction of said courts and providing for holding of terms of court in said districts.

Read first and second time and referred to committee on Judicial Districts.

By Coburn of Cherokee, House file No. 308, a bill for an act

appropriating money to reimburse Samuel Purcell for losses in the suppression of the Sioux Indian insurrection in Cherokee county upon the 5th day of August, 1861.

Read first and second time and referred to committee on Claims.

By Head of Greene, unanimous consent being given by the House, House file No. 309, a bill for an act authorizing the council in towns and cities having a population of 5,000 inhabitants or less to appropriate money from their general funds for the improvement and maintenance of public parks, and providing for the expenditure thereof.

Read first and second time and referred to committee on Municipal Corporations.

By Springer of Buchanan (by request), House file No. 310, a bill for an act to amend section 3505 of the code, in relation to change of place of trial in civil cases.

Read first and second time and referred to committee on Judiciary.

#### SENATE MESSAGES CONSIDERED.

Senate File No. 159, a bill for an act providing for the purchase of engraving plates and cuts for state publications and fixing the manner of paying the cost of same.

Read first and second time and referred to committee on Printing.

Senate file No. 162, a bill for an act to amend section 2572 of the code, relating to the enforcement of rules and regulations of the state board of health.

Read first and second time and referred to committee on Public Health.

Senate substitute for House file No. 187, a bill for an act to legalize certain proceedings, ordinances and resolutions passed by the councils of cities and towns by less than required number of votes.

Read first and second time and passed on file.

Hertert of Shelby moved that a committee of three be appointed by the chair to prepare appropriate resolutions of

respect to the memory of Honorable Washington Roundy, lately deceased, of Shelby county, a member of the House of Representatives of the Twenty-third and Twenty-fourth General Assemblies.

The motion prevailed.

Calderwood of Scott offered the following resolution:

WHEREAS, the Honorable Mathias J. Rohlf of Scott county, an honored member of the Eleventh, Twelfth, Thirteenth and Fourteenth General Assemblies, has recently departed this life; therefore, be it

*Resolved*, That a committee of three be appointed by the Chair to present resolutions to the assembly, commemorative of the life of the deceased.

Laid over under rule 34.

Kendall of Monroe called up Senate concurrent resolution relative to reports by certain state officials and departments in accordance with chapter 6 of the acts of the Twenty-eighth General Assembly, and moved that the House do concur in the resolution.

House concurred.

Speaker *pro tem* Kendall in the chair.

#### SPECIAL ORDER.

On motion of McNie of Benton, the House took up special order No. 4, being House file No. 86, a bill for an act relating to the support of the College for the Blind at Vinton.

Mr. McNie moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barkley, Black, Boysen, Calderwood, Campbell, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure,

McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—86.

The nays were:

None.

Absent or not voting :

Messrs. Anderson, Barker, Bealer, Blakemore, Buchanan, Carden, Crouse, Eiker, Greene, Hawk, Marshall, Pipher, Stuck-slager, Wilson of Washington—14.

So the bill passed and the title was agreed to.

Speaker Eaton in the chair.

On motion of Dunham of Delaware, House file No. 170, a bill for an act to provide for compulsory education, with report of committee recommending passage as amended, was taken up, considered and the report of the committee, with amendment, adopted.

Dunham of Delaware offered the following amendment, and moved its adoption:

That the bill, being House file No. 170, be, and is hereby, amended as follows:

By striking out section two (2) of said bill, and by inserting in lieu thereof the following, viz.:

Section 2. Upon notice from the secretary of the school corporation within which such school is conducted, it shall be the duty of each principal of each private or parochial school, once during each school year, and at any time when requested in individual cases, and within ten days from the receipt of such notice, to furnish to such secretary a certificate and report of the names, ages and attendance of the pupils in attendance at such school during the preceding year, and from the time of the last preceding report to the time at which a report is required, and any person having the control of any child between seven and fourteen years of age inclusive, who shall place the same under private instruction, not in a regularly conducted school, upon receiving notice from the secretary of the school corporation, shall furnish a like certificate stating the name and age of such child and the period of time during which said child has been under said private instruction; and any person having the control of such child who is

physically or mentally unable to attend school, public or private, shall furnish proofs by affidavit or affidavits as to the physical or mental condition of such child. All such certificates, reports and proofs shall be filed and preserved in the office of the secretary of the school corporation as a part of the records of his office.

Adopted.

Langan of Clinton moved to amend section 5 of House file No. 170, by inserting after the word "or" before the word "conduct," appearing in the sixteenth line, the following words: "when on report of the teachers having the custody of such child, said child is shown to not properly".

Adopted.

Jones of Mahaska moved to amend as follows:

Amend section four by inserting after the word "section" in next to last line thereof the words "twenty-seven hundred and eight," and placing parentheses about the figures "2708;" also inserting the words "of the" before the word "code" in the same line; also striking out the words "of Iowa" in the last line thereof; also by inserting the word "two" after the word "section" in the twelfth line of section 5, and placing parentheses about the figure "2" in the same line.

Adopted.

Wright of Guthrie moved to amend by striking out the words "traveled roads," and inserting in lieu thereof the words "public highways."

Lost.

Hasselquist of Lucas moved to amend by striking out the words "in September of" in section 5, line two of the printed bill.

Lyman of Poweshiek moved to amend the amendment by striking out the words "September of" only.

Adopted.

Amendment of Mr. Hasselquist, as amended by Mr. Lyman, adopted.

Payne of Appanoose offered the following amendment:

Amend House file No. 170 by striking out of the eighth line of section one 1) of the printed bill the words "any court of record or judge thereof," and insert in lieu thereof the following: "The county superintendent of schools."

Lost on a division of the House by a vote of 28 for and 42 against.

Mr. Dunham moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cas-  
sel, Cheney, Christianson, Clarke, Coburn, Cowles, Cummings,  
Davenport, Donahue, Dunham, Edwards, Eiker, English, Fields,  
Flenniken, Freeman, Furry, Gilchrist, Graff, Greeley, Hassel-  
quist, Hawk, Head, Hertert, Hufschmidt, Hughes, Jaeger,  
Jenks, Jones, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton,  
Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey,  
Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher,  
Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer,  
Stratton, Sweeley, Sweet, Teachout, Townsend, Utterback,  
Walden, Walters, Warren, Whiting, Willett, Wilson of Buena  
Vista, Wise, Wright, Mr. Speaker—83.

The nays were:

Messrs. Colclo, Cruikshank, Dodds, Frudden, Hamann, Hil-  
singer, Koontz, Langan of Crawford, Larrabee, Marshall—9.

Absent or no voting:

Messrs. Barker, Crouse, Greene, Hurn, Keagy, Stuckslager,  
Temple, Wilson of Washington—8.

So the bill passed and the title was agreed to.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

Substitute for Senate file No. 61, a bill for an act establishing a law uni-  
form with the laws of other states, relative to migratory divorces.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 141, a bill for an act authorizing the district court to appoint trustees to manage, control and invest funds donated for, and on account of cemetery purposes.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Concurrent resolution relative to requesting our senators and representatives in congress to favor a bill known as Senate file 1118, introduced by Senator Hoar of Massachusetts, defining acts of conspiracy.

CONCURRENT RESOLUTION.

*Be it Resolved*, By the Senate, the House concurring:

WHEREAS, under the technical definitions of conspiracy, citizens have been restrained in their rights of peaceable assemblage, and subjected to punishment for acts not in themselves criminal, therefore be it

*Resolved*, That our senators and representatives in congress be requested to support and favor the bill known as Senate file No. 1118, introduced by Senator Hoar of Massachusetts, defining acts of conspiracy.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Jaeger of Des Moines this concurrent resolution was taken up and referred to committee on Federal Relations.

On motion of Moore of Davis, leave of absence was granted Patton of Franklin until Tuesday, next.

On motion of Langan of Crawford, leave of absence was granted Cheney of Clay until Monday.

On motion of Bealer of Linn, leave of absence was granted Stuckslager of Linn until tomorrow morning.

Lyman of Poweshiek moved that the rule regarding the time limit on the consideration of bills introduced after February 19th which will call for an appropriation be suspended, and that on

tomorrow Teachout of Polk be allowed to introduce a bill which will call for an appropriation.

Carried.

Buchanan of Wapello moved that the House adjourn until 9:30 tomorrow, Friday, February 21st.

Hughes of Iowa moved to amend by making the hour 9 A. M.

Amendment adopted.

Motion as amended carried.

House adjourned.



HALL OF THE HOUSE OF REPRESENTATIVES, {  
DES MOINES, Friday, February 21, 1902. }

The House met pursuant to adjournment with Speaker Eaton in the chair.

Prayer was offered by the Rev. Charles Lyman Nye of Ames, Iowa.

The Journal of Wednesday, February 19th, was read, corrected and approved.

PETITIONS AND MEMORIALS.

Freeman of Pottawattamie presented petition of citizens of Walnut, Iowa, favoring House file No. 184.

Referred to committee on Judiciary.

Jenks of Pottawattamie presented petition of citizens of Council Bluffs, Iowa, relating to fire insurance.

Referred to committee on Insurance.

REPORTS OF COMMITTEES.

Blakemore of Taylor, from the committee on County and Township Organization, submitted the following report:

MR. SPEAKER—Your committee on County and Township Organization, to whom was referred House file No. 135, a bill for an act in regard to supervisors' districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. D. BLAKEMORE,  
*Chairman.*

Ordered passed on file.

Hurn of Cerro Gordo, from the committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER—Your committee on Compensation of Public Officers, to

whom was referred House file No. 128, a bill for an act amendatory of chapter one (1), title three (3) of the code, relating to the organization of the supreme court, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by substituting for House file No. 128 the following:

COMMITTEE SUBSTITUTE FOR HOUSE FILE NO. 128.—BY CUMMINGS.

A bill for an act to amend section two hundred and three (203) of the code, in relation to the salary of judges of the supreme court.

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

That section two hundred and three (203) of the code be amended by adding thereto the following:

That the salary of each judge of the supreme court hereafter elected shall be five thousand dollars per annum.

And when so amended that the same do pass.

D. W. HURN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House file No. 224, a bill for an act to amend section 4897 of the code, relative to fees to be charged by justices of the peace, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

D. W. HURN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House file No. 35, a bill for an act to amend section 254 of the code, relating to compensation of shorthand reporters, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that the same be amended by striking out all after the enacting clause and inserting in lieu thereof the following, and when so amended that the same do pass:

Section 1. That section two hundred fifty-four of the code be and the same is hereby repealed and the following enacted in lieu thereof:

Sec. 2. Shorthand reporters of the district courts shall be paid six dollars per day for each day's attendance upon said court, under the direction of the judge, out of the county treasury where such court is held, upon the certificate of the judge holding the court; and in case the total per diem of

each reporter shall not amount to the sum of one thousand, two hundred dollars per year, the judge appointing him shall at the end of the year apportion the deficiency so remaining unpaid among the several counties of the district, if there be more than one county in such district, in proportion to the number of days of court actually held by said judge in such counties, which apportionment shall be by him certified to the several county auditors, who shall issue warrants therefor to said reporter, which warrants shall be paid by the county treasurers out of any funds in the treasury not otherwise appropriated.

Shorthand reporters shall also receive six cents per hundred words for transcribing their official notes, to be paid for in all cases, by the party ordering the same. If a defendant in a criminal cause has perfected an appeal from a judge against him and shall satisfy a judge of the district court from which the appeal is taken that he is unable to pay for a transcript of the evidence, such judge may order the same made at the expense of the county where said defendant was tried.

Sec. 3. A charge of six dollars per day for reporting in all cases, except where the defendant in a criminal case is acquitted, shall be taxed as part of the costs in the case by the clerk of the court and paid into the county treasury when collected.

D. W. HURN,  
*Chairman.*

Ordered passed on file.

Wilson of Buena Vista, from the the committee on Banks and Banking, submitted the following report:

MR. SPEAKER—Your committee on Banks and Banking, to whom was referred Senate file No. 122, a bill for an act to amend section two (2), of chapter sixty-seven (67), of the laws of the Twenty-eighth General Assembly, relating to savings banks, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. J. WILSON,  
*Chairman.*

Ordered passed on file.

Moore of Davis, from the committee on Military, submitted the following report:

MR. SPEAKER—Your committee on Military, to whom was referred House file No. 232, a bill for an act to provide for the establishment of a state park and camping grounds for the state militia, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be referred to the committee on Appropriations.

SAMUEL A. MOORE,  
*Chairman.*

So ordered on motion of Roome of Winneshiek.

Coburn of Cherokee, from the committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House file No. 40, a bill for an act to amend section fifteen hundred and thirty (1530) of the code, in relation to the working of highways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that same do pass.

G. F. COBURN,  
*Chairman.*

Ordered passed on file.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 240, a bill for an act to amend section 1611 of the code, relating to the authorized indebtedness of certain corporations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Warren of Marion, from the Committee on Insurance, submitted the following report:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 202, a bill for an act relating to mutual companies defined by division seven (7), section seventeen hundred nine (1709) as amended, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. L. WARREN,  
*Chairman.*

Ordered passed on file.

Cummings of Marshall, from the committee on Soldiers' and Orphans' Home, submitted the following report:

MR. SPEAKER—Your committee on Soldiers' and Orphans' Home, to whom was referred House file No. 244, a bill for an act to repeal section 2692 of the code, and section 5, of chapter 78 of the acts of the Twenty-seventh General Assembly, relating to the support of children in Iowa Soldiers' Orphans' Home, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

B. F. CUMMINGS,  
*Chairman.*

Ordered passed on file.

Wise of Black Hawk, from the committee on Railroads and Commerce, submitted the following report:

MR. SPEAKER—Your committee on Railroads and Commerce, to whom was referred House file No. 258, a bill for an act to amend section twenty-one hundred and fifty (2150) of the code, in relation to common carriers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. A. WISE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Railroads and Commerce, to whom was referred House file No. 248, a bill for an act relating to, defining, regulating and conferring rights and powers upon interurban street railways, and amending section two thousand and twenty-six (2026) of the code, relating to such railways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. A. WISE,  
*Chairman.*

Ordered passed on file.

Anderson of Warren, from the committee on Printing, submitted the following report:

MR. SPEAKER—Your committee on Printing, to whom was referred House file No. 62, a bill for an act to amend section four hundred forty-one (441) of the code, relating to compensation of official papers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. M. ANDERSON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Printing, to whom was referred House file No. 109, a bill for an act to amend section one hundred and thirty-six (136) of the code, and section one (1) of chapter five (5), laws of the Twenty-eighth General Assembly, relating to the publication of the reports of the Iowa Academy of Sciences, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. M. ANDERSON,  
*Chairman.*

Ordered passed on file.

Mr. Temple, from the committee on Ways and Means, submitted the following report:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 205, a bill for an act to repeal chapter 99, of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor providing for the levy of a special tax of one-fifth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for Iowa State College of Agriculture and Mechanic Arts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 267, a bill for an act to amend section fifteen hundred forty-two (1542) of the code, relating to the certifying delinquent road tax, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass, and also, recommend that the same be referred to the committee on Roads and Highways for the purpose of ascertaining whether the action had by the Ways and Means committee was in conflict with any prior action had by said committee on Roads and Highways.

M. L. TEMPLE,  
*Chairman.*

So ordered on motion of Clarke of Dallas.

Also:

MR. SPEAKER—Your committee on Way and Means, to whom was referred House file No. 266, a bill for an act to amend section fifteen hundred thirty-three (1533) of the code, relating to the duties of township trustees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass, and also recommended that the same be referred to the committee on Roads and Highways for the purpose of ascertaining whether the action had by the Ways and Means committee was in conflict with any prior action had by said committee on Roads and Highways.

M. L. TEMPLE,  
*Chairman.*

So ordered on motion of Clark of Dallas.

Mr. Meservey, from the committee on Public Lands and Buildings, has submitted the following report:

MR. SPEAKER—Your committee on Public Lands and Buildings, to whom was referred concurrent resolution as follows, to wit:

That the state of Iowa hereby asserts its rightful claim to the unqualified ownership of all lands in this state originally designated as meandered lake beds, and we memorialize the congress of the United States to preserve and protect all its rights and interest in said lands by appropriate legislation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

S. T. MESERVEY,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Public Lands and Buildings, to whom was referred House file No. 231, a bill for an act to authorize the purchase of lot "A" of the plat of Pillsbury Point park, and appropriate the sum of five thousand dollars (\$5,000) for that purpose, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

S. T. MESERVEY,  
*Chairman.*

On motion of Robinson of Emmett, House file No. 231 was referred to the committee on Appropriations.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled House file No. 74, a bill for an act to legalize the official acts of W. E. Haskins, a notary public of Howard county, Iowa.

Also, House file No. 119, a bill for an act to legalize the acts of the Independent School district of Allerton, Wayne county, Iowa, in voting bonds at an election held March 12, 1900, for the rebuilding of a schoolhouse in said independent district, and to enable such district to issue such bonds.

Also, House file No. 34, a bill for an act to legalize the ordinances of the town of Conway, Taylor county, Iowa.

Also, House file No. 42, a bill for an act to amend chapter forty-four (44) of the laws of the session of the legislature of the territory of Iowa, approved December 18, 1843, incorporating the Aspen Grove Cemetery association of Burlington, Iowa, conferring upon said association all the rights, powers and privileges now possessed, or hereafter conferred by the statutes of Iowa, upon corporations not for pecuniary profit.

Also, House file No. 108, a bill for an act to legalize the election held in the county of Dallas and state of Iowa, on the 6th day of November, 1900, and the propositions submitted at said election for the purpose of building a courthouse at Adel, in said county, and borrowing money and issuing bonds therefor, and the manner of submitting said proposition, and the manner of the payment of bonds issued for said purpose, and all of the proceedings of the board of supervisors of said county with reference to said matter, and to authorize said county to issue bonds voted at said election, and to levy taxes to pay the same.

Also, House file No. 26, a bill for an act to legalize and confirm the official acts of George C. McMurtry and Herbert J. McMurtrie, notaries public of the state of Iowa.

J. P. LYMAN,  
*Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By Calderwood of Scott, House file No. 311, a bill for an act to amend section 3 of chapter 58 of the acts of the Twenty-eighth General Assembly, relating to membership in the annual convention of the department of agriculture.

Read first and second time and referred to committee on Agriculture.

By Black of Mills, House file No. 312, a bill for an act to amend section 2738 of the code, in relation to normal institutes.

Read first and second time and referred to committee on Schools and Text-Books.

By Cassel of Jefferson, House file No. 313, a bill for an act to amend section 2158 of the code, relating to the right of way of telegraph and telephone companies on public roads.

Read first and second time and referred to committee on Roads and Highways.

By Leech of Cedar, House file No. 314, a bill for an act authorizing the publication and sale, and directing the purchase, of the laws of Iowa, relating to townships and to township officers, other than justices of the peace and constables.

Read first and second time and referred to committee on County and Township Organization.

By Lyman of Poweshiek (by request), House file No. 315, a bill for an act appropriating \$625 to compensate Charles Alexan-



der for eight horses killed by J. I. Gibson, state veterinary surgeon, as glandered.

Read first and second time and referred to committee on Claims.

By Lyman of Poweshiek (by request), House file No. 316, a bill for an act appropriating \$175 to compensate Charles Rowdabush for two horses killed by J. I. Gibson, state veterinary surgeon, as glandered.

Read first and second time and referred to committee on Claims.

By Bealer of Linn, House file No. 317, a bill for an act to amend section 1305 of the code, relating to the assessment of property for taxes and the valuation thereof by making the said section applicable to cities acting under special charters that now have a population of over 25,000 and 30,000 according to the United States census of 1900.

Read first and second time and referred to committee on Municipal Corporations.

By Teachout of Polk, House file No. 318, a bill for an act to authorize the temporary transfer of funds accumulated under chapter 1 of the acts of the Twenty-eighth General Assembly, section 742 of the code.

Read first and second time and referred to committee on Judiciary.

By Donahue of O'Brien, House file No. 319, a bill for an act to provide for free transportation for state officers, members of the general assembly, judges of the supreme court and district courts.

Read first and second time and referred to committee on Railroads and Commerce.

By Hawk of Jasper, House file No. 320, a bill for an act to repeal section 441 of the code, and to enact a substitute therefor, in relation to the publishing of the proceedings of the board of supervisors.

Read first and second time and referred to committee on Printing.

By Hughes of Iowa, House file No. 321, a bill for an act to amend subdivision 3 of section 2448 of the code, relating to surety on bonds.

Read first and second time and referred to committee on Judiciary.

By Teachout of Polk, House file No. 322, a bill for an act to appropriate money to pay for paving the state's portion of East Walnut street, between Fourteenth and Fifteenth streets adjoining the state's property.

Read first and second time and referred to committee on Appropriations.

By Koontz of Johnson, House file No. 323, a bill for an act to amend sections 860, 861 and 862 of the code, relating to voting taxes for the purchase of real estate for parks and constructing dams and improvements of parks and rivers, condemning real estate for parks, and jurisdiction of cities of the second class and towns, over parks without their corporate limits.

Read first and second time and referred to committee on Municipal Corporations.

By Koontz of Johnson, House file No. 324, a bill for an act to establish the rank of commandant and instructor of military science and tactics in state colleges.

Read first and second time and referred to committee on Military.

By Hamann of Scott, House file No. 325, a bill for an act to amend section 3308 of the code, relating to the release and discharge of liens by foreign administrators, executors and guardians, and to empower them to assign such liens, and to empower trustees under foreign wills to execute such releases and assignments.

Read first and second time and referred to committee on Judiciary.

By Leech of Cedar, House file No. 326, a bill for an act to legalize the acts of the Independent School district of Stanwood, Cedar county, Iowa, in voting bonds at a special election held September 16, 1901, for the rebuilding of a schoolhouse in said independent school district, and to enable such district to insure

such bonds, and to validate all the official acts and proceedings of the board of directors of said school district relative thereto.

Read first and second time and referred to committee on Judiciary.

SENATE MESSAGES CONSIDERED.

Senate file No. 141, a bill for an act authorizing the district court to appoint trustees to manage, control and invest funds donated for and on account of cemetery purposes.

Read first and second time and referred to committee on Judiciary.

Senate file No. 61, a bill for an act establishing a law uniform with the laws of others relative to migratory divorces.

Read first and second time and referred to committee on Judiciary.

Wise of Black Hawk offered the following resolution and moved it be adopted:

WHEREAS, Saturday, February 22d, is a national holiday; therefore be it  
*Resolved*, That when we adjourn it be to Monday, February 24th, at  
2 P. M.

Adopted.

On motion of Wilson of Washington, House file No. 50 was made a special order for next Tuesday, February 25th, at 10:30 A. M.

Dunham of Delaware moved that there be printed 300 additional copies of House file No. 170, as amended and passed by the House.

Adopted.

On motion of Jenks of Pottawattamie, leave of absence was granted Temple of Clarke until Monday noon.

On motion of Dunham of Delaware, leave of absence was granted Springer of Buchanan until Monday.

House file No. 133, a bill for an act to amend section 308, chapter 10, title 3 of the code, in relation to the time and compensation of county attorneys, with report of committee recom-

mending that it be indefinitely postponed was taken up, considered, and on motion of Hurn of Cerro Gordo, the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 216, a bill for an act to amend section 495 of the code, relating to the compensation of county recorders, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Hurn of Cerro Gordo, the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 210, a bill for an act to amend section 469 of the code, relative to the compensation of supervisors, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Hurn of Cerro Gordo, the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 215, a bill for an act to amend section 2581 of the code, relating to itinerant physicians, with report of committee recommending that it be indefinitely postponed was taken up, considered and, on motion of Eiker of Decatur, the report of the committee was adopted.

So the bill was indefinitely postponed.

House No. 183, bill for an act to amend sections 2905 and 2906, chapter 4, title 14 of the code, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Clarke of Dallas, the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 233, a bill for an act to amend section 2985 of the code, relating to the exemption of the homestead as to debts of deceased when descending to the issue of either husband or wife, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Clarke of Dallas, the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 193, a bill for an act appropriating money to

defray the expenses of the inauguration ceremonies, with report of committee recommending that it be indefinitely postponed, was taken up, considered and on motion of Teachout of Polk, the report of the committee was adopted.

So the bill was indefinitely postponed.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

Substitute for Senate file No. 87, a bill for an act to amend section one hundred thirty-six and section one of chapter five, laws of the Twenty-eighth General Assembly, relating to the publication of reports of the Iowa Academy of Sciences.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 161, a bill for an act to provide for the support of the hospitals for the insane and for the transfer of patients on account of the opening of the hospital at Cherokee.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 105, a bill for an act to amend section 4544 of the code, relative to garnishment proceedings.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Concurrent resolution relative to secretary of state being authorized to have mounted and properly arranged photo-lithographic plates of all the congressional townships in the state, and directing that the volumes containing the original field notes of survey and records of conveyance be rebound.

## CONCURRENT RESOLUTION.

*Resolved*, By the Senate, the House concurring: That the secretary of state be authorized and directed to have mounted with cloth and properly arranged in volumes of convenient size the photo-lithographic plates of all the congressional townships in the state, which were furnished the state department by the commissioner of the general land office; and also that the secretary of state be further authorized and directed to have the volumes containing the original field notes of survey and the record of conveyances rebound, the covers of which are now badly worn from age and constant use.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Payne of Appanoose, House file No. 150, a bill for an act to amend section 691 of the code, relative to the jurisdiction of the mayor of a city or town, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Jenks of Pottawattamie moved to amend this bill by striking out the words "in criminal matters" in line 2.

Lost.

Sweet of Bremer in the chair.

Willett of Woodbury moved to add to the bill the following: "Provided, that this act shall not apply to towns having a population of less than fifteen hundred inhabitants."

English of Polk moved to amend the amendment by striking out the words "fifteen hundred" and inserting in lieu thereof the words "three thousand."

Lost.

Amendment of Mr. Willett lost.

Speaker Eaton in the chair.

Willett of Woodbury moved to refer this bill, House file No. 150, to the committee on Judiciary.

Lost.

Whiting of Monona moved to amend the bill by adding thereto the following: "Provided, that this act shall not apply to the mayors of towns in which towns there is no legally acting justice of the peace."

Lost.

Mr. Payne moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Black, Blakemore, Calderwood, Carter, Cassel, Christianson, Coburn, Cummings, Davenport, Furry, Graff, Hamann, Hasselquist, Hawk, Hilsinger, Hufschmidt, Hurn, Jaeger, Koontz, Meservey, Mordhorst, Payne, Pipher, Powers, Pritchard, Stratton, Sweeley, Sweet, Utterback, Walden, Walters, Wilson of Washington, Wright—33.

The nays were:

Messrs. Anderson, Bailey, Barkley, Bealer, Boysen, Buchanan, Campbell, Carden, Clarke, Colclo, Cowles, Cruikshank, Dodds, Donahue, Edwards, English, Flenniken, Frudden, Gilchrist, Greeley, Greene, Head, Hertert, Hughes, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClure, McClurkin, Marshall, Mattes, Moore, Nagle, Nichols, Robinson, Roome, Secor, Sokol, Stuckslager, Teachout, Townsend, Warren, Whiting, Willett, Wilson of Buena Vista, Wise, Mr. Speaker—55.

Absent or not voting:

Messrs. Barker, Cheney, Crouse, Dunham, Eiker, Fields, Freeman, Larrabee, McNie, Patton, Springer, Temple—12.

So the bill was lost.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 74, a bill for an act to legalize the official acts of W. E. Haskins, a notary public of Howard county, Iowa.

Also, House file No. 119, a bill for an act to legalize the acts of the Independent School district of Allerton, Wayne county, Iowa, in voting bonds at an election held March 12, 1900, for the rebuilding of a school-

house in said independent district and to enable such district to issue such bonds.

Also, House file No. 34, a bill for an act to legalize the ordinances of the town of Conway, Taylor county, Iowa.

Also, House file No. 42, a bill for an act to amend chapter forty-four (44) of the laws of the session of the legislature of the territory of Iowa, approved December 18, 1843, incorporating the Aspen Grove Cemetery association of Burlington, Iowa, conferring upon said association all of the rights, powers and privileges now possessed, or hereafter conferred by the statutes of Iowa, upon corporations not for pecuniary profit.

Also, House file No. 103, a bill for an act to legalize the election held in the county of Dallas, and state of Iowa, on the sixth day of November, 1900, and the propositions submitted at said election for the purpose of building a courthouse at Adel, in said county, and borrowing money and issuing bonds therefor, and the manner of submitting said propositions, and the manner of the payment of bonds issued for said purpose, and all the proceedings of the board of supervisors of said county with reference to said matter, and to authorize said county to issue bonds voted at said election, and to levy taxes to pay the same.

Also, House file No. 26, a bill for an act to legalize and confirm the official acts of George C. McMurtry and Herbert J. McMurtrie, notaries public of the state of Iowa.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Report adopted.

Calderwood of Scott called up his resolution concerning the appointment of a committee of three by the Speaker to present resolutions of respect to the memory of Hon. Mathias J. Rohlf of Scott county, and moved its adoption.

Adopted.

The Speaker appointed as such committee, Calderwood of Scott, Moore of Davis and Mordhorst of Clinton.

The Speaker appointed Hertert of Shelby, Kling of Harrison and Hamann of Scott, as a committee to present resolutions in honor of Hon. Washington Roundy of Shelby county.

On motion of Campbell of Fremont, House file No. 29, a bill for an act to amend section 2799, chapter 14, title 13 of the code of 1897, relating to the uniting of independent districts and to enact in lieu thereof the following, with report of committee recommending substitute as amendment, and when so amended



that it do pass, was taken up, considered and the report of the committee with substitute as amendment adopted.

The speaker announced that he had signed in the presence of the House, House files No. 26, 34, 103, 74, 119, 42.

Sweet of Bremer moved that the House take a recess until 2 P. M.

Carried.

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### AFTERNOON SESSION.

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House called to order at 2 P. M. by Speaker Eaton.

On motion of Hilsinger of Jackson, leave of absence was granted Wilson of Washington for this afternoon.

On motion of Kerr of Grundy, leave of absence was granted Moore of Davis for this afternoon.

On motion of Jenks of Pottawattamie, leave of absence was granted Freeman of Pottawattamie for this afternoon.

### REPORTS OF COMMITTEES.

Edwards of Butler, from the committee on Telegraph, Telephone and Express, submitted the following report:

MR. SPEAKER—Your committee on Telegraph, Telephone and Express, to whom was referred House file No. 262, a bill for an act to repeal sections two (2), three (3), six (6) and seven (7) of chapter forty-five (45), acts of the Twenty-eighth General Assembly, and to enact a substitute therefor; and to amend section one (1), chapter forty-five (45), acts of the Twenty-eighth General Assembly, relating to taxation of express companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the house with the recommendation that the same do pass.

M. F. EDWARDS,

*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Telegraph, Telephone and Express, to whom was referred House file No. 296, a bill for an act to amend chapter one (1), title seven (7) of the code, to provide for the assessment and taxation of franchises for the operation of telephone plants, systems and exchange, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the

recommendation that the same be referred to the committee on Ways and Means.

M. F. EDWARDS,  
*Chairman.*

So ordered on motion of Mr. Edwards.

Eiker of Decatur, from the committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 212, a bill for an act to establish a barbers' examining board to regulate the practice of barbering, the licensing of persons to carry on such practice, to insure the better education, skill and proficiency of such practitioners and to provide penalties for the violation thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that the same be amended, and when so amended that the same do pass.

Amend by striking out all of that part of section two (2) after the word "governor" in the twenty-fourth line thereof of the original bill; also, by inserting the words "from its members" after the comma after the word "treasurer" in the first line thereof of section three (3) of the original bill; also, by striking out the period after the word "oaths" in the fourth line of section three (3) of the original bill and inserting the words "in all matters pertaining to their official acts;" also, that a comma be inserted in place of the period at the end of section four (4) of the original bill, and that the following be added thereto: "Except from fund mentioned in section five (5) of this act;" also, by striking out the word "treasurer" in the tenth line of section five (5) of the original bill and inserting the word "secretary" in lieu thereof; also, by striking out the word "three" in the eighth, ninth, twelfth and fourteenth lines of section eight (8) of the original bill, and inserting the word "two" in lieu thereof; also, by striking out the period after the word "granted" at the end of section eleven (11), and adding the following thereto: "And the board shall, on request of any apprentice, furnish general plan of examination required of applicant."

B. L. EIKER,  
*Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By Davenport of Union, House file No. 327, a bill for an act creating the office of probate court in several counties in this state and defining the duties and jurisdiction of said probate court.

Read first and second time and referred to committee on Judiciary.

By Davenport of Union, House file No. 328, a bill for an act

to leagize the ordinances of the town of Shannon City, situated in Union and Ringgold counties, Iowa.

Read first and second time and referred to committee on Judiciary.

The following motion to reconsider was filed:

MR. SPEAKER—1 move to reconsider the vote whereby House file No. 150 was lost, also the vote whereby it was passed to its third reading.

WM. CARDEN.

I second the motion.

TIMOTHY DONAHUE.

The House resumed consideration of special order, House file No. 29, which was pending before the recess.

Calderwood of Scott moved to amend the substitute for House file No. 29, by striking out the word "ten" in the ninth line of section 1, and by inserting in lieu thereof the word "twenty."

Adopted.

Dunham of Delaware moved to amend by inserting before the figures "2797," in the next to the last line the words "twenty-seven hundred ninety-seven" and enclosing the figures "2797" in parentheses. Also insert the words "twenty-seven hundred ninety-five" before the figures "2795" and enclose the figures "2795" in parentheses.

Adopted.

Mr. Campbell moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carter, Cassel, Christianson, Clarke, Coburn, Colclo, Cowles, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Flenniken, Frud-den, Greeley, Greene, Hasselquist, Hawk, Head, Hertert, Hil-singer, Hufschmidt, Hughes, Jaeger, Jenks, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, Marshall, Mattes, Meservey, Mord-

horst, Nagle, Nichols, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stuckslager, Sweeley, Sweet, Teachout, Townsend, Walden, Warren, Whiting, Willett, Wise, Wright, Mr. Speaker—73.

The nays were.

Messrs. Bealer, Cruikshank, Jones—3.

Absent or not voting:

Messrs. Barker, Carden, Cheney, Crouse, Fields, Freeman, Furry, Gilchrist, Graff, Hamann, Hurn, Koontz, Langan of Clinton, McNie, Moore, Patton, Payne, Springer, Stratton, Temple, Utterback, Walters, Wilson of Buena Vista, Wilson of Washington—24.

So the bill passed.

Hughes of Iowa moved to amend the title by inserting the word "hundred" between the words "twenty-seven" and "ninety-nine."

Adopted and the title, as amended, was agreed to.

By unanimous consent the committee on Public Libraries were excused to sit as a committee.

On motion of Lyman of Poweshiek, House file No. 236, a bill for an act to repeal section 4932 of the code, referring to the crime of adultery and the punishment thereof, and enact a substitute therefor, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Lyman moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carter, Cassel, Coburn, Colclo, Cowles, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, Flenniken, Frudden, Greeley, Greene, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kling, Kolthoff, Koontz, Langan of Crawford, Leech, Lyman, McClure, McClurkin, Marshall, Mattes, Mordhorst, Nagle, Nichols, Powers, Pritchard, Robinson, Koome, Secor,

Springer, Stratton, Stuckslager, Sweeley, Sweet, Townsend, Walden, Walters, Warren, Whiting, Willett, Wise, Wright, Mr. Speaker—68.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Barkley, Bealer, Carden, Cheney, Christianson, Clarke, Crouse, Cruikshank, English, Fields, Freeman, Furry, Gilchrist, Graff, Hamann, Hufschmidt, Kerr, Langan of Clinton, Larrabee, McNie, Meservey, Moore, Patton, Payne, Pipher, Springer, Teachout, Temple, Utterback, Wilson of Buena Vista, Wilson of Washington—32.

So the bill passed and the title was agreed to.

On motion of Dunham of Delaware, leave of absence was granted Hufschmidt of Allamakee for this afternoon.

On motion of Wise of Black Hawk, House file No. 73, a bill for an act to amend section 2524 of the code, in relation to the powers of dairy commissioner, with report of committee recommending passage as amended was taken up, considered and the report of the committee with amendments adopted.

Mr. Wise moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carter, Cassel, Coburn, Colclo, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, Flenniken, Frudden, Greeley, Greene, Hawk, Head, Hertert, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kling, Kolthoff, Koontz, Langan of Crawford, Leech, Lyman, McClure, McClurkin, Mattes, Mordhorst, Nagle, Nichols, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Sweet, Teachout, Townsend, Walden, Walters, Warren, Whiting, Willett, Wise, Wright, Mr. Speaker—64.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Barkley, Bealer, Carden, Cheney, Christianson, Clarke, Cowles, Crouse, Cruikshank, English, Fields, Freeman, Furry, Gilchrist, Graff, Hamann, Hasselquist, Hilsinger, Hufschmidt, Kerr, Langan of Clinton, Larrabee, McNie, Marshall, Meservey, Moore, Patton, Payne, Pipher, Springer, Stuckslager, Temple, Utterback, Wilson of Buena Vista, Wilson of Washington—36.

So the bill passed and the title was agreed to.

House file No. 186, a bill for an act appropriating money to pay express, freight and cartage, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Hughes of Iowa, the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Anderson of Warren, House file No. 27, a bill for an act to amend sections 118 and 119 of the code, defining the duties of state printer and state binder, with report of committee recommending passage as amended by substitute, was taken up, considered and the report of the committee, with substitute as amended, adopted.

Mr. Anderson moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carter, Cassel, Clarke, Colclo, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, Flenniken, Frudden, Greeley, Greene, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClure, McClurkin, Mattes, Moore, Mordhorst, Nagle, Nichols, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Townsend, Walters, Warren, Whiting, Willett, Wise, Wright, Mr. Speaker—67.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Barkley, Bealer, Carden, Cheney, Christianson, Coburn, Cowles, Crouse, Cruikshank, Dodds, English, Fields, Freeman, Furry, Gilchrist, Graff, Hamann, Hufschmidt, Kerr, Larrabee, McNie, Marshall, Meservey, Patton, Payne, Pipher, Stuckslager, Temple, Utterback, Walden, Wilson of Buena Vista, Wilson of Washington—33.

So the bill passed.

Hughes of Iowa moved to amend the title by adding the letter "s" to the word section.

Adopted, and the title, as amended, was agreed to.

On motion of Teachout of Polk, House file No. 167, a bill for an act to amend sections 2024 and 2025 of the code of Iowa, relating to the condemnation of real estate by the state, and the payment of damages in compensation therefor, with report of committee recommending passage as amended by substitute was taken up, considered and the report of the committee, with substitute as amendment, adopted.

Hasselquist of Lucas moved to amend section 1 by striking out the words "of Iowa" in the twelfth line.

Adopted.

Mr. Teachout moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Black, Blakemore, Buchanan, Campbell, Carter, Cassel, Clarke, Coburn, Colclo, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, Flenniken, Frudden, Greeley, Greene, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClure, McClurkin, Marshall, Mattes, Moore, Mordhorst, Nagle, Nichols, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Strat-

ton, Sweeley, Sweet, Teachout, Townsend, Walden, Warren, Whiting, Willett, Wise, Wright, Mr. Speaker—65.

The nays were:

Mr. Walters.

Absent or not voting:

Messrs. Barker, Barkley, Bealer, Boysen, Calderwood, Carden, Cheney, Christianson, Cowles, Crouse, Cruikshank, Dodds, English, Fields, Freeman, Furry, Gilchrist, Graff, Hamann, Hufschmidt, Hurn, Kerr, Larrabee, McNie, Meservey, Patton, Payne, Pipher, Springer, Stuckslager, Temple, Utterback, Wilson of Buena Vista, Wilson of Washington—34.

So the bill passed and the title was agreed to.

On motion of Jenks of Pottawattamie, House file No. 188, a bill for an act to repeal section 2727 of the code, and chapter 83 of the acts of the Twenty-seventh General Assembly amendatory thereto, and to enact a substitute therefor, relating to the support of the Iowa School for the Deaf at Council Bluffs, with report of committee recommending passage as amended, was taken up, considered and the report of the committee, with amendment, adopted.

Speaker *pro tem* Kendall in the chair.

Speaker Eaton resumed the chair.

Mr. Jenks moved that this bill, House file No. 188, be made a special order for Tuesday, February 25th, at 11 A. M.

Carried.

On motion of Mattes of Sac, House file No. 227, a bill for an act to legalize the ordinances and official acts of the town of Schaller, Sac county, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Mr. Mattes moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:



Messrs. Anderson, Bailey, Black, Boysen, Buchanan, Campbell, Carter, Cassel, Cowles, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, Flenniken, Frudden, Greeley, Greene, Hasselquist, Head, Hertert, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Sweet, Teachout, Townsend, Walden, Warren, Whiting, Willett, Wise, Mr. Speaker—60.

The nays were :

None.

Absent or not voting:

Messrs. Barker, Barkley, Bealer, Blakemore, Calderwood, Carden, Cheney, Christianson, Clarke, Colclo, Crouse, Cruikshank, Dodds, English, Fields, Freeman, Furry, Gilchrist, Graff, Hamann, Hawk, Hilsinger, Hufschmidt, Kerr, Larrabee, McClure, McClurkin, McNie, Patton, Payne, Pipher, Springer, Stuckslager, Temple, Utterback, Walters, Wilson of Buena Vista, Wilson of Washington, Wright—40.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, House file No. 74, a bill for an act to legalize the official acts of W. E. Haskins, a notary public of Howard county, Iowa.

Also, House file No. 119, a bill for an act to legalize the acts of the Independent School district of Allerton, Wayne county, Iowa, in voting bonds, at an election held March 12, 1900, for the rebuilding of a schoolhouse in said independent district, and to enable such district to issue such bonds.

Also, House file No. 84, a bill for an act to legalize the ordinances of the town of Conway, Taylor county, Iowa.

Also, House file No. 42, a bill for an act to amend chapter forty-four (44) of the laws of the session of the legislature of the territory of Iowa, approved December 18, 1843, incorporating the Aspen Grove Cemetery association of Burlington, Iowa, conferring upon said association all of the rights, powers and privileges now possessed, or heretofore conferred by the statutes of Iowa upon corporations not for pecuniary profit.

Also, House file No. 103, a bill for an act to legalize the election held in the county of Dallas and state of Iowa, on the 6th day of November, 1900, and the propositions submitted at said election for the purpose of building a courthouse at Adel, in said county, and borrowing money and issuing bonds therefor, and the manner of submitting said propositions, and the manner of the payment of bonds issued for said purpose, and all of the proceedings of the board of supervisors of said county with reference to said matter, and to authorize said county to issue bonds voted at said election.

Also, House file No. 26, a bill for an act to legalize and confirm the official acts of George C. McMurtry and Herbert J. McMurtrie, notaries public of the state of Iowa.

J. P. LYMAN,  
*Chairman.*

February 21, 1902.

On motion of Hughes of Iowa, Senate file No. 147, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Hughes moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Black, Boysen, Buchanan, Campbell, Carter, Cassel, Cowles, Cruikshank, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, English, Flenniken, Frudden, Greeley, Greene, Hasselquist, Head, Hertert, Hilsinger, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Leech, Lyman, McClure, Marshall, Mattes, Meservey, Moore, Mordhorst, Nichols, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Sweet, Teachout, Walden, Warren, Whiting, Willett, Wise, Mr. Speaker—63.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Bealer, Blakemore, Calderwood, Carden, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Dodds, Fields, Freeman, Furry, Gilchrist, Graff, Hamann, Hawk, Hufschmidt, Langan of Crawford, Larrabee, McClurkin, McNie, Nagle, Patton, Payne, Pipher, Springer, Stuckslager, Temple, Townsend, Utterback, Walters, Wilson of Buena Vista, Wilson of Washington, Wright—37.

So the bill passed and the title was agreed to.

On motion of Hurn of Cerro Gordo, House file No. 187, a bill for an act to legalize the adoption of ordinances of cities, towns and incorporated towns, adopted under attempted suspension of the rule requiring the reading thereof on three different days, the vote for such suspension having been by less than three-fourths of the whole number of members elected to the council, including the mayor, as amended by substitute by the Senate, was taken up and considered.

Mr. Hurn moved that the House concur in the Senate substitute as amendment to House file No. 187.

On the question, Shall the House concur?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Boysen, Buchanan, Campbell, Carter, Cassel, Cowles, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Flenniken, Frudden, Greeley, Greene, Hasselquist, Head, Hertert, Hilsinger, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Lyman, McClure, Meservey, Moore, Mordhorst, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Sweet, Teachout, Townsend, Walden, Walters, Warren, Whiting, Willett, Wise, Mr. Speaker—66.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Blakemore, Calderwood, Craden, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Fields, Freeman, Furry, Gilchrist, Graff, Hamann, Hawk, Hufschmidt, Leech,

McClurkin, McNie, Marshall, Mattes, Nagle, Nichols, Patton, Payne, Springer, Stuckslager, Temple, Utterback, Wilson of Buena Vista, Wilson of Washington, Wright—34.

So the House concurred in Senate amendment to House file No. 187.

On motion of Teachout of Polk, Senate file No. 134, a bill for an act appropriating money to pay expressage, freight and cartage, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Teachout moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Boysen, Buchanan, Campbell, Carter, Cassel, Cowles, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Flenniken, Frudden, Greeley, Greene, Hasselquist, Head, Hertert, Hilsinger, Hughes, Hurn, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClure, Mattes, Meservey, Moore, Mordhorst, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Sweet, Teachout, Townsend, Walden, Warren, Whiting, Willett, Wise, Mr. Speaker—65.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Blakemore, Calderwood, Carden, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse Fields, Freeman, Furry, Gilchrist, Graff, Hamann, Hawk, Hufschmidt, Jenks, Langan of Crawford, McClurkin, McNie, Marshall, Nagle, Nichols, Patton, Payne, Springer, Stuckslager, Temple, Utterback, Walters, Wilson of Buena Vista, Wilson of Washington, Wright—35.

So the bill passed and the title was agreed to.

On motion of Hilsinger of Jackson, House file No. 302 was recalled from the committee on Fish and Game and referred to the committee on Appropriations.

Lyman of Poweshiek moved that the House do now adjourn.

Carried.

House adjourned till 2 P. M. Monday, February 24th.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, Monday, February 24, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. Joseph Smith of Lamoni, Iowa.

The Journal of Thursday, February 20th, was read, corrected and approved.

The Journal of Friday, February 21st, was corrected and approved.

On motion of Cassel of Jefferson, leave of absence was granted Black of Mills until tomorrow at 10 o'clock.

On motion of McClurkin of Louisa, leave of absence was granted Carden of Henry until tomorrow.

On motion of Hamann of Scott, leave of absence was granted Meservey of Webster until tomorrow.

On motion of Stuckslager of Linn, leave of absence was granted Gilchrist of Pocahontas until Thursday.

On motion of Jaeger of Des Moines, leave of absence was granted Dodds of Des Moines until tomorrow.

PETITIONS AND MEMORIALS.

Jaeger of Des Moines presented remonstrance of citizens of Des Moines county relating to the exemption of personal earnings.

Referred to committee on Judiciary.

Sokol of Jones presented petition of citizens of Jones county relative to dipsomaniacs and inebriates.

Referred to committee on Public Health.

Cruikshank of Lee presented remonstrance of citizens of Lee county relative to House file No. 170, by Dunham; No. 134, by Jenks, and No. 45, by Powers.

Referred to committee on Schools and Text-Books.

Whiting of Monona presented petition of citizens of Ida county relative to time limit of filing consent petitions under the mulct law.

Referred to committee on Suppression of Intemperance.

Sweeley of Woodbury presented remonstrance of citizens of Woodbury county relative to boards of supervisors.

Referred to committee on Elections.

Colclo of Carroll presented petition of citizens of Carroll county relative to time limit of filing petitions under the mulct law.

Referred to committee on Suppression of Intemperance.

Langan of Clinton presented petition of building and trades unions of Clinton and Lyons, requesting joint resolution urging congress to have war vessels built in this country.

Referred to committee on Federal Relations.

#### REPORTS OF COMMITTEES.

Jaeger of Des Moines, from the committee on Federal Relations, submitted the following report:

MR. SPEAKER—Your committee on Federal Relations, to whom was referred concurrent resolution relative to requesting our senators and representatives in congress to favor a bill known as Senate file No. 1118, introduced by Senator Hoar of Massachusetts, defining acts of conspiracy, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

LOUIS M. JAEGER  
*Chairman.*

Report adopted on motion of Mr. Jaeger, and the resolution was passed on file.

Hurn of Cerro Gordo, from the committee on Compensation of Public Officers, submitted the following report:

**MR. SPEAKER**—Your committee on Compensation of Public Officers, to whom was referred House file No 271, a bill for an act to repeal section 2701 of the code, and to enact a substitute therefor, relating to the compensation of the superintendent and assistants for the institution for feeble-minded children, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking from the bill the words "three thousand", in the first line, and inserting in lieu thereof the words "twenty-seven hundred", and when so amended that the same do pass.

D. W. HURN,  
*Chairman.*

Ordered passed on file.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the committee on Enrolled Bills, submitted the following report:

**MR. SPEAKER**—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 105, a bill for an act to amend section four thousand, five hundred forty-four (4544) of the code, relative to garnishment proceedings.

J. P. LYMAN,  
*Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By McClurkin of Louisa, House file No. 329, a bill for an act making an appropriation providing for the erection of one equestrian statue on the capitol grounds, of the late Maj.-Gen. Francis J. Herron.

Read first and second time and referred to committee on Appropriations.

By McClurkin of Louisa, House file No. 330, a bill for an act to amend chapter 2 of title 10 of the code, relating to levees, drains and water courses.

Read first and second time and referred to committee on Agriculture.

By Edwards of Butler, House file No. 331, a bill for an act requiring railroad companies to file plats of all lines owned or operated in the several counties of the state of Iowa, with county auditors, amendatory of the provisions of chapter 1, title 7 of the code, relating to the assessment of taxes.



Read first and second time and referred to committee on Railroads and Commerce.

By Barkley of Boone, House file No. 332, a bill for an act to amend section 732 of the code, as amended by chapters 21 and 22 of the acts of the Twenty-eighth General Assembly, relating to the levying of taxes for library purposes.

Read first and second time and referred to committee on Ways and Means.

By Mattes of Sac, House file No. 333, a bill for an act to amend sections 2448, 2449 and 2452 of chapter 6, title 12 of the code in relation to intoxicating liquors.

Read first and second time and referred to committee on Suppression of Intemperance.

#### SENATE MESSAGES CONSIDERED.

Senate file No. 87, a bill for an act to amend section 136 of the code in relation to the publication of the reports of the Iowa Academy of Sciences.

Read first and second time and referred to committee on Printing.

Senate file No. 161, a bill for an act to provide for the support of the hospitals for the insane, and for the transfer of patients on account of the opening of the hospital at Cherokee.

Read first and second time and referred to committee on Appropriations.

On motion of Hamann of Scott, House file No. 82, a bill for an act to amend section 1080 of the code, relating to the correction of registry of voters, with report of committee recommending passage as amended, was taken up, considered and the report of the committee with amendments adopted.

Mr. Hamann moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Blakemore,

Buchanan, Calderwood, Campbell, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Cruikshank, Cummings, Davenport, Donahue, Dunham, Edwards, English, Flenniken, Freeman, Frudden, Furry, Greeley, Greene, Hamann, Hasselquest, Head, Hertert, Hilsinger, Hufschmidt, Hughes Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure McClurkin, Marshall, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Pritchard, Sokol, Springer, Stratton, Stuckslager, Sweeley, Teachout, Temple, Townsend, Utterback, Walden, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—77.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Black, Boysen, Carden, Crouse, Dodds, Eiker, Fields, Gilchrist, Graff, Hawk, Jenks, Kolthoff, McNie, Meservey, Nagle, Payne, Robinson, Roome, Secor, Sweet, Walters, Warren, Wilson of Buena Vista—23

So the bill passed.

Hamann of Scott moved to amend the title by inserting the word "and" between the word "thousand" and the word 'eighty'.

Adopted, and the title as amended was agreed to.

On motion of Hamann of Scott, House file No. 81, a bill for an act to amend section 1113 of the code, relating to polling places, with report of committee recommending passage as amended, was taken up, considered and the report of the committee, with amendment, adopted.

Mr. Hamann moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Blakemore, Buchanan, Calderwood, Campbell, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Cruikshank, Cummings,

Davenport, Donahue, Dunham, Edwards, Eiker, English, Flenniken, Freeman, Frudden, Furry, Greeley, Greene, Hamann, Hasselquist, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, Marshall, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Pritchard, Sokol, Springer, Stratton, Stuckslager, Sweeley, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—77.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Black, Boysen, Carden, Crouse, Dodds, Fields, Gilchrist, Graff, Hawk, Hurn, Jenks, Kolthoff, McNie, Meservey, Nagle, Payne, Robinson, Roome, Secor, Sweet, Walters, Wilson of Buena Vista—23.

So the bill passed and the title was agreed to.

On motion of Donahue of O'Brien, House file No. 77, a bill for an act to amend chapter 1, title 7 of the code of Iowa, and for the repeal of section 1304, chapter 1, title 7 of the code, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee, with substitute as amendment, adopted.

Anderson of Warren moved to amend by inserting the words "Mexican war and of the" after the first word "the" in the second line of committee substitute.

Adopted.

Cowles of Kossuth moved to amend by inserting after the word "widow" in the third line the words "remaining unmarried."

Adopted.

Head of Greene moved to amend by adding after the word "sailor" in the second line of the printed substitute as printed in the Journal of February 12th, the words "unable to perform manual labor and dependent thereon for the support of himself and family."

Lost.

Speaker *pro tem* Kendall in the chair.

Warren of Marion moved to amend subdivision seven by striking out all that part of said section seven after the word "exemption," in the seventh line and insert the following: "All soldiers, sailors or widows thereof referred to herein shall receive a reduction of eight hundred dollars at the time said assessment is made by the assessor unless waiver thereof is voluntarily made of said exemption at said time."

Adopted.

Speaker Eaton in the chair.

Mr. Donahue moved that the rules be suspended, and that the bill be considered engrossed and read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Buchanan, Calderwood, Campbell, Carter, Cassel, Cheney Christianson, Clarke, Coburn, Colclo, Cowles, Cruikshank, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, English, Flenniken, Freeman, Frudden, Furry, Greene, Hamann, Hasselquist, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jones, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, Marshall, Mattes, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Sokol, Springer, Stratton, Stuckslager, Sweeley, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wise, Wright, Mr. Speaker—73.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Black, Blakemore, Boysen, Carden, Crouse, Dodds, Fields, Gilchrist, Graff, Greeley, Hawk, Jenks, Keagy, Kolthoff, McNie, Meservey, Nagle, Payne, Pritchard, Robinson, Roome, Secor, Sweet, Walters, Wilson of Buena Vista, Wilson of Washington—27.

So the bill passed and the title was agreed to.

House file No. 132, a bill for an act to amend section 1304 of the code, relating to exemption of property of union soldiers and sailors, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 43, a bill for an act to amend section 1304 of the code, in reference to exemption from taxes, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 202, a bill for an act relating to mutual companies, defined by division 7 of section 1709, as amended, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 174, a bill for an act to prohibit gift enterprises and doing business with trading stamps, etc., with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 152, a bill for an act to legalize the acts of John Hardman, and Joseph Garrity, trustees of Washington township, Jones county, Iowa, in the purchase of a road grader for the use of said township, and the issuance of an order in payment therefor, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 10, a bill for an act to authorize the appointment of state savings banks, and loan and trust companies, organized under the laws of Iowa, as administrators, executors, guardi

ans, trustees, receivers and assignees, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 169, a bill for an act to prohibit gift enterprises and doing business with trading stamps, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 105, a bill for an act to amend section four thousand, five hundred forty-four (4544) of the code, relative to garnishment proceedings.

J. P. LYMAN,

*Chairman House Committee.*

E. K. WINNE,

*Chairman Senate Committee.*

Ordered passed on file.

On motion of Cowles of Kossuth, leave of absence was granted Graff of Page until tomorrow.

On motion of Freeman of Pottawattamie, leave of absence was granted Jenks of Pottawattamie until tomorrow.

On motion of Cowles of Kossuth, leave of absence was granted Roome of Winneshiek for today.

On motion of Langan of Crawford, leave of absence was granted McNie of Benton until tomorrow.

Speaker announced that he had signed in the presence of the House, House file No. 105.

Freeman of Pottawattamie moved that the House adjourn until tomorrow, Tuesday, February 25th, at 9:30 A. M.

Carried and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Tuesday, February 25, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. H. J. Everly of Moulton, Iowa

PETITIONS AND MEMORIALS.

Sweeley of Woodbury presented petition of citizens of Woodbury county, relative to election of supervisors.

Referred to committee on Elections.

Barker of Howard presented petition of citizens of Howard county, relative to insurance legislation.

Referred to committee on Insurance.

Langan of Crawford presented petition of citizens of Crawford county urging passage of House file No. 184.

Referred to committee on Ways and Means.

Townsend of Calhoun presented petition of eighty-eight citizens of Rockwell City, relative to the fish and game law.

Referred to committee on Fish and Game.

Whiting of Monona presented petition of citizens of Monona county, relative to election of supervisors.

Referred to committee on Elections.

Wilson of Washington presented remonstrance of sixty citizens of Washington county against House files Nos. 170, 134 and 45.

Referred to committee on Schools and Text-Books.

Sokol of Jones presented petition of eleven citizens of Jones county, urging passage of House file No. 170.

Referred to committee on Schools and Text-Books.

REPORTS OF COMMITTEES.

Clarke of Dallas, from the committee on Judiciary, submitted the following report.

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 237, a bill for an act to amend sections 1182, 1185, 1188, 1189 and 1190 of the code, to require county supervisors to give official bonds, and providing for the approval thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by adding thereto the following:

Section 6. This act shall not apply to persons now holding the office of county supervisor, during the terms for which they have been elected.

And when so amended that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 274, a bill for an act to amend section 295 of the code, relating to change in title to real estate, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 257, a bill for an act fixing a uniform time at which all annual appropriations shall begin, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 260, a bill for an act to amend section 2008 of the code,



relating to filing of transcript in condemnation proceedings, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 328, a bill for an act to legalize the ordinances of the town of Shannon City, situated in Union and Ringgold counties, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Eiker of Decatur, from the committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 252, a bill for an act to define and regulate the practice of optometry and for the creation of a board of examiners in optometry, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended and when so amended that the same do pass.

Amend by inserting after the word "be" in the fifth line of section three (3) of the original bill the word "refracting"; also by inserting after the word "members" in the fifth line of section three (3) of the original bill the words "not more than three of whom shall belong to the same political party and"; also by striking out the word "second" in the second line of section five (5) of the original bill and inserting the word "third" in lieu thereof; also by inserting after the word "after" in the first line of section twelve (12) of the original bill the words "the year nineteen hundred and two" and enclosing the figures "1902" in the second line of said section, in parentheses; also by striking out the word "second" in the fourth line of section twelve (12) of the original bill and inserting the word "third" in lieu thereof; also by striking out the word "Des Moines" in the second line of section seventeen (17) of the original bill and inserting the words "Iowa state" in lieu thereof, and by striking out the words "daily papers" in the third line of said section and inserting the word "newspapers" in lieu thereof; also that section seventeen (17) of the original bill be changed to section number eighteen (18), and that section seventeen (17) read as follows: "The board shall make a biennial report to the governor of its proceedings, including a full and accurate account of all moneys received and disbursed. Any sum of money remaining after the payment of the compensation and

expenses of the members of the board and the salary of the secretary and treasurer, shall be by the treasurer paid into the state treasury on or before the first day of July of each year."

B. L. EIKER,  
*Chairman.*

Ordered passed on file.

Anderson of Warren, from the committee on Printing, submitted the following report:

MR. SPEAKER—Your committee on Printing, to whom was referred Senate file No. 159, a bill for an act providing for the purchase of engraving plates and cuts for state publications, and fixing the manner of paying the cost of the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that the same do pass.

J. M. ANDERSON,  
*Chairman.*

Ordered passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Lyman of Poweshiek, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, substitute for Senate file No. 28, a bill for an act to amend section four hundred and eighty-three of the code, relating to the payment of interest on county warrants.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

On motion, the report was adopted.

#### INTRODUCTION OF BILLS.

By Anderson of Warren, House file No. 334, a bill for an act to amend sections 125 and 129 of the code, relating to the printing, binding and distribution of public reports and documents.

Read first and second time and referred to committee on Printing.

By Wright of Guthrie, House file No. 335, a bill for an act to amend chapter 85 of the acts of the Twenty-eighth General Assembly, relating to the appointment by the dairy commissioner of a deputy and assistants, and fixing their compensation.

Read first and second time and referred to committee on Agriculture.

By Furry of Hardin, House file No. 336, a bill for an act to amend section 2406 of the code, relating to actions to abate nuisances.

Read first and second time and referred to committee on Suppression of Intemperance.

By Furry of Hardin, House file No. 337, a bill for an act to amend section 3410 of the code, relating to sale of intoxicating liquors and abatement of nuisance.

Read first and second time and referred to committee on Suppression of Intemperance.

By Wilson of Washington, House file No. 338, a bill for an act to legalize acknowledgments of deeds and conveyances of land and of other instruments.

Read first and second time and referred to committee on Judiciary.

McClurkin of Louisa offered the following concurrent resolution:

CONCURRENT RESOLUTION.

WHEREAS, There is a movement in the United States congress to award the carrying of the mail on the free rural mail delivery routes by lowest contract and not by civil service rules; and,

WHEREAS, Experience with the Star Route mail service has proved to lead to fraud and unsatisfactory results through contract work. And as a perfect free rural mail delivery service is of a value beyond computation to the general progress and intelligence of the United States, be it

*Resolved*, By the House, the Senate concurring: That the agricultural state of Iowa, speaking through its legislature, do deplore such a short-sighted economy as detrimental to the fullest development of free rural delivery service.

*Resolved*, That copies of these resolutions be immediately forwarded by the Secretary of the Senate and Chief Clerk of the House to each member of the Iowa delegation of the United States congress now assembled in Washington, D. C.

Laid over under rule 34.

Senate concurrent resolution relative to the mounting of photolithographic plats of congressional townships and the rebinding

of original field notes of survey and records of conveyance, which had laid over under rule 34, was taken up and considered.

On motion of Campbell of Fremont the House concurred.

On motion of Cummings of Marshall, House file No. 128, a bill for an act amendatory of chapter one (1), title three (3) of the code, relating to the organization of the supreme court, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee, with substitute as amendment, adopted.

Mr. Cummings moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Clarke, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Payne, Powers, Pritchard, Robinson, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Teachout, Temple, Townsend, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—80.

The nays were:

Messrs. Christianson, Colclo, Cowles, Jenks, Nagle, Utterback, Walden, Whiting—8.

Absent or not voting:

Messrs. Blakemore, Boysen, Coburn, Davenport, Gilchrist, Head, Kolthoff, Koontz, Pipher, Roome, Sweet, Walters—12.

So the bill passed and the title was agreed to.

House file No. 99, a bill for an act to protect deserving wives and minor children against non-support by husbands, with

report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Barker of Howard, House file No. 53, a bill for an act to strike out the party circle in the official ballot, with report of committee without recommendation, was taken up, considered and the report of the committee adopted.

On motion of Mr. Barker the bill was ordered engrossed.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

Concurrent resolution, relative to printing 5,000 copies of the rules of the Twenty-ninth General Assembly.

#### CONCURRENT RESOLUTION.

*Resolved*, By the Senate, the House concurring: That 5,000 copies of the rules of the Senate and House, and joint rules, together with the names of all the standing committees of the Twenty-ninth General Assembly, be printed as soon as practicable, and distributed in the same manner as those of the Twenty-eighth General Assembly.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 163, a bill for an act relating to transfer by treasurer of state to successor of funds.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file 41, a bill for an act to amend section 1613, chapter 1, title 9 of the code, relative to the publication of notice of incorporation.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 108, a bill for an act to amend section 5716 of the code in relation to the compensation of officers and employes of the penitentiaries of the state.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

Substitute for House file No. 67, a bill, etc., to amend section 3497, chapter 4, title 18 of the code of 1897, relating to place of bringing actions.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 121, a bill for an act to amend section 1610, and section 1518 as amended by chapter 40 of the acts of the Twenty-seventh General Assembly, and chapter 56 of the Twenty-eighth General Assembly, relating to incorporations for pecuniary profit.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 117, a bill for an act to amend section 4807 of the code, relating to malicious mischief and trespass.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 198, a bill for an act to legalize the official acts of the town council of the incorporated town of Sumner, in Bremer county, Iowa.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 195, a bill for an act to amend section one hundred and six (106) of the code, relative to the time of settlement of the auditor of state with the state treasurer.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

Substitute for House file No. 68, a bill to amend section 2589, chapter 6, title 18 of the code of 1897, relating to manner of commencing actions.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 151, a bill for an act to amend section twenty-five hundred eighty-two (2582) of the code, relating to the granting of certificates to practice medicine and surgery.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Substitute for Senate file No. 178, a bill for an act to amend section 3386 of the code, relating to property rights of persons who feloniously take the life of another.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 83, a bill for an act to amend section 508 of the code, relating to sheriffs' fees.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Secor of Winnebago, House file No. 88, a bill for an act to amend section 2394 of the code, relating to the sale of intoxicating liquors by permit holders, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Hasselquist of Lucas moved to amend by adding after the word "liquor" in the twelfth line of the printed bill the following: "to fill out in their own hand writing and".

Lost.

Langan of Clinton moved to amend by adding after the word "ink" in the thirteenth line of the printed bill the words, "when in the opinion of the permit holder the applicant is a minor or person addicted to the habitual use of liquor."

Lost.

Mr. Secor moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Buchanan, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Cowles, Crouse, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, Fields, Furry, Graff, Greeley, Greene, Hasselquist, Hawk, Hughes, Keagy, Kerr, Kling, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Moore, Nagle, Nichols, Patton, Powers, Pritchard, Robinson, Secor, Sokol, Stratton, Sweeley, Walden, Whiting, Wilson of Washington, Wise, Wright, Mr. Speaker—57.

The nays were:

Messrs. Bealer, Calderwood, Colclo, Cruikshank, English, Flenniken, Freeman, Frudden, Hamann, Hertert, Hilsinger, Hufschmidt, Jaeger, Jenks, Jones, Koontz, Langan of Clinton, McClure, Meservey, Mordhorst, Pipher, Springer, Stuckslager, Temple, Utterback, Walters, Willett—27.

Absent or not voting:

Messrs. Boysen, Coburn, Davenport, Gilchrist, Head, Hurn,



Kendall, Kolthoff, Marshall, Payne, Roome, Sweet, Teachout, Townsend, Warren, Wilson of Buena Vista—16.

So the bill passed.

Secor of Winnebago moved to amend the title to House file No. 88 by striking out the words "of Iowa."

Carried, and the title as amended was agreed to.

On motion of Wilson of Washington, special order No. 6, House file No. 50, a bill for an act to repeal chapter 109 of the laws of the Twenty-eighth General Assembly, relative to teaching vocal music in the public schools, with report of committee recommending indefinite postponement, was taken up and considered.

Dunham of Delaware moved that the report of the committee be adopted.

Wilson of Washington moved to amend by substituting the recommendations of the minority in place of the majority report.

Lost on call of the ayes and nays, the result of the roll call being as follows:

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Blakemore, Buchanan, Carden, Coburn, Cruikshank, Donahue, English, Fleniken, Freeman, Hamann, Hilsinger, Hurn, Jaeger, Jenks, Keagy, Kendall, Koontz, Langan of Clinton, Lyman, Marshall, Mattes, Nichols, Payne, Pipher, Pritchard, Sokol, Springer, Stuckslager, Sweeley, Teachout, Temple, Walters, Wilson of Washington, Wright—38.

The nays were:

Messrs. Barker, Black, Calderwood, Campbell, Carter, Cassel, Cheney, Christianson, Clarke, Colclo, Cowles, Crouse, Cummings, Dodds, Dunham, Edwards, Eiker, Fields, Frudden, Furry Graff, Greeley, Greene, Hasselquist, Hawk, Hertert, Hufschmidt, Hughes, Jenks, Kling, Langan of Crawford, Larrabee, Leech, McClure, McClurkin, McNie, Meservey, Moore, Mordhorst, Nagle, Patton, Powers, Robinson, Secor, Stratton, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Mr. Speaker—53.

Absent or not voting:

Messrs. Boysen, Davenport, Gilchrist, Head, Kerr, Kolthoff, Roome, Sweet, Wise—9.

The motion of Dunham of Delaware was carried and the bill was indefinitely postponed.

Springer of Buchanan in the chair.

On motion of Jenks of Pottawattamie, special order No. 7, House file No. 188, a bill for an act to repeal section 2727 of the code, and chapter 83 of the acts of the Twenty-seventh General Assembly amendatory thereto, and to enact a substitute therefor, relating to the support of the Iowa School for the Deaf at Council Bluffs.

Mr. Jenks moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Kendall, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Payne, Powers, Pritchard, Robinson, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—86.

The nays were:

None:

Absent or not voting:

Messrs. Boysen, Davenport, Eiker, Gilchrist, Head, Keagy, Kerr, Kolthoff, Marshall, Nagle, Pipher, Roome, Sweet, Teach-out—14.

So the bill passed.

Hughes of Iowa moved to correct the title by inserting the words "twenty-seven hundred and twenty-seven" in the first line, after the word "section," and by enclosing the figures "2727" in brackets; also by inserting the words "eighty-three" after the word "chapter" in the first line; also by enclosing the figures "83" in same line in brackets.

Carried, and the title as amended was agreed to.

Speaker Eaton in the chair.

On motion of Hilsinger of Jackson, House file No. 48, a bill for an act to fix the compensation of appraisers of property, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Buchanan of Wapello moved to amend section one by striking out the word "two" in the third line and insert in lieu thereof the word "four" before the word "dollars;" also to strike out the figure "2" in brackets and insert the figure "4" in same.

Lost.

Mr. Hilsinger moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blake-more, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Clarke, Coburn, Colclo, Cowles, Crouse, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Keagy, Kendall, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Teachout, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—85.

The nays were:

Messrs. Buchanan, Cruikshank—2.

Absent or not voting:

Messrs. Boysen, Christianson, Davenport, Gilchrist, Head, Jones, Kerr, Kolthoff, Marshall, Payne, Roome, Sweet, Wilson of Washington—13.

So the bill passed and the title was agreed to.

The Speaker announced that he had signed in the presence of the House, Senate file No. 28.

On motion of Sokol of Jones, leave of absence was granted Kolthoff of Chickasaw until tomorrow.

On motion of Hurn of Cerro Gordo, leave of absence was granted Boysen of Audubon until tomorrow morning.

On motion of Cheney of Clay, leave of absence was granted Head of Greene indefinitely.

On motion of Utterback of Keokuk, leave of absence was granted Davenport of Union indefinitely.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE.  
DES MOINES, Iowa, February 25, 1902. }

*To the Senate and House of Representatives of the Twenty-ninth General Assembly:*

I submit herewith a copy of a letter received from the president of the state board of health, respecting a condition which exists upon the Indian reservation in Tama county. Briefly summarized, the situation is as follows: Some time ago a malignant type of smallpox was prevalent in the Indian camp, and many of the Indians died from the disease. While the disease no longer exists in the camp, the tepees, wigwams, blankets, and other clothing and effects of the Indians are filled with smallpox germs; and I am advised that in order to prevent the spread of the contagion it is highly necessary to burn a large part of the paraphernalia of the camp and to thoroughly fumigate and disinfect the remainder.

Up to this time it has been possible to maintain a quarantine, but as the spring approaches, the maintenance of the regulations becomes more and more difficult, and in my opinion will be from now on practically impossible. Latterly the quarantine has been maintained waiting for the federal government to make an appropriation to supply the Indians with tents, blankets, and other things that may be destroyed in the cleansing process. I have every assurance that congress will make an appropriation for this purpose, but it may not be available for some weeks to come. In the meantime the lives of our people are greatly imperiled, and I look upon it as essential to remove the danger at once. I have every reason

to believe that I can so adjust matters with the general government that any sum expended at this time by the state will be repaid.

In view of the emergency I recommend the appropriation of a sum sufficient to supply the Indians with some substitute for the things destroyed, not to exceed seven thousand dollars, pending action at Washington.

Respectfully submitted,

ALBERT B. CUMMINS.

The following is a copy of the letter received from the president of the state board of health:

DES MOINES, Iowa, February 24, 1902.

*Hon. A. B. Cummins, Governor of Iowa:*

MY DEAR SIR—I am in receipt of communications from Mayor Struble of Toledo, and Mayor Huber of Tama, stating that it will be with difficulty that the quarantine may be maintained for any considerable length of time. The Indians are already becoming very restive. They complain bitterly at the long drawn out quarantine which prevents their leaving the reservation. Several times a number of them have gone to Montour, and I have word from Mayor Young of that city stating in explanation of this fact that they expected the quarantine to be raised some time ago. At this time of year the Indians usually leave the camp on hunting and fishing expeditions along the adjacent streams, many of them camping out for a good part of the summer season. Should the weather turn warm, as is very possible indeed, it would be nearly impossible to keep them longer on the reservation. The smallpox has expended itself, and the camp is now in condition it might be well cleaned. Delay in this matter is portentous of danger. If they leave the reservation without first being properly disinfected they may carry this virulent type of contagion to different portions of the state. The health authorities of the cities adjacent to the reservation already note with apprehension their growing restlessness, and assure me it will be difficult to restrain them much longer.

Word from the commissioner of Indian affairs is received to the effect that the urgent deficiency bill before congress contains an appropriation for cleaning up the camp. A letter just received from Governor Shaw conveys the additional information that the commissioner thinks \$7,000 would be sufficient for the purpose. Permit me to suggest to you the advisability of anticipating this revenue from the government, and that you ask of the legislature an appropriation sufficient for this purpose. By communication with the interior department, the matter might be arranged for the return of such amount as the legislature may appropriate to the state. The commissioner assured me his department would be quick to act as soon as the appropriation was available, and that he desired the active co-operation of the state board of health in cleansing the camp. The renovation of the camp might be done, in that event, under the direction of the commissioner of Indian affairs, and if done at this time, it would relieve the communities adjacent to the reservation from the danger of a spread of this contagion.

I beg to assure you that I regard this as a matter of utmost importance, and ask that you give it such consideration as its grave nature warrants.

Very truly yours,

A. M. LINN,  
*President State Board of Health.*

Senate concurrent resolution relative to printing 5,000 copies of the rules of the Twenty-ninth General Assembly was called up, and on motion of Kendall of Monroe the House concurred.

Hughes of Iowa moved that the House adjourn until tomorrow morning, Wednesday, February 26th, at 9 A. M.

Carried, and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, Wednesday, February 26, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. D. D. McSkimming of Whiting, Iowa.

The Journal of Monday, February 24th, was corrected and approved.

Edwards of Butler in the chair.

PETITIONS AND MEMORIALS.

Nichols of Muscatine presented remonstrance of citizens of Muscatine county against compulsory education.

Referred to committee on Schools and Text-Books.

Frudden of Dubuque presented remonstrance of citizens of Dubuque county against House files Nos. 108, 134 and 45.

Referred to committee on Schools and Text-Books.

Pritchard of Wright presented petition of citizens of Wright county, relative to time limit of filing petitions under mulct law.

Referred to committee on Suppression of Intemperance.

English of Polk presented petition of Cigarmakers Union No. 111 against change in existing exemption laws.

Referred to committee on Ways and Means.

Donahue of O'Brien presented petition of citizens of O'Brien county urging passage of Head exemption bill.

Referred to committee on Ways and Means.

Buchanan of Wapello presented petition of six ministers of Ottumwa, Iowa, relative to time limit of filing petitions under the mulct law.

Referred to committee on Suppression of Intemperance.

Utterback of Keokuk presented petition of Rev. Jas. A. Rauger and others against House files Nos. 170, 134 and 45.

Referred to committee on Schools and Text-Books.

Jaeger of Des Moines presented petition of citizens of Burlington against House file No. 184.

Referred to committee on Ways and Means.

Teachout of Polk presented petition of Boss Barbers' union, relative to passage of barbers' bill.

Referred to committee on Public Health.

Langan of Clinton presented petition of Clinton Lodge, No. 34, Brotherhood of Locomotive Firemen, relative to House file No. 184.

Referred to committee on Ways and Means.

#### REPORTS OF COMMITTEES.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 211, a bill for an act to amend chapter 102 of the acts of the Twenty-eighth General Assembly, relating to the Iowa Industrial Reformatory for Women, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House for reference to the committee on Appropriations, and with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

So ordered on motion of Mr. Clarke.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 327, a bill for an act creating the office of probate court in the several counties in this state and defining the duties and jurisdiction of said probate court, beg leave to report that they have had the same under



consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 306, a bill for an act to license auctioneers who are not actual residents of the state of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 157, a bill for an act to validate certain conveyances of real estate, in which husband or wife conveyed the contingent dower interest of the other spouse, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by adopting the following substitute therefor:

A BILL

For an act to validate certain conveyances of real estate in which the husband or wife conveyed the inchoate right of dower of the other spouse.

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

Section 1. No conveyance of real estate heretofore made, wherein the husband or wife conveyed or contracted to convey the inchoate right of dower of the other spouse, acting as the attorney in fact, by virtue of a power of attorney executed by such spouse, such power of attorney not having been executed as a part of a contract of separation, shall be held invalid as contravening the provisions of section three thousand, one hundred and fifty-four (3154) of the code, but all such conveyances are hereby legalized and made effective.

And when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 318, a bill for an act to authorize the temporary transfer of

funds accumulated under chapter 1 of the acts of the Twenty-sixth General Assembly under section 742 of the code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out section 4, and when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 245, a bill for an act to refund to administrators and executors any surplus they have paid to the treasurer of state as collateral inheritance tax in excess of that legally due, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 321, a bill for an act to amend subdivision 3 of section 2448 of the code, relating to surety on bonds, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out section 2 (being the publication clause), and when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 295, a bill for an act to provide for the establishment by county surveyors of lost or disputed section and block corners, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 297, a bill for an act to prevent sales of stocks of merchandise in fraud of creditors, beg leave to report that they have had the same

under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out section 3 (being the publication clause), and when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 68, a bill for an act to amend section 3846 of the code, relating to claims of executors and administrators, or in which they may be interested, and the substitute transmitted therewith, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 21, a bill for an act to amend section 1400 of the code, making taxes levied on buildings as personal property a lien thereon, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.* □

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 26, a bill for an act to authorize library boards to condemn grounds for location of library grounds, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Blakemore of Taylor, from the committee on County and Township Organization, submitted the following report:

MR. SPEAKER—Your committee on County and Township Organization, to whom was referred House file No. 200, a bill for an act to amend section five hundred sixty (560) of title four (4), chapter ten (10) of the code, abolishing the offices of township clerk and trustees in certain civil townships, beg

leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that the same be amended by the following substitute hereto attached, and when so amended that it do pass.

A SUBSTITUTE AS AMENDMENT FOR HOUSE FILE NO. 200.

A bill for an act to repeal section five hundred sixty (560) of the code, and enact a substitute therefor, abolishing the offices of township clerk and trustees in certain civil townships.

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

Section 1. That section five hundred sixty (560) of the code, be and is hereby repealed, and the following enacted in lieu thereof: "When a town or city constitutes one or more civil townships, the boundary lines of which coincide with the boundary lines of the town or city, the offices of township clerk and trustee are hereby abolished."

W. D. BLAKEMORE,  
*Chairman.*

Ordered passed on file.

Hawk of Jasper, from the committee on Pharmacy, submitted the following report:

MR. SPEAKER—Your committee on Pharmacy, to whom was referred House file No. 70, a bill for an act to amend section twenty-three hundred and ninety-four (2394) of the code, relating to the sale of intoxicating liquors by permit holders, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by substitute, and when so amended that the same do pass.

SUBSTITUTE AS AMENDMENT FOR HOUSE FILE NO. 70.

A bill for an act to amend section twenty-three hundred and ninety-four (2394) of the code, relating to the sale of intoxicating liquors by permit holders.

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

Section 1. That section twenty-three hundred and ninety-four (2394) of the code be and the same is hereby amended by striking out the words "and in no case granted unless the permit holder filling it personally knows," beginning after the comma after the eleventh (11th) line of said section, and inserting in lieu thereof the word "that."

W. W. HAWK,  
*Chairman.*

Ordered passed on file.

Crouse of Adams, from the committee on Animal Industry, submitted the following report:

MR. SPEAKER—Your committee on Animal Industry, to whom was referred House file No. 137, a bill for an act to legalize the Iowa State Poultry association; to define duties of said association; to make annual appropriations therefor, and fix penalty for misappropriation of funds, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be referred to Appropriations committee.

S. C. CROUSE,  
*Chairman.*

So ordered on motion of Mr. Crouse.

Mr. Temple, from the committee on Ways and Means, submitted the following report:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 269, a bill for an act to amend section thirteen hundred sixty-six (1366) of the code, relating to the assessment of taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred Senate file No. 9, a bill for an act to amend section thirty-eight hundred twenty-five of the code, making taxes on property in the hands of receivers a preferred claim, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Cowles of Kossuth, from the committee on Elections, submitted the following report:

MR. SPEAKER—Your committee on Elections, to whom was referred House file No. 1, a bill for an act to amend sections four hundred seventeen (417) and four hundred eighteen (418) of the code, relating to supervisor districts and the election of members thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by the adoption of the attached substitute, and when so amended the same do pass.

SUBSTITUTE AS AMENDMENT FOR HOUSE FILE NO. 1.

Add the following to section four hundred and sixteen (416) of the code:

Section 1. In any county having supervisor districts, if more than one-fourth of the voters of the several supervisor districts in said county shall sign a written petition to the board of supervisors of said county, asking that the question of electing all supervisors by the voters of the county at large be submitted to the voters of the county for decision, and if such petition shall be presented to the board of supervisors at the regular meeting in June in any year, the said board of supervisors shall submit the question to the voters of the county at the next and ensuing regular election in the form and manner prescribed by section eleven hundred and six (1106) of the code. If a majority of the votes cast at such election shall be in favor of the election of all supervisors in said county by the voters of the entire county, then thereafter for at least five years all supervisors in said county shall be elected by the voters of the entire county.

Sec. 2. This act, being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

GARDNER COWLES,  
*Chairman.*

Ordered passed on file.

Warren of Marion, from the committee on Insurance, submitted the following report:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 241, a bill for an act to amend section 1759 of the code, and to provide for insurance of plate glass, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. L. WARREN,  
*Chairman.*

Ordered passed on file.

Speaker Eaton in the chair.

Wise of Black Hawk, from the committee on Railroads and Commerce, submitted the following report:

MR. SPEAKER—Your committee on Railroads and Commerce, to whom was referred House file No. 233, a bill for an act to require all railway companies or corporations to pay employes semi-monthly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. A. WISE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Railroads and Commerce, to whom was referred House file No. 249, a bill for an act to amend section four

thousand, eight hundred eleven (4811) of the code, with reference to jumping on and off cars in motion, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. A. WISE,  
*Chairman.*

Ordered passed on file.

Dunham of Delaware submitted the following:

MR. SPEAKER—Your committee on Schools and Text-Books, to whom was referred House file No. 45, a bill for an act to provide for the transportation of children and giving of state aid to rural schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by substituting the following and that when so amended that the same do pass:

SUBSTITUTE FOR HOUSE FILE NO. 45.

A bill for an act providing for the joining of schools and the transportation of school children.

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

Section 1. When, in the judgment of the board of directors of any school corporation, the children of any school under its control will secure increased educational facilities and there will be a saving of expense, it may, with the concurrence of the county superintendent, close such school and transport the pupils thereof, at the expense of the corporation, to another school in the same corporation, or to an adjoining school corporation, upon such terms as the board or boards of directors may agree. Provided, that in all cases where the average attendance upon any school does not equal ten (10) pupils for a period of thirty (30) consecutive days, the board may close the school and provide for the transportation of the children to and from a school in the same or an adjoining school corporation. Schools closed under the provisions of this act may be reopened upon proper showing made by the board to the county superintendent that ten (10) pupils will be in daily attendance. Expenses incurred for the transportation of pupils shall be paid from the contingent fund, while those for instruction shall be paid from the teachers' fund.

GEO. W. DUNHAM,  
*Chairman.*

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Lyman submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, House file No.

105, a bill for an act to amend section four thousand, five hundred and forty-four (4544) of the code, relative to garnishment proceedings.

J. P. LYMAN,  
*Chairman.*

February 26, 1902.

Report adopted.

Also:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 187, a bill for an act to legalize certain proceedings, ordinances and resolutions passed by the councils of cities and towns by less than the required number of votes.

J. P. LYMAN,  
*Chairman.*

Report adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they examined, and find correctly enrolled, House file No. 187, a bill for an act to legalize certain proceedings, ordinances and resolutions passed by the councils of cities and towns by less than the required number of votes.

J. P. LYMAN,  
*Chairman House Committee.*

E. K. WINNE,  
*Chairman Senate Committee.*

Report adopted.

#### INTRODUCTION OF BILLS.

By Pipher of Cass, House file No. 339, a bill for an act to amend section 1090 of chapter 3 of the code, and providing for the consolidation of two or more wards into one voting precinct and to constitute an aldermanic district.

Read first and second time and referred to committee on Judiciary.

By Hamann of Scott, House file No. 340, a bill for an act to limit actions for the recovery of real property on the claim of dower, curtesy or distributive share of surviving spouse or husband.



Read first and second time and referred to committee on Judiciary.

By Temple of Clarke, House file No. 341, a bill for an act to regulate the practice of osteopathy in the state of Iowa and fixing penalties for the violation thereof.

Read first and second time and referred to committee on Public Health.

By Stuckslager of Linn, House file No. 342, a bill for an act to amend section 915 of the code, relating to the recording and certification of plats.

Read first and second time and referred to committee on Judiciary.

The Speaker announced, in the presence of the House in open session, that he had just signed House file No. 187.

Journal of Tuesday, February 25th, was corrected and approved.

On motion of Powers of Floyd, the House gave permission to withdraw House files Nos. 44 and 49 from the committee on Municipal Corporations.

Jenks of Pottawattamie moved that 250 extra copies of House file No. 134 be ordered printed.

Carried.

Robinson of Emmet offered the following resolution and moved its adoption:

*Resolved*, By the House, the Senate concurring: That when adjournment is had on Thursday, February 27, 1902, the same be had until Monday, March 3, 1902, at 2 o'clock P. M.

Carter of Sioux moved to amend by striking out the words "Thursday, February 27th" and inserting in lieu thereof the words Friday, February 28th."

Whiting of Monona moved to amend the amendment by making the time of adjournment from Saturday, March 1st.

Lost.

Amendment of Mr. Carter lost.

On the resolution of Mr. Robinson, the yeas and nays were demanded by Messrs. Barker of Howard and Sweeley of Woodbury.

Mr. Cassel asked and obtained leave to be allowed to refrain from voting on this resolution.

On the question, Shall the resolution be adopted?

The yeas were:

Messrs. Bailey, Calderwood, Campbell, Christianson, Cruikshank, Cummings, Dodds, Dunham, Edwards, Eiker, Freeman, Furry, Greeley, Hamann, Hertert, Hilsinger, Hufschmidt, Jenks, Keagy, Langan of Crawford, Lyman, McClure, McClurkin, Marshall, Meservey, Nagle, Pritchard, Robinson, Sokol, Springer, Teachout, Temple, Utterback, Wilson of Washington—34.

The nays were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Carden, Carter, Cheney, Clarke, Coburn, Colclo, Cowles, Crouse, English, Fields, Flenniken, Graff, Greene, Hasselquist, Hughes, Jaeger, Jenks, Jones, Kendall, Kerr, Kling, Langan of Clinton, Larrabee, Leach, McNie, Mattes, Moore, Nichols, Patton, Payne, Pipher, Powers, Secor, Stratton, Sweeley, Walden, Walters, Whiting, Willett, Wright, Mr. Speaker—45.

Absent or not voting:

Messrs. Blakemore, Boysen, Buchanan, Cassel, Davenport, Donahue, Frudden, Gilchrist, Hawk, Head, Hurn, Kolthoff, Koontz, Mordhorst, Roome, Stuckslager, Sweet, Townsend, Warren, Wilson of Buena Vista, Wise—21.

So the resolution was lost.

Nagle of Van Buren offered the following resolution, and moved its adoption:

*Resolved*, That when this House adjourns on Friday, February 28th, at noon, it stand adjourned till Tuesday, March 4th, at 9:30 o'clock A. M.

Lost on a division of the House by a vote of 33 for and 39 against.

Hertert of Shelby offered the following:

**MR. SPEAKER**—Your committee appointed to draft resolutions of respect to the memory of the Hon. Washington Roundy of Shelby county, Iowa, beg leave to report as follows:

**WHEREAS**, the Hon. Washington Roundy, formerly an honored member of the Twenty-third and Twenty-fourth General Assemblies from Shelby county, departed this life at his home in Grove township, Shelby county, on February 16, 1902; therefore, be it

*Resolved*, That in his death the state of Iowa has lost a conscientious, loyal and worthy citizen, the county an upright and respected man, and his family a kind and generous husband and father, and all who knew him a friend whose acts of kindness and generosity entitled him to the approval and commendation of his fellow men.

*Resolved*, That this body extend to the sorrowing and bereaved wife and family our sincere sympathy in this great loss and the clerk of the House is hereby instructed to mail an engrossed copy of these resolutions to the widow and son of the deceased.

E. M. HERTERT,  
ALBERT W. HAMANN,  
H. B. KLING,

*Committee.*

Ordered placed on file.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

**MR. SPEAKER**—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 179, a bill for an act for the relief of the grantees of John Noble and W. A. Noble, and for the purpose of having a patent issued in their names for a certain tract of land.

GEO. A. NEWMAN,  
*Secretary.*

Also:

**MR. SPEAKER**—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 194, a bill for an act for the relief of the grantees of John Carsner, and for the purpose of having a patent issued in his name for a certain tract of land.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 196, a bill for an act to amend section 2267 of the code, relating to appeals from the findings of commissioners of insanity.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate joint resolution No. 3, resolution proposing amendment to the constitution of Iowa relative to suffrage, and to provide for its reference and publication.

JOINT RESOLUTION NO. 3.

Proposing amendments to the constitution of Iowa relative to suffrage, and to provide for its reference and publication.

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

That the following amendments to the constitution of the state of Iowa be and the same are hereby proposed:

*First.*—Strike out the word “male” in section 1, article 2, of said constitution.

*Second.*—Strike out the word “male” in section 4, article 3, of said constitution.

*And be it further Resolved,* That the foregoing proposed amendments to the constitution be and the same are hereby referred to the legislature to be chosen at the next general election for members of the general assembly, and that the secretary of state cause the same to be published for three months previous to the day of said election, as provided by law.

GEO. A. NEWMAN,  
*Secretary.*

Temple of Clarke asked permission at this time to call up Senate concurrent resolution, relative to instructing the Iowa delegation in congress to support Senate file No. 1118, known as the Hoar bill, which was granted.

Dunham of Delaware offered the following amendment to the resolution and moved its adoption:

Amend by striking out all after the word “concurring,” being the last word in the first line, and inserting in lieu thereof the following:

WHEREAS, There is now being agitated certain questions touching proposed congressional legislation, and an expression of this legislature is sought to influence the action of our congressional delegation; therefore

*Resolved*, That we, being proud of the record the state of Iowa has attained through the integrity and wisdom of those who have in the past and are now representing her in the councils of the nation, and being especially proud of the position which this state holds today in congress by reason of the merited honor and deference paid to her delegation therein, do hereby express our full confidence, both in the integrity and ability of our senators and representatives, and our belief that they will deal intelligently and wisely with all matters submitted for their decision without recommendation or instruction from this or any other body.

Teachout of Polk moved that the House take a recess till 2 P. M.

Lost.

Colclo of Carroll moved the previous question.

Carried.

On the amendment of Dunham of Delaware, Messrs. Bealer of Linn and McNie of Benton demanded the yeas and nays.

On the question, Shall the amendment be adopted?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Cowles, Crouse, Cummings, Dunham, Edwards, Eiker, Fields, Freeman, Furry, Graff, Greeley, Hamann, Hasselquist, Hilsinger, Hurn, Jenks, Keagy, Kendall, Kerr, Kling, Langan of Crawford, Leech, Lyman, McClure, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Secor, Sokol, Stratton, Stuckslager, Temple, Townsend, Walden, Wilson of Buena Vista, Wilson of Washington, Wise, Mr. Speaker—62.

The nays were:

Messrs. Coburn, Colclo, Cruikshank, Dodds, Donahue, English, Frudden, Greene, Hawk, Hertert, Hufschmidt, Hughes, Jaeger, Koontz, Langan of Clinton, Larrabee, Marshall, Mordhorst, Springer, Sweeley, Teachout, Utterback, Walters, Whiting, Willett, Wright—26.

Absent or not voting:

Messrs. Boysen, Davenport, Flenniken, Gilchrist, Head, Jones, Kolthoff, McClurkin, Payne, Roome, Sweet, Warren—12.

So the amendment was adopted.

The following explanation of vote was filed:

**MR. SPEAKER**—I vote "No" on the Dunham amendment to the Senate concurrent resolution, for the reason that the amendment completely destroys the original resolution for which I desired to cast my vote.

J. L. WARREN.

Barker of Howard moved that the House do now take a recess till 2 P. M.

Lost.

The following motion to reconsider was filed:

**MR. SPEAKER**—I move to reconsider the vote by which the amendment of Dunham of Delaware was adopted.

N. E. KENDALL.

I second the motion.

A. W. BUCHANAN.

Mr. Kendall asked unanimous consent to consider the motion at this time.

Granted.

The motion was lost.

On the resolution as amended by Dunham of Delaware, the yeas and nays were demanded by Messrs. Kendall of Monroe and Jenks of Pottawattamie.

On the question, Shall the resolution, as amended, be adopted?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Campbell, Carden, Carter, Cassel, Christianson, Clarke, Cowles, Crouse, Cummings, Dunham, Edwards, Eiker, Fields, Furry, Graff, Greeley, Hamann, Hasselquist, Hawk, Hurn, Keagy, Kling, Leech, Lyman, McClure, McNie, Mattes, Moore, Nichols, Patton, Pipher, Powers, Pritchard, Secor, Sokol, Stratton, Stuckslager, Temple, Townsend, Walden, Wilson of Buena Vista, Wise—49.

The nays were:

Messrs. Buchanan, Calderwood, Cheney, Coburn, Colclo, Cruikshank, Dodds, Donahue, English, Flenniken, Freeman, Frudden,

Greene, Hertert, Hilsinger, Hutschmidt, Hughes, Jaeger, Jenks Kendall, Kerr, Koontz, Langan of Clinton, Langan of Crawford, Larabee, Marshall, Meservey, Mordhorst, Nagle, Robinson, Springer, Sweeley, Teachout, Utterback, Walters, Warren, Whiting, Willett, Wright, Mr. Speaker—40.

Absent or not voting:

Messrs. Boysen, Davenport, Gilchrist, Head, Jones, Kolthoff, McClurkin, Payne, Roome, Sweet, Wilson of Washington—11.

So the concurrent resolution, as amended, was adopted.

The following explanations of votes were filed:

MR. SPEAKER—I crave permission of the House to explain my votes on the foregoing resolution, and the Dunham amendment thereto.

I favored the adoption of the resolution and opposed the amendment. My affirmative vote on the question of adopting the amendment was given under the misapprehension that said amendment, if adopted, would then be considered *in connection with, and not as a substitute for*, the original resolution. Upon discovering this error I moved to reconsider the vote by which the amendment was adopted. Believing that the motion to reconsider had carried and that the question then arose upon the motion to adopt the Dunham amendment, I voted in the negative.

I now ask that it may appear in the Journal that I favored the original Hoar resolution and opposed the Dunham amendment, and that at the same time my profound regard for the senators and representatives in congress from Iowa may be recorded.

N. E. KENDALL.

MR. SPEAKER—I vote no because in no other way can I indicate my advocacy of the "Hoar" resolution.

J. HUGHES, JR.

February 26, 1902.

The Speaker filed the following explanation of his vote:

I vote "no" for the reason that I see no necessity for passing the resolution as amended. It might lead to an inference that doubts had arisen as to whether the people had confidence in the senators and members of congress from Iowa, and I do not think there are such doubts.

W. L. EATON.

On motion of Cummings, House adjourned till 2 P. M.

AFTERNOON SESSION.  

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House met pursuant to adjournment, Speaker Eaton in the chair.

On motion of Stuckslager of Linn, the committee on Claims was excused for the afternoon.

On motion of Kendall of Monroe, leave of absence was granted Cassel of Jefferson indefinitely.

## SENATE MESSAGES CONSIDERED.

Senate joint resolution No. 3, proposing amendments to the constitution of Iowa, relative to suffrage, and to provide for its reference and publication.

Read first and second time and referred to committee on Constitutional Amendments.

Senate file No. 196, a bill for an act to amend section 2267 of the code, relating to appeals from the findings of commissioners of insanity.

Read first and second time and referred to committee on Judiciary.

Senate file No. 163, a bill for an act relating to transfer by treasurer of state to successor of funds of the state, and liabilities incident thereto, and providing for the satisfaction of judgments adverse to the treasurer of state in suits brought for the recovery of taxes or fees.

Read first and second time and referred to committee on Judiciary.

Substitute for Senate file No. 178, a bill for an act to amend section 3386 of the code, relating to property rights of persons who feloniously take the life of another.

Read first and second time and referred to committee on Judiciary.

Senate file No. 151, a bill for an act to amend section twenty-five hundred eighty-two (2582) of the code, relating to the granting of certificates to practice medicine and surgery.



Read first and second time and referred to committee on Public Health.

Senate file No. 108, a bill for an act to amend section 5716 of the code, in relation to the compensation of officers and employes of the penitentiaries of the state.

Cruikshank of Lee moved that Senate file No. 108 be substituted for House file No. 126 on the calendar, without reference to a committee.

Carried.

Senate file No. 83, a bill for an act to amend section 508 of the code, relating to sheriffs' fees.

Read first and second time and referred to committee on Judiciary.

Senate file No. 41, a bill for an act to amend section 1613, chapter 1, title 9 of the code, relative to the publication of notice of incorporation.

Read first and second time and referred to committee on Judiciary.

#### BILLS ON THEIR PASSAGE.

On motion of Furry of Hardin, House file No. 173, a bill for an act to amend section 4872 of the code, in relation to perjury, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Mr. Furry moved that the rules be suspended, and that the bill be considered engrossed and read a third time now, and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Blakemore, Calderwood, Campbell, Carden, Cheney, Colclo, Cowles, Crouse, Dodds, Donahue, Edwards, Eiker, English, Fields; Flenniken, Freeman, Frudden, Furry, Graff, Hamann, Hasselquist, Hawk, Hilsinger,

Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Warren, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—71.

The nays were:

None.

Absent or not voting:

Messrs Bailey, Bealer, Black, Boysen, Buchanan, Cassel, Christianson, Clarke, Coburn, Cruikshank, Cummings, Davenport, Dunham, Gilchrist, Greeley, Greene, Head, Hertert, Kerr, Kolthoff, Leech, Marshall, Mordhorst, Roome, Stuckslager, Walters, Whiting, Wilson of Buena Vista—29.

So the bill passed and the title was agreed to.

On motion of Sweeley of Woodbury, House file No. 207, a bill for an act to amend section 3089 of the code, relating to mechanics' liens, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee, with amendment, adopted.

Mr. Sweeley moved that the rules be suspended, and that the bill be considered engrossed and read a third time now and placed on its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Blakemore, Calderwood, Campbell, Carden, Cruikshank, Dodds, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Hamann, Hasselquist, Hawk, Hilsinger, Hufschmidt, Hughes, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, McClure, McClurkin, McNie, Marshall, Mattes, Moore, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Townsend, Utterback, Walden, Walters Warren, Whiting, Willett, Wilson of Washington, Wright, Mr. Speaker—63.

The nays were:

Messrs. Cowles, Hurn, Meservey—3.

Absent or not voting:

Messrs. Bailey, Bealer, Black, Boysen, Buchanan, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Donahue, Dunham, Gilchrist, Graff, Greeley, Greene, Head, Hertert, Jenks, Kolthoff, Leech, Lyman, Mordhorst, Payne, Roome, Stuckslager, Temple, Wilson of Buena Vista, Wise—34.

So the bill passed and the title was agreed to.

Eiker of Decatur asked unanimous consent that the committee on Public Health be excused, which was granted.

The Speaker appointed as a committee of three to consider the petition presented by Sweet of Bremer, relative to Gen. Joseph M. Street, Messrs. Sweet of Bremer, Barker of Howard and McClurkin of Louisa.

On motion of Edwards of Butler, House file No. 239, a bill for an act to amend sections 1328, 1329 of the code, and sections 3 and 4 of chapter 42 of the acts of the Twenty-eighth General Assembly, relating to reports by, and taxation of telegraph and telephone companies, and requiring said companies to file maps and schedules of their lines with county auditors, with report of committee recommending passage as amended, was taken up, considered and the report of the committee, with amendment, adopted.

Mr. Edwards moved to amend section 2 of the printed bill by inserting the word "for" after the word "sued" in the eleventh line of the original bill.

Carried.

Wilson of Washington moved to amend by inserting after the word "elsewhere" in the sixth line of section 9 of the printed bill the following: "but nothing in this act contained shall be construed to include rural or farm telephone lines not for pecuniary profit."

Lost.

Nichols of Muscatine moved that this bill, House file No. 239, be made a special order for next Tuesday at 10 A. M.

Lost.

Mr. Edwards moved that the rule be suspended, and that the bill be considered engrossed and read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were :

Messrs. Anderson, Barker, Barkley, Blakemore, Carden, Clarke, Colclo, Cowles, Crouse, Cruikshank, Dodds, Dunham, Edwards, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hufschmidt, Hughes, Hurn, Kendall, Kerr, Koontz, Langan of Clinton, Larrabee, McClure, McClurkin, McNie, Marshall, Mattes Meservey, Nagle, Patton, Pipher, Powers, Robinson, Secor, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Utterback, Warren, Whiting, Willet, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—57.

The nays were:

Messrs. Calderwood, Donahue, Nichols, Payne, Sokol, Walden, Wilson of Washington—7.

Absent or not voting :

Messrs. Bailey, Bealer, Black, Boysen, Buchanan, Campbell, Carter, Cassel, Cheney, Christianson, Coburn, Cummings, Davenport, Eiker, English, Fields, Gilchrist, Head, Hertert, Jaeger, Jenks, Jones, Keagy, Kling, Kolthoff, Langan of Crawford, Leech, Lyman, Moore, Mordhorst, Pritchard, Roome, Springer, Stuckslager, Townsend, Walters—36.

So the bill passed.

Hasselquist of Lucas moved to amend the title by adding the letter "s" to the word "section" in lines 1 and 3 of the title.

Carried and the title as amended was agreed to.

Hughes of Iowa moved that the House adjourn until tomorrow, February 27th, at 9 A. M.

Carried and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Thursday, February 27, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. J. R. Sanford, Powersville, Iowa.

PETITIONS AND MEMORIALS.

Kling of Harrison presented petition of sixty-six citizens of Harrison county, urging passage of compulsory education act.

Referred to committee on Schools and Text-Books.

Christianson of Hamilton presented petition of citizens of Webster City, regarding a bill providing for the commitment and treatment of inebriates.

Referred to committee on Suppression of Intemperance.

Barker of Howard presented petition of citizens of Howard county, favoring equal suffrage.

Referred to committee on Constitutional Amendments.

Frudden of Dubuque presented petition of Iron Moulders' Union No. 263 of Dubuque, requesting resolution urging congress to have war vessels built in this country.

Referred to committee on Federal Relations.

Robinson of Emmet presented petition of citizens of Osceola, relating to equal suffrage.

Referred to committee on Constitutional Amendments.

Mattes of Sac presented petition of citizens of Sac county, relating to time limit of filing petitions under the mulct law.

Referred to committee on Suppression of Intemperance.

Langan of Clinton presented petition of Carpenters and Joiners Union No. 772 of Clinton, requesting resolution urging congress to have war vessels built in this country.

Referred to committee on Federal Relations.

Jaeger of Des Moines presented remonstrance of citizens of Des Moines county against House file No. 184.

Referred to committee on Ways and Means.

Mordhorst of Clinton presented petition of Carpenters and Joiners Union No. 772 of Clinton, requesting resolution urging congress to have war vessels built in this country.

Referred to committee on Federal Relations.

Keagy of Dubuque presented remonstrance of citizens of Dubuque against House files Nos. 170, 134, 45.

Referred to committee on Schools and Text-Books.

Mordhorst of Clinton presented petition of building trades unions of Clinton and Lyons, requesting resolution urging congress to have war vessels built in this country.

Referred to committee on Federal Relations.

Mordhorst of Clinton presented petition of Clinton lodge, No. 34, Brotherhood of Locomotive Firemen, relating to Head exemption bill.

Referred to committee on Ways and Means.

Carter of Sioux presented remonstrance of 600 citizens of Alton, 130 citizens of Hospers, St. Mary's Branch of the Roman Catholic Mutual Protective society of Iowa, and St. Joseph's Men's society of Alton against House files Nos. 45, 108, 134.

Referred to committee on Schools and Text-Books.

Hilsinger of Jackson presented remonstrance of citizens of Jackson county against House files Nos. 45 and 134.

Referred to committee on Schools and Text-Books.

Nagle of Van Buren moved that this House do adjourn from Friday, February 28th, till Monday, March 3d, at 2 P. M.

Robinson of Emmet moved to amend by making the time of adjournment from Friday noon till Tuesday, March 4th, 9 A. M.

Whiting of Monona moved to table this amendment.

Lost.

On the amendment of Mr. Robinson the yeas and nays were demanded with the following result:

The yeas were:

Messrs. Anderson, Bailey, Black, Blakemore, Boysen, Calderwood, Christianson, Cruikshank, Cummings, Donahue, Edwards, Eiker, Freeman, Furry, Greeley, Hertert, Hilsinger, Hufschmidt, Hurn, Jenks, Keagy, Langan of Crawford, Lyman, McClure, Meservey, Moore, Nagle, Patton, Pipher, Pritchard, Robinson, Secor, Sokol, Springer, Sweet, Townsend, Utterback, Wise, Wright—39.

The nays were:

Messrs. Barker, Barkley, Bealer, Carden, Cheney, Clarke, Coburn, Colclo, Cowles, Crouse, English, Fields, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Hughes, Jaeger, Jones, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larabee, Leech, McClurkin, McNie, Mattes, Mordhorst, Nichols, Payne Powers, Stratton, Sweeley, Teachout, Walden, Walters, Warren, Whiting, Wilson of Washington, Mr. Speaker—45.

Absent or not voting:

Messrs. Buchanan, Campbell, Carter, Cassel, Davenport, Dodds, Dunham, Flenniken, Frudden, Head, Marshall, Roome, Stuckslager, Temple, Willett, Wilson of Buena Vista—16.

So the amendment was lost.

On the original motion of Nagle of Van Buren the yeas and nays were demanded by Messrs. Sweeley and Coburn, with the following result:

The yeas were:

Messrs. Anderson, Bailey, Barkley, Black, Blakemore, Boysen, Calderwood, Carden, Christianson, Cruikshank, Cummings, Dodds, Donahue, Edwards, Eiker, Freeman, Frudden, Furry, Gilchrist, Greeley, Hasselquist, Hertert, Hilsinger, Hufschmidt, Jenks, Keagy, Kling, Langan of Crawford, Lyman, McClurkin

Meservey, Moore, Mordhorst, Nagle, Patton, Payne, Pipher, Pritchard, Robinson, Secor, Sokol, Springer, Sweet, Teachout, Townsend, Utterback, Warren, Wilson of Washington, Wise, Wright, Mr. Speaker—51.

The nays were:

Messrs. Barker, Bealer, Cheney, Clarke, Coburn, Colclo, Cowles, Crouse, English, Fields, Graff, Greene, Hamann, Hawk, Hughes, Hurn, Jaeger, Kendall, Kerr, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, McClure, McNie, Mattes, Nichols, Powers, Stratton, Sweeley, Walden, Walters, Whiting—34.

Absent or not voting:

Messrs. Buchanan, Campbell, Carter, Cassel, Davenport, Dunham, Flenniken, Head, Jones, Marshall, Roome, Stuckslager, Temple, Willett, Wilson of Buena Vista—15.

So the motion prevailed.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE  
DES MOINES, Iowa, February 26, 1902. }

*To the House of Representatives of the Twenty-ninth General Assembly:*

The report of the entire commission appointed under a concurrent resolution, relative to explosions in the coal mines of Iowa, (together with the supplemental report of John P. Reese and John P. White, have been presented to me, and I herewith transmit the same to your honorable body.

ALBERT B. CUMMINS.

REPORT OF COMMISSION APPOINTED TO INQUIRE INTO AND  
INVESTIGATE THE MATTERS OF EXPLOSIONS IN THE  
COAL MINES OF IOWA.

HON. A. B. CUMMINS, *Governor of Iowa:*

*Sir,*—In compliance with a joint resolution of the Senate and House of Representatives of the Twenty-ninth General Assembly, this commission respectfully submits to you for your consideration, and for transmission to the senators and representatives of the Twenty-ninth General Assembly, the results of its investigation of the cause of explosions in the coal mines of Iowa, the conditions under which these explosions are likely to occur, together with such other information deemed important enough to incorporate in this report.

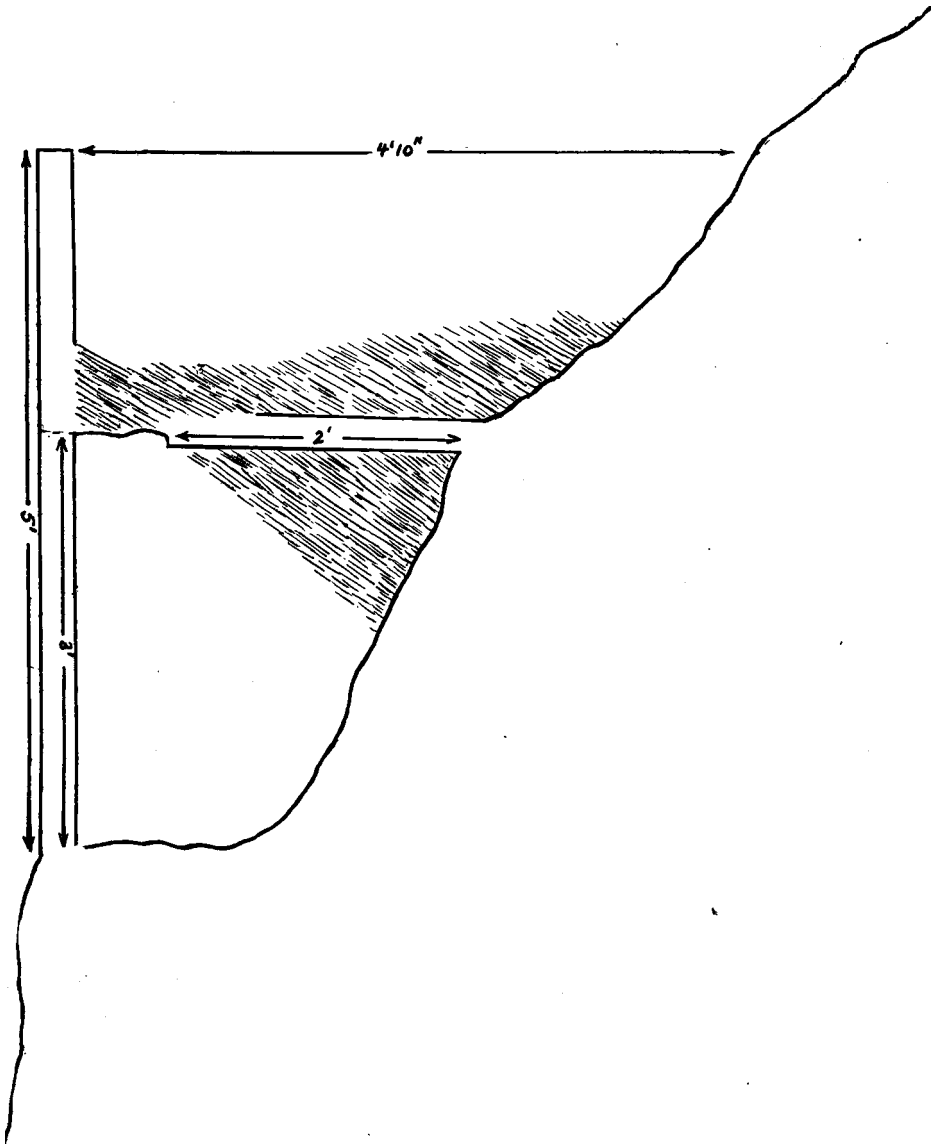
The commission has made such recommendations for legislative action as appeared to it necessary and helpful to prevent the occurrence of disastrous explosions in the future. The commission believes that their enactment and



enforcement, together with the help given by the operators and miners of this state, will bring to the Iowa mines a degree of safety never before attained.

The commission organized for the work before it on the 17th of February, 1902, by electing Hon. T. J. Phillips chairman, and Mine Inspector John Vernon, secretary. It was thought advisable before taking up the work, to visit Mine No. 2 of the Lost Creek Fuel company in Mahaska county, to afford each member of the commission the opportunity to make a personal examination and investigation as to the condition of the mine and the cause of the explosion which occurred in that mine about noon, January 24, 1902. The mine was visited on February 18th. The damage done by the explosion to doors and stoppings had been repaired, the mine was found in good condition, and its ventilation ample. The evidence of the miners, who had worked in this mine prior to the explosion, and in that part of it affected by it, showed that the air had been well conducted and of sufficient volume to assure efficient ventilation of the working places. It had been and is now the practice to slow down the fan just before firing time and keep it moving slowly until after the completion of the firing.

The explosion undoubtedly started in room No. 10, on the second north on the east side. This room is about 500 feet distant from the hoisting shaft, was driven in the distance of fifty feet from the entry, and had no break-throughs connecting it with the adjacent rooms. Andrew Pash, the miner who worked in No. 10, and who was among the killed, had charged two holes on the forenoon of January 24th, one on the left rib, the other near the right rib of the place. The former hole only was fired and the explosion originated from it. Mr. Jonas Mabie, Jr., a driver, who hauled coal from No. 10 room before the explosion, and whose work caused him to be in that room on the morning of January 24th, made the positive statement before all the members of the commission, that the hole in question had been fired at quitting time Thursday, January 23d; that it had blown the tamping at that time and had been recharged on Friday forenoon, January 24th. In the opinion of the commission it is very probable that the size of the charge was increased also. The hole was five feet deep, four feet, ten inches on the point, slim heel, coal three feet, eleven inches high below the black jack, which did not shoot with the coal. The shot blew the tamping at the second firing, but the dangerous feature about it, and which proved the real cause of the explosion, was part of an old hole, two feet deep, left on from a former shot, that had been drilled at right angles to the hole on the rib, three feet from the mouth of the latter hole, a little below it, and within seven and one-half inches of tapping the same (see sketch).



SHOT FIRED ON JANUARY 24, 1902, IN NO. 2 MINE, LOST CREEK, IOWA, IN ROOM 10  
SECOND NORTH, EAST SIDE.

The side of the hole on the rib was evidently shattered by the charge exploding in it the first time, and when the second charge was fired in the same hole, communication between it and the old hole was easily established, if it had not been established before, and through it and the fissures near it the flaming gases were projected into the room with great force and so intensely hot that the thin layer of coal adhering to the roof was blistered and burned. Along the right rib a considerable amount of soot and coked dust furnished additional evidence of intense heat. It is undoubtedly true that the dust stirred up in this room by the firing of the shot and ignited by the flaming gases increased the initial force of the explosion considerably.

Not more than six shots were fired in the territory traversed by the explosion. Probably two shots were fired in No. 12 on the second north, one in No. 10, one in the stub entry off No. 9, and one in No. 9. One shot was fired in the first room working on the main east.

The flame evidently traveled close to the roof. Not a keg or vessel containing powder was exploded, although in several instances the stoppers had been removed, and several dinner pails found in low positions, having wooden handles painted and varnished, that would show the effects of fire, while covered thickly with soot, showed no evidence of fire having touched them.

There is a decided similarity in the manner in which this explosion was caused and the explosion at Como, Col., on January 9, 1893, which resulted in the death of twenty-four miners. Both were due to the presence of parts of old holes previously drilled and fired in the piece of coal intended to be removed by a second shot. In the Como mine a hole had been drilled by one of the miners and the charge fired. As the place chosen for this hole was not favorable for blowing down the coal, it was a comparatively ineffectual shot. A second hole was placed close to the first and charged. When it exploded, instead of blowing down coal, it broke into the first hole and the flame of the powder extended out into the chamber and the explosion resulted.

Below are given the results of the commission's investigations as to the cause of these so-called "dust" explosions in the mines of Iowa and elsewhere, the conditions that must exist to make them possible, the factors determining their extent and severity, together with such other information, pertaining to them, deemed of sufficient value to present.

#### PRIMARY CAUSE OF EXPLOSIONS.

It may be stated, in a general way, that the explosion of a charge of powder, whose full force has been developed within the confines of a hole drilled in the coal, and which force is used up but slightly in either bringing down the coal or in removing the tamping, but is projected in its almost unimpaired vigor into the air in the immediate vicinity of the shot, may, and if other conditions are just right, can produce a disastrous mine explosion. That blasting powder is a very dangerous explosive to use in coal mines is beyond question. Aside from its heat generating power, the necessary attribute of every explosive, the explosion of blasting powder produces not only a greater amount of flame but generates also a number of

combustible and highly explosive gases. The following table of the proportions by volume of the resulting gases from the explosion of blasting powder has been prepared by Prof. Vivian B. Lewes:

Carbon Dioxide .....	32.15
Carbon Monoxide .....	33.75
Nitrogen.....	19.03
Sulphureted Hydrogen .....	7.10
Carburetted Hydrogen .....	2.75
Hydrogen.....	5.22
	100.00

From this table it therefore appears that the only two combustible gases produced by the explosion are carbon and dioxide, 32.15 per cent, and nitrogen, 19.03 per cent, or jointly 51.18 per cent, leaving not less than 48.82 per cent of the resultant gases combustible. From the above statement it can readily be seen why a shot, where the product of the combustion of these gases had not been used up in work, in either removing the coal or the tamping, may become dangerous by the explosive gases completing their combustion in the air in the vicinity of such shot. But a large number of shots fired in the Iowa mines have apparently spent their force as above indicated, with no disastrous results, so there must be something else needed, besides the powder exploding, in the development of an explosion.

#### NECESSARY FACTORS ENTERING INTO THE DEVELOPMENT OF AN EXPLOSION.

1. The intense heat generated by the flame and exploding gases from a shot or shots projected into the mine air with great force.
2. The presence of coal dust in the immediate vicinity of such shot or shots.
3. A fair supply of pure air in the part of the mine where such shot or shots are fired.

#### THE INFLUENCE OF COAL DUST.

Coal dust is an important factor in these mine explosions, especially when present in a finely divided state in the place where an ineffectual shot has been fired, or in a place where several shots have been fired simultaneously, for such dust will not only aid in the easier ignition and explosion of the combustible gases produced by the explosion of powder, but it will add by its own combustion more heat and more fire, supplying thereby considerable additional force, that may make it possible to develop an explosion of considerable extent and severity. Whether or not the dust along the path of an explosion will add to its force or cease to be merely a sustaining factor or cease to be a factor altogether, depends upon conditions prevailing in the mine at the time of the explosion. These conditions will be discussed later.

#### THE INFLUENCE OF PURE AIR ON THE FORMATION AND PROPAGATION OF AN EXPLOSION.

Next to the explosion of the powder itself, the most influential factor in these so-called "dust" explosions is pure air near its place of origin. It is

the energizing element, and without it disastrous explosions in Iowa mines would become an impossibility. Shots may blow the tamping and dust may be present in abundance, but both will remain comparatively harmless if the mine air is impure.

CONDITIONS HAVING A TENDENCY TO INCREASE THE SEVERITY OF AN EXPLOSION.

1. Brisk ventilation or high mine pressure.

By looking over the accounts given of explosions that have occurred in Iowa and other western states within the last fifteen years, and comparing conditions and results, the deduction is easily established that a strong current of air going through a mine at the time of an explosion occurring in it, will not only aid materially in developing its initial force, but will increase it in its progress through the mine passages. It should be remembered that at the time of an explosion's duration is counted by seconds and that these seconds number but few. A strong air current meeting an advancing explosion will check its rapid advance, and though the check itself may be slight, it gives time to permit the combustion of a large amount of dust and makes that combustion more fierce and complete. Under this condition the explosion's scope is not only extended, but its destructive force is very much increased.

2. Low mine temperature.

There are three reasons why low mine temperature assists in the formation of an explosion and in increasing its extent and force. The first reason is that under its influence natural ventilation affords the means of better ventilation of the working places in a mine and purify the air in them. The second reason is that it has a decided effect to make a mine more dry and dusty, and the third reason is that the colder the air in the mine the greater its expansive force, when brought in contact with the heat produced by an explosion.

3. Congested or narrow workings.

Just as powder exploded within the narrow confines of a hole develops greater force, than if exploded in the open, so will the initial force of an explosion develop a greater degree of power, if this originates in a part of a mine where the workings are narrow and the rooms driven in only a short distance from the entry, with no break-throughs connecting them. It is a plain proposition that the greater the confinement of a certain amount of heat the greater its intensity.

CONDITIONS TENDING TO DECREASE THE SEVERITY OF AN EXPLOSION.

1. Sprinkling the roadways.

Sprinkling the haulage roads, while not a preventive by any means, for there is convincing proof to the contrary, is nevertheless of valuable assistance in detracting from an explosion's force, especially if the explosion takes its principal course, as it generally does, along the haulage roads. Sprinkling certainly diminishes the amount of fine dust floating in the air along these roads, and consequently diminishes the supply of available fuel to sustain or increase the explosion's force. The question may arise, if the

sprinkling of a part of a mine promises a certain degree of safety, will not the sprinkling of the whole mine insure a greater measure of safety? It will, but it is a physical impossibility to keep a natural dry mine in damp condition in all its parts by artificial means. More or less coal dust will exist wherever coal is mined. It is impossible to eliminate it. Its accumulation however, should be prevented and every mine should be kept as free from it as practicable.

2. Ample expansion room of wide workings.

The more room there is provided to allow rapid expansion and dissipation of the heat and flame from a shot, that has spent the greater part of its force in the air in its neighborhood, the more remote will be the probability of an explosion of dangerous proportions. It appears that the heat and flame from such shot must at first be confined to close quarters to give the forming explosion the necessary force to project itself through a considerable portion of mine.

3. Reduction of the air volume entering a mine at firing time.

It may appear an anomaly to present the suggestion that a reduction in the air volume entering a mine can lessen the force of an explosion. Many hold that insufficient ventilation, or poorly directed ventilation, is the direct cause of explosions and that it is dangerous, where the occurrence of explosions is feared, to reduce the air volume at any time and especially at firing time. This is true of mines generating firedamp, but there is a wide difference, with the explosion wholly due to gas and an explosion in which firedamp had no part whatever. In the former case a brisk and well directed ventilating current tends not only to obviate the occurrence of an explosion, but in the event of its occurrence, the influence of such current is beneficial because it reduces the danger of additional accumulations of gas being provided to increase the explosion's force. In the other case, where coal dust enters as one of the elements of an explosion, a brisk current going through a mine at the time of its occurrence, which is at firing time, may be made of the conveyor fuel, in the shape of fine coal dust, to the forming explosion; it will certainly aid the more complete combustion of the dust, and besides as already has been remarked, the retarding influence of a strong current to the rapid advance of an explosion affords time for the combustion of a greater quantity of dust.

It has also been stated that a decrease in the air volume, while it may lessen the dust explosion's force, would make the afterdamp more dangerous and deadly. Comparison of the effects of explosions, which occurred in mines where the air supply was reduced and in others where a strong current was going through them at the time of their occurrence, does not sustain that claim. Such comparison further demonstrates the fact that in the latter case the destruction wrought was infinitely greater than in the former. At the time of the Pekay explosion in 1892 the fan was running at its normal speed, producing about 50,000 cubic feet of air per minute. The destructive force developed was very severe, the fan was wrecked and a number of kegs of powder were exploded, showing that the flames must have filled the entries almost completely from top to bottom. The same has been true of other explosions where a like condition existed. At the time of each of the

three explosions at Cleveland, at the time of the explosion at Lost Creek and the recent one in No. 2 mine, Hocking, the fans at these mines were either stopped altogether or were revolving very slowly. In each case, however, there was considerable natural ventilation. Not a keg or vessel containing powder, so far as known, was exploded in any of these explosions, showing that the flame did not fill the entries, but traveled close along the roof, destruction was comparatively small and in no case was the fan incapacitated from immediate service. In the Hocking explosion the flame traveled nearly 1,400 feet from the place where the explosion originated to the top of the hoisting shaft, yet, as soon as the fan had been started full speed, the mine could be entered without delay, and the shotfirers, although severely burned, were brought out alive.

The foregoing, true as it appears to be, is not to be considered an argument for poor or insufficient ventilation. Impure air may prevent an explosion, but it is impracticable, as well as dangerous, to life to resort to it as a remedy.

#### MOST FAVORABLE TIME FOR THE OCCURENCE OF A "DUST" EXPLOSION.

These explosions generally occur during the colder months of the year. They may occur in the summer, but there is no record of an explosion of this character ever having occurred during the months of June, July and August. The reason why these explosions are more frequent in the winter than at any other season of the year is due to the fact that the entries and working place, in the mines during the colder months are drier, and more perfectly ventilated and contain purer air than during warm weather. The effect of the conditions on explosions has already been discussed.

Danger arising from firing a recharged hole, or a hole drilled in close proximity to a remaining part of an old shot hole, or to the fissures made by a previously fired shot.

Fully 70 per cent of the disastrous and extensive explosions, which have occurred in the Iowa mines, have been caused by shots charged and fired the second time, or by shots whose explosive force was thrown into the mine air in their immediate vicinity through the remaining parts of an old hole, which had failed to do effective work. The dangerous character of such holes is now fairly well recognized, but the reason why they are so dangerous is as yet not fully understood. Some say that as generally after a shot has blown the tamping, the second charge is larger than the first, the danger lies in that fact. This may be true to a certain extent, but it is reasonable to suppose that the miner, knowing that extra care must be taken to prevent the charge blowing the tamping the second time, will take some pains in properly tamping that hole, counteracting thereby to some extent the increase in the charge; so there must be something else to promote the dangerous characteristics of such shot. It has been shown that nearly 49 per cent of the gases generated by the combustion of powder are of an explosive nature. When a shot blows the tamping, these gases are not entirely ejected from the hole, as may be supposed, but a portion of them is driven into the pores of the coal and the small cracks and fissures opened by the explosion of the powder. The ignition of powder is comparatively slow, and if by any means that ignition can be hastened, its explosive power

will be increased. That is just what is likely to take place when a second charge is fired in a hole. As soon as the ignition of the powder commences, the inflammable gases surrounding it are ignited also, hastening in turn the explosion of the powder and increasing the heat and flame. At the same time they act as a cushion from which the newly formed gases rebound and are thrown into the air with almost unimpaired force. Under these circumstances, if other conditions are favorable, an explosion may result.

In this same manner the force developed by the powder exploding may be greatly increased, should the exploded charge find an outlet through part of an adjacent old hole or through fissures made by a previously fired shot and ignite the gasses contained therein.

That a portion of the gases generated by the combustion of powder is retained in the cracks and fissures of the coal is known to every observant miner working in a mine where coal is blasted from the solid. The foul smell of sulphureted hydrogen reveals to him the presence of that gas and its presence is evidence that the other combustible gas, due to the explosion of powder, are there also. There is a well authenticated case, which occurred some years ago in the North Star mine near What Cheer, and which showed that these gasses are retained in the cracks of the coal for a considerable time and exemplified their dangerous character. Robert Maxwell, a miner, had fired a shot at noon, which did not move the heel, but did some work on the point. It was a tight shot, but he decided to mine it out. About 4 o'clock his pick struck into the crack made by the powder; he only had time to notice the foul smell of the gas as it issued from the aperture, when it fired from his lamp.

#### SQUIB AND FUSE.

Seventy-five per cent of the explosions in Iowa mines have been caused by shots ignited by fuse. The danger lies not so much in the fuse itself, as in the improper material used for tamping, and in the insufficiency and looseness of the tamping. By the use of fuse a miner can fire an improperly tamped shot without difficulty, but if he uses the squib he is obliged to tamp the shot well or running the risk of failing to explode the charge. Proper tamping is one of the safeguards against explosions, and in that sense the squib is preferable to the fuse.

The commission has experimented in a limited way with an extension squib recently patented by Henry J. Richards of Wilksbarre, Pa., and while the commission is not ready to endorse its use, it is favorably impressed with the results of the experiment. This squib merits a fair trial, for it seemingly combines the good points of the fuse with the increased measure of safety of the common squib. If it is proved that it will do this, the difficulty and danger attending the use of ordinary squibs in firing more than one shot in a place, will have been overcome, and in that event the use of fuse in Iowa mines should be prohibited.

#### THE PROHIBITION OF THE USE OF POWDER IN MINES THE ONE ABSOLUTELY SURE PREVENTIVE OF THESE SO-CALLED "DUST" EXPLOSIONS.

The use of powder is directly responsible for all these explosions, at least so far as their occurrence in Iowa is concerned. Its dangerous characteristics



have already been explained, and they are fairly well understood. Professor Lewes has this to say about powder and its use in mines: "The only favorable word that can be said for blasting powder is, it is cheap. It is absolutely unfitted for use in coal mines, and its abolition would do away with more than three-quarters of the number of deaths annually returned as being caused by mining explosives." Yet, true as this undoubtedly is, it has been found advisable to continue its use, because so far no explosive has been produced that can take its place and do the work as well as it.

#### RULES RELATING TO THE PREPARING AND PLACING OF SHOTS, ETC.

The commission recognizes the difficulty of presenting rules governing the preparing and placing of shots, etc., which can be applied with equal fairness to all mines, and for that reason has deemed it advisable to recommend that such rules be adopted by the operators and the miners of each mine as will best promote the safe working of the same.

#### RECOMMENDATIONS FOR LEGISLATIVE ACTION TO PREVENT EXPLOSIONS IN THE MINES OF IOWA.

In all mines, where coal is blasted from the solid, competent persons shall be employed to examine all shots, before they are charged. Said examiners to have the power to prohibit the charging and firing of any shot which, in their judgment, is unsafe. Before entering upon the discharge of their duties, said examiners shall give proof of their competency to the state mine inspector of the district in which the mine, where they are employed, is located. The state mine inspector to have the power to refuse to give permission to any person to act as shot examiner who, in his judgment, is not sufficiently competent; or he may revoke the permission granted, should it appear that a shot examiner is negligent, or careless in the performance of his work.

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The miner shall keep his working place and the operator the entries as free from dust as practicable. The entries to be sprinkled as often as necessary to keep them in damp condition.

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Only sand, soil or clay shall be used for tamping and the shot holes shall be tamped solidly from the powder to the mouth of the hole, whether the squib or fuse is used to ignite the powder.

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Any shot having blown the tamping at the first firing, shall not be recharged and fired the second time.

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In addition to the above such rules regarding the use of powder, the preparing and placing of shots, shall be adopted by the operators and miners of each mine, so the blasting of coal may be done with the greatest possible safety.

More than 1,400 persons are engaged in the mining industry of Iowa. The commission suggests that enough copies of this report be ordered printed so as a copy may be placed in the hands of every person connected with or interested in the mining industry of this state.

Respectfully submitted,

T. J. PHILLIPS, *Chairman*,  
JOHN VERNED, *Secretary*.  
J. E. STOUT,  
J. W. MILLER,  
JOHN P. WHITE,  
JOHN P. REESE,

SUPPLEMENTARY REPORT—BY JOHN P. REESE AND JOHN P. WHITE.

We, the undersigned members of the commission, take pleasure in stating that we agree to all that has been said, both as to the cause of explosions and the recommendations made to prevent them. But we are satisfied that the recommendations do not go far enough, and in behalf of the eleven thousand mine workers of the state whom we have the honor to represent on this commission we make the following recommendation, and ask that the same be enacted into law, together with the other recommendations of the commission:

RECOMMENDATION.

That all shots must be fired by men employed for the purpose, and shots shall only be fired when all employes, except the shot firers, are out of the mine. This recommendation was offered by us in the meetings of the commission, and was rejected by the majority of said commission. And for that reason we submit it in the present form, and we desire to give the following reasons why it should be adopted:

*First.*—We believe that the intent of those who created the commission was to find some way, if possible, of saving the lives of our citizens, who daily enter the bowels of mother earth to produce the fuel that makes it possible to keep the wheels of commerce and industry moving, as well as to find out the cause of explosions and means to prevent them. For it was the enormous sacrifice of human life in the Lost Creek explosion that prompted the legislature to create the commission.

*Second.*—We are firm believers in the doctrine that one of the principal reasons that governments were instituted among men was for the purpose of protecting those who were unable to protect themselves.

*Third.*—The principal reason for making this recommendation is that we believe it possible for so-called dust explosions to occur in the coal mines of Iowa after every recommendation made by the commission has been enacted into law, and the law lived up to by all parties (and in this belief all other members of the commission share); therefore, we believe that the legislature should make it impossible for scores of the mine workers to be killed and injured by one of these explosions, and they can do so by enacting into law the recommendation contained in this report, for experience demonstrated in several places since the Lost Creek explosion, that two men can examine and fire the shots for one hundred employes at a mine; thus it will be seen

at a glance that under the shot firing system, as recommended in this report, that only two per cent of the employes of a mine would be exposed to the dangers of a so-called dust explosion. As a commission we have proceeded on the theory that one life is as sacred as a thousand, and have recommended all the protection possible and at the same time practicable, for the protection of the one life, but at the conclusion of our investigation we find that it is impracticable to make that one life free from the possibility of an explosion; therefore, we desire under these conditions to stand on the proposition that if life must be sacrificed, the fewer lives necessary the better for all concerned, and on this proposition we rest our case, believing that the legislature will agree with us, that if Iowa must lose a part of her citizens by these explosions that it is better to lose one life than fifty.

Respectfully submitted,

JOHN P. REESE,  
JOHN P. WHITE.

On motion of Kendall of Monroe, the reports were adopted and referred to the committee on Mines and Mining,

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Lyman of Poweshiek submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, House file No. 187, a bill for an act to legalize certain proceedings, ordinances and resolutions passed by the councils of cities and towns by less than the required number of votes.

J. P. LYMAN,  
*Chairman.*

February 27, 1902.

Passed on file.

#### REPORTS OF COMMITTEES.

Anderson of Warren, from the committee on Printing, submitted the following report:

MR. SPEAKER—Your committee on Printing, to whom was referred House file No. 334, a bill for an act to amend section one hundred and twenty-five (125), and one hundred twenty-six (126) of the code, relating to the printing and distribution of public reports and documents, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that the same do pass.

J. M. ANDERSON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Printing, to whom was referred substitute for Senate file No. 87, a bill for an act to amend section one hundred thirty-six (136) of the code, in relation to the publication of the reports of the Iowa Academy of Sciences, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended that the same do pass:

That section one (1) be amended by striking out all of line two (2) between the figures 136 and the word "of".

J. M. ANDERSON,  
*Chairman.*

Ordered passed on file.

Warren of Marion, from the committee on Insurance, submitted the following report:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 290, a bill for an act to amend section 1805 of the code, relating to exemption of insurance policies and preceeds thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. L. WARREN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 159, a bill for an act to amend section 1806 of the code, relating to the investments of funds of life insurance companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. L. WARREN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 104, a bill for an act relating to the investment of funds of insurance companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. L. WARREN,  
*Chairman.*

Ordered passed on file.

Hurn of Cerro Gordo, from the committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House file No. 39, a bill for an act to amend section 1, of chapter 141 of the laws of the Twenty-eighth General Assembly, relating to the salary of the chief executive officer of the Iowa Soldiers' Orphans' Home, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

D. W. HURN,  
*Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By Walters of Tama, House file No. 343, a bill for an act providing that the civil actions authorized in section 4302 of the code, may be brought in any county where a nuisance is committed in part; or in any county where any requisite to the consummation of a nuisance occurs.

Read first and second time and referred to committee on Judiciary.

By Walters of Tama, by unanimous consent, House file No. 344, a bill for an act to appropriate annually \$15,000 from the funds in the state treasury, not otherwise appropriated, to fumigate, and when necessary, to prevent the spread of contagious diseases, to destroy property infected with smallpox and other contagious diseases.

Read first and second time and referred to committee on Appropriations.

#### BILLS ON THEIR PASSAGE.

On motion of Whiting of Monona, Senate file No. 160, a bill for an act to amend section 2116 of the code, relating to duties of railway corporations to transport, with report of committee recommending indefinite postponement, was taken up and considered.

Mr. Whiting moved to amend the committee report on Senate file No. 160 by striking out "be indefinitely postponed" and inserting "do pass."

Eiker of Decatur moved to recommit Senate file No. 160 to committee on Railroads and Commerce.

Carried.

Cowles of Kossuth moved that the bill retain its place on the calendar.

Carried.

Hamann of Scott called up the committee report on the death of the Honorable Washington Roundy and moved its adoption.

Adopted unanimously.

On motion of Cummings of Marshall, House file No. 126, a bill for an act to amend section 253, title 3, chapter 2 of the code of 1897, changing the salaries of district judges, with report of committee recommending passage as amended, was taken up, considered and the report of the committee amendment adopted.

Hughes of Iowa moved to amend substitute for House file No. 129 by striking out "three thousand, three hundred" and inserting in lieu thereof "three thousand, five hundred."

Adopted.

Mr. Cummings moved that the rules be suspended, and that the bill be considered engrossed and read a third time now and put upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Barker, Boysen, Buchanan, Calderwood, Carden, Cheney, Clarke, Crouse, Cruikshank, Cummings, Edwards, Eiker, English, Fields, Flenniken, Frudden, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hufschmidt, Hughes, Hurn, Jenks, Keagy, Kendall, Kling, Koontz, Langan of Clinton, Langan of Crawford, Lyman, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Payne, Pipher, Robinson, Secor, Sokol, Springer, Sweet, Teachout, Temple, Townsend, Walters, Warren, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—56.

The nays were:

Messrs. Anderson, Bailey, Barkley, Black, Blakemore, Carter, Christianson, Colclo, Cowles, Dodds, Donahue, Freeman, Greeley, Jones, Kolthoff, Leech, McClure, McNie, Mordhorst, Powers,

Pritchard, Stratton, Sweeley, Utterback, Walden, Whiting, Willett—27.

Absent or not voting:

Messrs. Bealer, Campbell, Cassel, Coburn, Davenport, Dunham, Furry, Head, Hertert, Jaeger, Kerr, Larrabee, McClurkin, Marshall, Roome, Stuckslager, Wilson of Washington—17.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following messages were received from the Senate:

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

Senate file No. 276, relative to appropriating seven thousand dollars, or so much thereof as is necessary, to supply the Indians on the reservation in Tama county, with substitute for things to be destroyed on account of being infected with disease.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Joint resolution No. 5. Proposing to amend the constitution of the state of Iowa, so as to provide for biennial elections.

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

That the following amendment to the constitution of the state of Iowa be, and the same is hereby proposed:

Add as section 16, to article 12 of the constitution, the following:

Section 16. The first general election after the adoption of this amendment shall be held on the Tuesday next after the first Monday in November in the year one thousand, nine hundred and six, and general elections shall be held biennially thereafter. In the year one thousand nine hundred and six there shall be elected a governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, attorney-general, two judges of the supreme court, the successors of the judges of the district court whose terms of office expire on December 31, one thousand nine hundred and six, state senators who would otherwise be chosen in the year one thousand nine hundred and five, and members of the house of representatives. The terms of office of the judges of the supreme court which would otherwise expire on December 31, in odd numbered years, and all other elective state, county and township

officers, whose terms of office would otherwise expire in January in the year one thousand nine hundred and six, and members of the general assembly whose successors would otherwise be chosen at the general election in the year one thousand nine hundred and five, are hereby extended one year and until their successors are elected and qualified. The terms of office of senators whose successors would otherwise be chosen in the year one thousand nine hundred and seven are hereby extended one year and until their successors are elected and qualified. The general assembly shall make such changes in the law governing the time of election and terms of office of all other elective officers as shall be necessary to make the time of their election and terms of office conform to this amendment, and shall provide which of the judges of the supreme court shall serve as chief justice. The general assembly shall meet in regular session on the second Monday in January, in the year one thousand nine hundred and six, and also on the second Monday in January in the year one thousand nine hundred and seven, and biennially thereafter.

*Resolved*, Further, that the foregoing proposed amendment to the constitution of the state of Iowa be and the same is hereby referred to the legislature, to be chosen at the next general election for members of the general assembly, and that the secretary of state cause the same to be published for three months previous to the day of such election, as provided by law.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Hurn of Cerro Gordo, House file No. 83, a bill for an act to repeal section 2570 of the code and enact a substitute therefor, in relation to quarantine and expenses thereof, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee, with substitute as amendment, adopted.

Stratton of Montgomery moved to amend committee substitute for House file No. 83, found on page 339 of the House Journal of February 15th, by adding after section 1, as section 2, the following:

Section 2. All expenses incurred by the local board of health in establishing, maintaining or raising a quarantine, including fumigation, and the building and providing any pesthouse, detention or other hospital, shall be by it certified to and paid by the county in the first instance and the board of supervisors shall, at the time of the levy of the taxes for general purposes, levy a tax upon the township, town or city, to reimburse the county for the amounts paid by it under the provisions of this section. All acts or parts of acts conflicting with this section are hereby repealed.

That section 2 of the substitute be made section 3.

Adopted.



Payne of Appanoose moved to amend substitute for House file No. 83, by adding at the end of paragraph 2, section 1, of said bill as printed on page 340 of the House Journal, the following: "but the board of supervisors may revise the amounts so allowed and fix the same."

Adopted.

Lyman of Poweshiek moved that this bill be recommitted to the committee on Public Health.

Lost.

Mr. Hurn moved to amend the bill by striking out the period at the end of the second paragraph of section 1, as printed on page 340 of the House Journal, and inserting in lieu thereof a comma; also, strike out the word "proportional" and insert the word "proportionate" in the fourth line from the end of the third paragraph, in section 1 (page 340, House Journal); also, insert the word "by" after the word "pay" in the sixth line of paragraph 4, section 1, as it appears on page 340 of the House Journal.

Adopted.

Mr. Hurn moved that the rules be suspended, and that the bill be considered engrossed and read a third time now and put upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Crawford, Larrabee, Leech, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Secor, Sokol, Stratton, Sweet, Teachout, Townsend, Walden, Walters, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—82.

The nays were:

Messrs. Carter, Sweeley—2.

Absent or not voting:

Messrs. Campbell, Cassel, Davenport, Frudden, Greeley, Head, Hertert, Langan of Clinton, Lyman, Marshall, Roome, Springer, Stuckslager, Temple, Utterback, Whiting—16.

So the bill passed and the title was agreed to.

English of Polk moved that House file No. 6 be made a special order for 10:30 A. M., Tuesday, March 4th.

Carried.

Freeman of Pottawattamie moved that House file No. 149 be recommitted to the committee on Roads and Highways, and retain its place on the calendar.

Carried.

House file No. 274, a bill for an act to amend section 295 of the code, relating to change in title to real estate, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Clarke of Dallas, the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 109, a bill for an act to amend section 136 of the code, and section 1, chapter 5 of the Twenty-eighth General Assembly, relating to the publication of the reports of the Iowa Academy of Sciences, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Clarke of Dallas, the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 224, a bill for an act to amend section 4597 of the code, relative to fees to be charged by justices of the peace, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Hurn of Cerro Gordo, the report of the committee was adopted.

So the bill was indefinitely postponed.

## SENATE MESSAGES CONSIDERED.

Senate file No. 276, a bill for an act relative to appropriating seven thousand dollars, or so much thereof as is necessary, to supply the Indians on the reservation in Tama county with substitute for things to be destroyed on account of being infected with disease.

Read first and second time and referred to committee on Appropriations.

Senate joint resolution No.5, proposing to amend the constitution of the state of Iowa so as to provide for biennial elections.

Read first and second time and referred to committee on Constitutional Amendments.

On motion of Crouse of Adams, leave of absence was granted Campbell of Fremont until Monday.

On motion of Bealer of Linn, leave of absence was granted Stuckslager of Linn until Monday.

On motion of Jaeger of Des Moines, leave of absence was granted Hertert of Shelby until Friday noon.

On motion of Graff of Page, leave of absence was granted Roome of Winneshiek indefinitely on account of sickness.

On motion of Hughes of Iowa, House adjourned till 9 A. M. tomorrow, Friday, February 28th.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Friday, February 28, 1902. }

The House met pursuant to adjournment, Speaker Eaton presiding.

Prayer was offered by the Rev. R. W. Hughes of Oskaloosa, Iowa.

The Journal of Wednesday, February 26th, was corrected and approved.

PETITIONS AND MEMORIALS.

McNie of Benton presented remonstrance of citizens of Benton county against House files Nos. 170, 134 and 45.

Referred to committee on Schools and Text-Books.

Sweeley of Woodbury presented petition of citizens of Woodbury county, relative to election of supervisors.

Referred to committee on Elections.

Keagy of Dubuque presented remonstrance of St. Francis congregation of Dyersville, Iowa, against compulsory education, free text-books and free transportation.

Referred to committee on Schools and Text-Books.

Fields of Plymouth presented remonstrance of citizens of Plymouth county against House files Nos. 134, 45 and 108.

Referred to committee on Schools and Text-Books.

Kolthoff of Chickasaw presented remonstrance of citizens of Chickasaw county against compulsory education, free text-books and free transportation.

Referred to committee on Schools and Text-Books.

Anderson of Warren presented remonstrance of citizens of Warren county against House files Nos. 134, 45 and 108.

Referred to committee on Schools and Text-Books.

On motion of Stratton of Montgomery, leave of absence was granted Edwards of Butler until Monday.

On motion of Larrabee of Fayette, leave of absence was granted McClure of Adair until Tuesday.

On motion of Eiker of Decatur, leave of absence was granted Cummings of Marshall until Monday.

On motion of Meservey of Webster, leave of absence was granted Hamann of Scott until Tuesday morning.

On motion of Hughes of Iowa, leave of absence was granted Teachout of Polk for today.

On motion of Calderwood of Scott, leave of absence was granted Hilsinger of Jackson until Tuesday morning.

On motion of Wilson of Washington, leave of absence was granted Temple of Clarke until Monday afternoon.

On motion of Furry of Hardin, leave of absence was granted Robinson of Emmet until Tuesday morning.

On motion of Carden of Henry, leave of absence was granted McClurkin of Louisa until Tuesday.

On motion of Dodds of Des Moines, leave of absence was granted Utterback of Keokuk until Tuesday.

#### REPORTS OF COMMITTEES.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 326, a bill for an act to legalize the acts of the independent school districts of Stanwood, Cedar county, Iowa, in voting bonds at a special election held September 16, 1901, for the rebuilding of a schoolhouse in said independent school district, and to enable such district to issue such bonds, and to validate all the official acts and proceedings of the board of directors of said school district relative thereto, beg leave to report that they

have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 69, a bill for an act to amend section 3172 of the code, relating to the filing of petitions for divorce, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 41, a bill for an act to amend section 1613 of the code, relative to the publication of notice of incorporation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 230 a bill for an act requiring the county auditor to compile and prepare a financial report, and providing for the printing and distribution thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 83, a bill for an act to amend section 508 of the code, relating to sheriff's fees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out section 2, being the publication clause, and when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 303, a bill for an act to prohibit and punish the secret or unlawful tapping of water or gas pipes or electric light or power wires, or the appropriation or use of water or gas, or electric currents for light or power purposes, without the knowledge or consent of the owner, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 59, a bill for an act to authorize the registration of land titles and to simplify the transfer of real estate, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the following resolutions:

*Resolved*, That we endorse the system of registration of land titles, known as the Torrens system, and embodied in House file No. 59; and

*Resolved*, That because of the amount of work necessarily involved in the preparation and completion of said bill, and the limited time in which the same must be done, we declare it to be our judgment that it is not advisable to further consider the bill at this session of the legislature.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 196, a bill for an act to amend section 2267 of the code, relating to appeals from the findings of commissioners of insanity, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 178, a bill for an act to amend section 3386 of the code, relating to the property rights of persons who feloniously take the life of another, and the substitute therefor, beg leave to report that they have had the same

under consideration, and have instructed me to report the same back to the House with the recommendation that the substitute do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Hughes of Iowa, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 276, a bill for an act to appropriate seven thousand dollars, or so much as may be necessary, to supply the Indians on the reservation in Tama county, with substitute for things to be destroyed on account of being infected with disease, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Wise of Black Hawk, from the committee on Railroads and Commerce, submitted the following report:

MR. SPEAKER—Your committee on Railroads and Commerce, to whom was referred House file No. 250, a bill for an act to amend sections 770, 771 and 773, and to repeal section 774 of chapter 6 of the code, entitled, "of streets and public grounds," said section relating to the construction of viaducts over or under railroads on public streets and highways and to the compensation of owners of property abutting on such streets and highways and to enact a substitute for section 774, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. A. WISE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Railroads and Commerce, to whom was referred House file No. 331, a bill for an act to require railroad companies to file plats of all lines of railroad owned or operated in the several counties of the state of Iowa with the county auditors, amendatory of the provisions of chapter 1, title 7 of the code, relating to the assessment of taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by inserting the word "one" after the word "Chapter," in the title, and enclosing the figure "1" in parentheses; also, inserting the word "seven" after the word "title" and enclosing



the numeral "VII" in parentheses; and that when so amended, the same do pass.

C. A. WISE,  
*Chairman.*

Ordered passed on file.

Sweet of Bremer, from the committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER—Your committee on Constitutional Amendments, to whom was referred Senate joint resolution No. three (3), a resolution proposing amendments to the constitution of Iowa, relative to suffrage, and to provide for its reference and publication, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

BURTON E. SWEET,  
*Chairman.*

Ordered passed on file.

Barkley of Boone, from the committee on Public Libraries, submitted the following report:

MR. SPEAKER—Your committee on Public Libraries to whom was referred House file No. 263, a bill for an act to repeal sections two (2), three (3), four (4) and five (5), chapter one hundred sixteen (116), acts of the Twenty-eighth General Assembly; also defining the duties of the Iowa library commission, transferring the traveling libraries from the state library board to the Iowa library commission, and providing for an appropriation for the extension of the work of the Iowa library commission, also amending section one hundred sixty-eight (168) of the code of one thousand eighth hundred ninety-seven (1897), and repealing sections two thousand, eight hundred sixty-eight (2868), two thousand, eight hundred sixty-nine (2869), two thousand, eight hundred seventy-one (2871), two thousand, eight hundred seventy-two (2872), two thousand, eight hundred seventy-three (2873), and two thousand, eight hundred seventy-four (2874) of said code, also repealing chapter one hundred forty-eight (148), acts of the Twenty-seventh General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. J. BARKLEY,  
*Chairman.*

Ordered passed on file.

Cruikshank of Lee, from the committee on Fish and Game, submitted the following report:

MR. SPEAKER—Your committee on Fish and Game, to whom was referred House file No. 154, a bill for an act in relation to the destruction of the English sparrows, and protection of the American birds, beg leave to report that they have had the same under consideration, and have instructed me to

report the same back to the House with the recommendation that the same be indefinitely postponed.

J. P. CRUIKSHANK,  
*Chairman.*

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Lyman of Poweshiek, from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 121, a bill for an act to amend section sixteen hundred ten (1610) and section sixteen hundred eighteen (1618) of the code, as amended by chapter forty (40) of the acts of the Twenty-seventh General Assembly and chapter fifty-six (56) of the acts of the Twenty-eighth General Assembly, relating to incorporations for pecuniary profit.

Also, House file No. 198, a bill for an act to legalize the official acts of the town council of the incorporated town of Sumner, in Bremer county, Iowa.

Also, House file No. 67, a bill for an act to amend section thirty-four hundred and ninety-seven (3497) of the code, relating to place of bringing action.

Also, House file No. 195, a bill for an act to amend section one hundred and six (106) of the code, relative to the time of settlement of the auditor of state with the treasurer of state.

Also, House file No. 117, a bill for an act to amend section four thousand, eight hundred and seven (4807) of the code, relating to malicious mischief and trespass.

Also, House file No. 68, a bill for an act to amend section thirty-five hundred and twenty-nine (3529) of the code, relating to manner of commencing actions.

J. P. LYMAN,  
*Chairman.*

Ordered passed on file.

Eiker of Decatur in the chair.

INTRODUCTION OF BILLS.

By Warren of Marion, House file No. 345, a bill for an act to amend chapter 8, title 13 of the code, granting to the governor of the state the power to parole inmates of the industrial school in certain cases.

Read first and second time and referred to committee on Industrial Schools.

By Langan of Crawford, House file No. 346, a bill for an act to amend chapter 6 of the code, prohibiting the purchase of intoxicating liquors for the use of minors, drunkards, and persons who have taken any of the so-called cures for drunkenness, and prescribing punishment for violation of same.

Read first and second time and referred to committee on Suppression of Intemperance.

By Walden of Wayne, House file No. 347, a bill for an act to repeal section 584 of the code and to enact a substitute therefor.

Read first and second time and referred to committee on Judiciary.

By Calderwood of Scott, House file No. 348, a bill for an act to prohibit the keeping of children in poorhouses, and to provide for their removal therefrom to, and support in, state institutions.

Read first and second time and referred to committee on Soldiers' and Orphans' Home.

By Powers of Floyd, House file No. 349, a bill for an act to legalize the incorporation of the town of Rudd, Floyd county, Iowa.

Read first and second time and referred to committee on Judiciary.

By Bealer of Linn, House file No. 350, a bill for an act to amend section 65, chapter 1 of the code of 1897, in relation to the salary of governor and the secretary to the governor.

Read first and second time and referred to committee on Compensation of Public Officers.

Speaker Eaton in the chair.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the

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

Substitute for Senate file No. 93, a bill for an act to amend section 1334 and section 1337 of the code, relating to the assessment of railway property for taxation.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 234, a bill for an act to authorize the improvement of the channels of meandered streams dividing the territory within the corporate limits of certain cities, and to authorize the reclaiming of waste lands between the meandered lines of said streams within said corporate limits, and to create a commission therefor, and defining its powers and prescribing its duties.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 259, a bill for an act to repeal sections 2, 3, 6 and 7 of chapter 45, acts of the Twenty-eighth General Assembly, and to enact and substitute therefor and to amend section 1, chapter 45, acts of the Twenty-eighth General Assembly, relating to taxation of express companies.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 217, a bill for an act to amend section 8, chapter 58 of the acts of the Twenty-eight General Assembly, relative to the construction of street railways upon the state fair grounds.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has refused to concur in House amendments to concurrent resolution, relative to requesting senators and representatives in congress to support and favor the bill known as Senate file No. 1118, introduced by Senator Hoar of Massachusetts, defining acts of conspiracy.

GEO. A. NEWMAN,  
*Secretary.*

## BILLS ON THEIR PASSAGE.

On motion of Hughes of Iowa, Senate file No. 276, a bill for an act to appropriate \$7,000, or so much thereof as may be necessary, to supply the Indians on the reservation in Tama county with substitutes for things to be destroyed on account of being infected with disease, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Hughes moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cheney, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Dodds, Donahue, Dunham, Eiker, English, Fields, Fleniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Haselquist, Hawk, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Larrabee, Leech, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Springer, Stratton, Sweeley, Sweet, Townsend, Walden, Walters, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—76.

The nays were:

None.

Absent or not voting:

Messrs. Cassel, Christianson, Cummings, Davenport, Edwards, Greeley, Hamann, Head, Hertert, Hilsinger, Hurn, Koontz, Lyman, McClure, McClurkin, Robinson, Roome, Secor, Sokol, Stuckslager, Teachout, Temple, Utterback, Wilson of Buena Vista—24.

So the bill passed and the title was agreed to.

On motion of Cruikshank of Lee, Senate file No. 108, a bill for an act to amend section 5716 of the code, in relation to the com-

pen-sation of officers and employes of the penitentiaries of the state, was taken up and considered.

Mr. Cruikshank moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Dodds Donahue, Dunham, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hasselquist, Hawk, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Larrabee, Leech, Lyman, McNie, Marshall, Mattes, Meservey, Moore, Nichols, Patton, Pipher, Powers, Pritchard, Springer, Stratton, Sweeley, Sweet, Townsend, Walden, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—71.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Cassel, Cummings, Davenport, Edwards, Greeley, Hamann, Head, Hertert, Hilsinger, Hufschmidt, Hurn, Koontz, Langan of Crawford, McClure, McClurkin, Mordhorst, Nagle, Payne, Robinson, Roome, Secor, Sokol, Stuckslager, Teachout, Temple, Utterback, Walters, Wilson of Buena Vista—29.

So the bill passed and the title was agreed to.

On motion of Clarke of Dallas, substitute for Senate file No. 93 a bill for an act to amend section 1334 and section 1337 of the code, relating to the assessment of railway property for taxation, was taken up and read first and second times.

Mr. Clarke moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed by unanimous vote all members present voting aye, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cheney, Christianson, Clarke, Coburn, Cowles, Cruikshank, Dodds, Donahue, Dunham, Eiker, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Graff, Greene, Hasselquist, Hawk, Hughes, Jeager, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Crawford, Larrabee, Leech, Lyman, McNie, Marshall, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Springer, Stratton, Sweeley, Sweet, Townsend, Walden, Walters, Warren, Whiting, Willett Wilson of Washington, Wise, Wright, Mr. Speaker—71.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Cassel, Colclo, Crouse, Cummings, Davenport, Edwards, Frudden, Greeley, Hamann, Head, Hertert, Hilsinger, Hufschmidt, Hurn, Koontz, Langan of Clinton, McClure, McClurkin, Mordhorst, Robinson, Roome, Secor, Sokol, Stuckslager, Teachout, Temple, Utterback, Wilson of Buena Vista—29.

So the bill passed and the title was agreed to.

On motion of Barkley of Boone, House file No. 263, a bill for an act to repeal sections two (2), three (3), four (4) and five (5), chapter one hundred sixteen (116), acts of the Twenty-eighth General Assembly, also defining the duties of the Iowa library commission, transferring the associate and traveling libraries from the state library board to the Iowa library commission, and providing for an appropriation for the extension of the work of the Iowa library commission, also amending section one hundred sixty-eight (168) of the code of one thousand eight hundred ninety-seven (1897) and repealing sections two thousand eight hundred sixty-eight (2868), two thousand eight hundred sixty-nine (2869), two thousand eight hundred seventy-one (2871), two thousand eight hundred seventy-two (2872), two thousand eight hundred seventy-three (2873) and two thousand eight hundred seventy-four (2874) of said code, also repealing chapter one hun-

dred forty-eight (148), acts of the Twenty-seventh General Assembly, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

On motion of Mr. Barkley, the bill was referred to committee on Appropriations.

On motion of Larrabee of Fayette, Senate file No. 259, a bill for an act to repeal sections 2, 3, 6 and 7 of chapter 45, acts of the Twenty-eighth General Assembly, and to enact and substitute therefor, and to amend section 1, chapter 45, acts of the Twenty eighth General Assembly, relating to taxation of express companies.

Mr. Larrabee moved that the rules be suspended, and that the bill be read a third time now and placed upon its passage.

On the question, Shall the motion prevail?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boyesen, Buchanan, Calderwood, Campbell, Carter, Cheney, Christianson, Clarke, Coburn, Crouse, Cruikshank, Dodds, Donahue, Dunham, Eiker, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Greene, Hasselquist, Hawk, Hughes, Jaeger, Jenks, Jones, Kendall, Kerr, Kling, Kolthoff, Langan of Crawford, Larrabee, Leech, Lyman, McNie, Mattes, Meservey, Moore, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Springer, Stratton, Sweeley, Sweet, Townsend, Walden, Walters, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—66.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Carden, Cassel, Colclo, Cowles, Cummings, Davenport, Edwards, Frudden, Graff, Greeley, Hamann, Head, Hertert, Hilsinger, Hufschmidt, Hurn, Keagy, Koontz, Langan of Clinton, McClure, McClurkin, Marshall, Mordhorst, Nagle, Robinson, Roome, Secor, Sokol, Stuckslager, Teachout, Temple, Utterback, Wilson of Buena Vista—34.

So the motion prevailed, the Speaker having declared that it carried by a two-thirds vote of the members present.



On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blake-more, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cheney, Clarke, Cobourn, Cowles, Crouse, Cruikshank, Dodds, Donahue, Dunham, Eiker, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Graff, Greene, Hasselquist, Hawk, Hughes, Jaeger, Jenks, Jones, Kendall, Kerr, Kling, Kolthoff, Langan, of Clinton, Larrabee, Leech, Lyman, McNie, Mattes, Meservey, Moore, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Springer, Stratton, Sweeley, Sweet, Walden, Walters, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—69.

The nays were:

None.

Absent or not voting:

Messrs. Cassel, Christianson, Colclo, Cummings, Davenport, Edwards, Frudden, Greeley, Hamann, Head, Hertert, Hilsinger, Hufschmidt, Hurn, Keagy, Koontz, Langan, of Crawford, McClure, McClurkin, Marshall, Mordhorst, Nagle, Robinson, Roome, Secor, Sokol, Stuckslager, Teachout, Temple, Utterback, Wilson of Buena Vista—31.

So the bill passed and the title was agreed to.

On motion of Moore of Davis, House file No. 220, a bill for an act to amend the military code of Iowa, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Moore of Davis moved to amend by striking out the word "offices" in line 2 of section 8, and insert in lieu thereof the word "officers;" also insert the word "of" between the words "inspector" and "small" in the seventh line of section 7.

Adopted.

Jenks of Pottawattamie moved to amend by striking out the word "military" from the first line of sections 1, 2, 3, and 5.

Adopted.

Lyman of Poweshiek moved to amend by striking out the word "received," the last word in section 2, and inserting in lieu thereof the word "receive."

Adopted.

Jenks of Pottawattamie moved to amend by enclosing the words "the guard," in the fourth line of section 1 in quotation marks.

Adopted.

Jones of Mahaska moved to amend by striking out the period after the word "company" in the next to the last line of section 6, and that the word "and" be inserted in lieu thereof; also, that the word "shall," immediately following, begin with a small "s."

Adopted.

Mr. Moore moved that the rule be suspended, and that the bill be considered engrossed and read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cheney, Christianson, Clarke, Coburn, Cowles, Crouse, Cruikshank, Dodds, Donahue, Dunham, Eiker, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Graff, Greene, Hasselquist, Hawk, Hughes, Jaeger, Jenks, Jones, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Larrabee, Leech, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Payne, Powers, Pritchard, Springer, Stratton, Sweeley, Sweet, Walden, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—67.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Cassel, Colclo, Cummings, Davenport, Edwards, Frudden, Greeley, Hamann, Head, Hertert, Hilsinger, Huf-

schmidt, Hurn, Keagy, Koontz, Lyman, McClure, McClurkin, Marshall, Mordhorst, Pipher, Robinson, Roome, Secor, Sokol, Stuckslager, Teachout, Temple, Townsend, Utterback, Walters, Wilson of Buena Vista—33.

So the bill passed.

Wilson of Washington moved to amend the title to House file No. 220, by substituting the following:

A bill for an act to repeal sections twenty-one hundred sixty-eight (2168), twenty-one hundred and sixty-nine (2169), twenty-one hundred and seventy three (2173) of the code, and twenty-one hundred and seventy-nine of the code and the amendments thereto, as shown by chapter 72 of the acts of the Twenty-eighth General Assembly, and to enact substitutes therefor, and to amend sections twenty-one hundred and seventy-four (2174), twenty-one hundred and seventy-five (2175), twenty-one hundred and eighty-one (2181) of the code and the amendment thereto, as shown by chapter 72, acts of the Twenty-eighth General Assembly, and twenty-one hundred and ninety-nine (2199) of the code, relating to the militia.

Adopted, and the title as amended was agreed to.

Townsend of Calhoun asked unanimous consent that House file No. 168 be referred to committee on Judiciary but retains its place on the calendar.

Granted.

On motion of Stratton of Montgomery, House file No. 203, a bill for an act to amend section 3287 of the code, relating to the recording of wills, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Stratton moved that the rules be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Dodds, Donahue, English, Fields, Flenniken, Furry, Gilchrist, Greene, Hasselquist, Hawk, Hughes, Jaeger, Jones, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McNie, Marshall, Mattes, Moore, Nichols, Patton,

Powers, Pritchard, Springer, Stratton, Sweeley, Townsend, Walden, Walters, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—62.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Blackmore, Cassel, Cummings Davenport, Dunham, Edwards, Eiker, Freeman, Frudden, Graff, Greeley, Hamann, Head, Hertert, Hilsinger, Hufschmidt, Hurn, Jenks, Keagy, Koontz, McClure, McClurkin, Meservey, Mordhorst, Nagle, Payne, Pipher, Robinson, Roome, Secor, Sokol, Stuckslager, Sweet, Teachout, Temple, Utterback, Wilson of Buena Vista—38.

So the bill passed and the title was agreed to.

On motion of Hughes of Iowa, House file No. 257, a bill for an act fixing a uniform time at which all annual appropriations shall begin, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Speaker *pro tem* Kendall in the chair.

Mr. Hughes asked unanimous consent to have House file No. 257 made a special order for Monday, March 3d, at 2 P. M., which consent was granted.

On motion of Cruikshank of Lee, House file No. 126, a bill for an act to amend section 5716 of the code, relating to compensation of officers and employes of the state penitentiaries, was indefinitely postponed.

Speaker Eaton in the chair.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Lyman of Powesheik, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 98, a bill for an act to amend section thirteen hundred thirty four (1834) and section thirteen hundred thirty-seven (1837) of the code, relating to the assessment of railway property for taxation.

Also, Senate file No. 259, a bill for an act to amend section 2, 3, 6 and 7 of chapter 45 of the acts of the Twenty-eighth General Assembly and enact

a substitute therefor; and to amend section 1, chapter 45 of the acts of the Twenty-eighth General Assembly, relating to the taxation of express companies.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

On motion of Mr. Lyman, report of committee adopted.

The Speaker announced that, in accordance with the provisions of Senate file No. 1, which has been passed by both houses and signed by the governor, he has appointed as said commission on the part of the House, Payne of Appanoose, Hamann of Scott, Barker of Howard.

The Speaker announced that he had signed in the presence of the House, Senate files Nos. 93 and 259.

On motion of Buchanan of Wapello, House file No. 214, a bill for an act to amend section 3016 of the code, relating to bushel weight, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Kendall of Monroe, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, Monday, March 8, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. Geo. M. Tourtellot, of Albia.

Journals of Thursday, February 27th, and Friday, February 28th, were corrected and approved.

The House took up further consideration of House file No 214, which was pending at the last adjournment.

Buchanan of Wapello moved that further consideration of this bill be postponed until the bill is reached in its regular order on the calendar.

Carried.

On motion of Jaeger of Des Moines, leave of absence was granted Hertert of Shelby until Wednesday noon.

On motion of Jaeger of Des Moines, leave of absence was granted Marshall of Lee until Tuesday.

On motion of Anderson of Warren, leave of absence was granted Bealer of Linn until tomorrow.

On motion of Christianson of Hamilton, leave of absence was granted Greeley of Story until Tuesday afternoon.

On motion of Freeman of Pottawattamie, leave of absence was granted Jenks of Pottawattamie until tomorrow.

On motion of Frudden of Dubuque, leave of absence was granted Springer of Buchanan until Wednesday.

On motion of Dunham of Delaware, leave of absence was granted Lyman of Poweshiek until Tuesday.

On motion of Calderwood of Scott, leave of absence was granted Meservey of Webster until Tuesday.

On motion of Barker of Howard, leave of absence was granted Graff of Page until Tuesday.

On motion of Kendall of Monroe, leave of absence was granted Langan of Clinton until tomorrow.

On motion of Kendall of Monroe, leave of absence was granted Donahue of O'Brien until tomorrow.

On motion of Stratton of Montgomery, leave of absence was granted Black of Mills until tomorrow.

On motion of Mattes of Sac, leave of absence was granted Flenniken of Clayton until tomorrow.

On motion of Leech of Cedar, leave of absence was granted Bailey of Ringgold until tomorrow.

On motion of English of Polk, leave of absence was granted Nagle of Van Buren until tomorrow.

On motion of Cummings of Marshall, leave of absence was granted Hurn of Cerro Gordo until tomorrow.

#### SPECIAL ORDER.

On motion of Hughes of Iowa, special order No. 9, being House file No. 257, a bill for an act fixing a uniform time at which all annual appropriations shall begin, was taken up and considered.

Mr. Hughes moved that the rules be suspended, that the bill be considered engrossed, read a third time now, and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings, Dunham, Eiker, English, Fields, Freeman, Frudden, Gilchrist, Greene, Hasselquist, Hawk, Hughes, Jaeger, Jones, Kendall, Kerr, Kling, Kolthoff, Koontz, Larrabee, Leech, McNie, Mattes, Moore, Patton, Pipher, Powers.

Pritchard, Stratton, Sweeley, Teachout, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—56.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Black, Blakemore, Cassel, Cowles, Cruikshank, Davenport, Dodds, Donahue, Edwards, Flenniken, Furry, Graff, Greeley, Hamann, Head, Hertert, Hilsinger, Hufschmidt, Hurn, Jenks, Keagy, Langan of Clinton, Langan of Crawford, Lyman, McClure, McClurkin, Marshall, Meservey, Mordhorst, Nagle, Nichols, Payne, Robinson, Roome, Secor, Sokol, Springer, Stuckslager, Sweet, Temple, Walters, Wilson of Buena Vista—44.

So the bill passed and the title was agreed to.

#### PETITIONS AND MEMORIALS.

Colclo of Carroll presented remonstrance of citizens of Rosell township, Carroll county, against House files Nos. 45, 108 and 134.

Referred to committee on Schools and Text-Books.

Carden of Henry presented petition of Cigarmakers Union No. 153 requesting resolution urging congress to have war vessels built in this country.

Referred to committee on Labor.

Cummings of Marshall presented petition of citizens of Marshall county in favor of equal suffrage.

Referred to committee on Constitutional Amendments.

Dunham of Delaware presented remonstrance of citizens of Delaware county against House files Nos. 45, 108 and 134.

Referred to committee on Schools and Text-Books.

Cheney of Clay presented remonstrance of citizens of Palo Alto county, in reference to same subject.

Referred to committee on Schools and Text-Books.



## REPORTS OF COMMITTEE.

Hughes of Iowa, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 211, a bill for an act to amend chapter one hundred two (102) of the acts of the Twenty-eighth General Assembly, relating to the Iowa Industrial Reformatory for Women, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,

*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 263, a bill for an act to repeal sections two (2), three (3), four (4) and five (5), chapter one hundred sixteen (116), acts of the Twenty-eighth General Assembly; also defining the duties of the Iowa library commission, transferring the associate and traveling libraries from the state library board to the Iowa library commission, and providing for an appropriation for the extension of the work of the Iowa library commission; also amending section one hundred sixty-eight (168) of the code, and repealing sections two thousand eight hundred sixty-eight (2868), two thousand eight hundred sixty-nine (2869), two thousand eight hundred seventy-one (2871), two thousand eight hundred seventy-two (2872), two thousand eight hundred seventy-three (2873) and two thousand eight hundred seventy-four (2874) of the code; also repealing chapter one hundred forty-eight (148), acts of the Twenty-seventh General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,

*Chairman.*

Ordered passed on file.

## INTRODUCTION OF BILLS.

By Clarke of Dallas (by request), House file No. 351, a bill for an act relating to negotiable instruments, being an act to establish a law uniform with the laws of other states on that subject, and to repeal sections 3043, 3045, 3049, 3050, 3051, 3052, 3054 and 3055 of title 15, chapter 3 of the code, additional to code title 15, chapter 3.

Read first and second time and referred to committee on Judiciary.

By Crouse of Adams, by unanimous consent, House file No

352, a bill for an act making an appropriation to Charles Gray for publishing original notice in the case of Bettannier vs. Caille.

Read first and second time and referred to committee on Claims.

By English of Polk, House file No. 353, a bill for an act to amend section 482 of the code, relating to duties of the county treasurer.

Read first and second time and referred to committee on Judiciary.

By Dunham of Delaware, House file No. 354, a bill for an act amending paragraph 5 of section 1709 of the code, relating to insurance.

Read first and second time and referred to committee on Insurance.

Hasselquist of Lucas offered the following concurrent resolution, which was laid over under rule 34:

*Resolved*, By the House, the Senate concurring: That the secretary of state be and is hereby directed to have printed in pamphlet form one thousand (1,000) copies of the report of the commission appointed to inquire and investigate the matter of explosions in the coal mines of Iowa, together with the supplemental report of John P. Reese and John P. White, for general distribution.

In the matter of the House amendment to Senate concurrent resolution on the Hoar bill, and in which the Senate refused to concur in the House amendment thereto, consideration of this refusal to concur was made a special order for 9 A. M., Wednesday morning, March 5th, on motion of Warren of Marion.

Hawk of Jasper offered the following resolution and moved that the rules be suspended and the resolution be adopted:

*Resolved*, That House file No. 59 be referred to a special committee of three to be appointed by the Speaker, and that said committee report the bill back to the House as soon as practicable, and also that the bill retain its place on the calendar.

Adopted.

On motion of Teachout of Polk, House file No. 258 was recommended to the committee on Railroads and Commerce, and was allowed to retain its place on the calendar.

## BILLS ON THEIR PASSAGE.

On motion of Anderson of Warren, Senate file No. 150, a bill for an act providing for the purchase of engravings, plates and cuts for state publications, and fixing the manner of paying the cost of the same, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

• Mr. Anderson moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings, Dunham, Eiker, English, Fields, Freeman, Frudden, Gilchrist, Greene, Hasselquist, Hawk, Hughes, Jaeger, Jones, Kendall, Kerr, Kling, Kolthoff, Langan of Crawford, Larrabee, Leech, McNie, Mattes, Moore, Patton, Payne, Pipher, Powers, Pritchard, Stratton, Sweeley, Teachout, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—58.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Black, Blakemore, Cassel, Cowles, Cruikshank, Davenport, Dodds, Donahue, Edwards, Flenniken, Furry, Graff, Greeley, Hamann, Head, Hertert, Hilsinger, Hufschmidt, Hurn, Jenks, Keagy, Koontz, Langan of Clinton, Lyman, McClure, McClurkin, Marshall, Meservey, Mordhorst, Nagle, Nichols, Robinson, Roome, Secor, Sokol, Springer, Stuckslager, Sweet, Temple, Walters, Wilson of Buena Vista—42.

So the bill passed and the title was agreed to.

## SENATE MESSAGES CONSIDERED.

Senate file No. 217, a bill for an act to amend section 8, chapter 58 of the acts of the Twenty-eighth General Assembly, rela-

tive to the construction of street railways upon the state fair grounds.

Read first and second time and referred to committee on Agriculture.

Senate file No 234, a bill for an act to authorize the improvement of the channels of meandered streams dividing the territory within the corporate limits of certain cities, and to authorize the reclaiming of waste lands between the meandered lines of said stream within said corporate limits, and to create a commission therefor, and defining its powers and prescribing its duties.

Read first and second time and referred to committee on Municipal Corporations.

On motion of Clarke of Dallas, Senate file No. 96, a bill for an act to amend section 296 of the code, relating to fees in probate matters, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Clarke moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings, Dunham, Eiker, English, Fields, Freeman, Frudden, Gilchrist, Greene, Hasselquist, Hawk, Hughes, Jaeger, Jones, Kendall, Kerr, Kling, Kolthoff, Larrabee, Leech, McNie, Mattes, Moore, Patton, Pipher, Powers, Pritchard, Stratton, Sweeley, Townsend, Utterback, Walden, Whiting, Willet, Wilson of Washington, Wise, Wright, Mr. Speaker—53.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Black, Blakemore, Cassel, Cowles, Cruikshank, Davenport, Dodds, Donahue, Edwards, Flenniken, Furry, Graff, Greeley, Hamann, Head, Hertert, Hilsinger, Huf-

schmidt, Hurn, Jenks, Keagy, Koontz, Langan of Clinton, Langan of Crawford, Lyman, McClure, McClurkin, Marshall, Meservey, Mordhorst, Nagle, Nichols, Payne, Robinson, Roome, Secor, Sokol, Springer, Stuckslager, Sweet, Teachout, Temple, Walters, Warren, Wilson of Buena Vista—47.

So the bill passed and the title was agreed to.

House file No. 295, a bill for an act to provide for the establishment by county surveyors of lost or disputed sections and block corners, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Clarke of Dallas, the report of the committee was adopted.

So the bill was indefinitely postponed.

Senate file No. 68, a bill for an act to amend section 3346 of the code relating to claims of executors and administrators or in which they may be interested, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Clarke of Dallas, the report of the committee was adopted.

So the bill was indefinitely postponed.

Substitute for Senate file No. 68, a bill for an act to amend section 372 of the code, relating to the filing of petitions for divorce, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Clarke of Dallas, the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 327, a bill for an act creating the office of probate court in several counties in this state, and defining the duties and jurisdiction of said probate court, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Clarke of Dallas, the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 306, a bill for an act to license auctioneers who are not actual residents of the state of Iowa, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Clarke of Dallas, the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 269, a bill for an act to amend section 1366 of the code, relating to the assessment of taxes, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Teachout of Polk, the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Anderson of Warren, House file No. 197, a bill for an act providing for the purchase of engravings, plates or cuts for state publications, and fixing the manner of paying the cost of the same, was indefinitely postponed, as a like Senate bill had already passed both Houses.

House file No. 230, a bill for an act to amend sections 770, 771 and 773 and to repeal section 774, chapter 6 of the code, entitled "of streets and public grounds", said sections relating to the construction of viaducts over or under railroads on public streets and highways, and to the compensation of owners of property abutting on such streets and highways, and to enact a substitute for section 774, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Teachout of Polk, the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 104, a bill for an act relating to the investment of bonds of insurance companies, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Colclo of Carroll, the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 139, a bill for an act to amend section 1806 of the code, relating to the funds of life insurance companies and associations, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Teachout of Polk, the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Stratton of Montgomery the House adjourned until tomorrow, Tuesday, March 4th, at 9 A. M.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, Tuesday, March 4, 1902. }

House met pursuant to adjournment, Speaker Eaton presiding.

Prayer was offered by the Rev. W. A. Pottle of New Hampton, Iowa.

The roll was then called to ascertain if there be a quorum present, with the following result:

Those present were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cummings, Dodds, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Roome, Secor, Stratton, Stuckslager, Sweeley, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—83.

Those absent were:

Messrs. Cassel, Cruikshank, Davenport, Donahue, Greeley, Head, Hertert, Hurn, Kendall, Langan of Clinton, Langan of Crawford, Marshall, Robinson, Sokol, Springer, Sweet, Walters—17.

There being a quorum present the House proceeded with the regular order of business.

On motion of Eiker of Decatur, leave of absence was granted Kendall of Monroe until tomorrow.

PETITIONS AND MEMORIALS.

Roome of Winneshiek presented remonstrance of citizens and taxpayers of Winneshiek county against House files Nos. 170, 134, and 45.

Referred to committee on Schools and Text-Books.

English of Polk presented petition of citizens of Polk county, relative to equal suffrage.

Referred to committee on Constitutional Amendments.

Cummings of Marshall presented remonstrance of citizens of Marshall county against House files Nos. 45, 134 and 170.

Referred to committee on Schools and Text-Books.

Mordhorst of Clinton presented petition of Retail Clerks' union of Clinton, Iowa, requesting resolution urging congress to have war vessels built in this country.

Referred to committee on Federal Relations.

Pritchard of Wright presented remonstrance of citizens of Hancock county against House files Nos. 45, 108, 134.

Referred to committee on Schools and Text-Books.

Teachout of Polk presented two petitions of citizens of Polk county, relative to equal suffrage.

Referred to committee on Constitutional Amendments.

INTRODUCTION OF BILLS.

By Walden of Wayne, House file No. 355, a bill for an act to amend chapter 82 of the acts of the Twenty-eighth General Assembly, relating to competency of certain persons employed in coal mines.

Read first and second time and referred to committee on Mines and Mining.

By Dunham of Delaware, House file No. 356, a bill for an act to amend chapter 4, title 9 of the code, and providing for a uniform policy and contract of fire insurance, to be known as the Iowa standard policy.



Read first and second time and referred to committee on Insurance.

By Hughes of Iowa, by unanimous consent, House file No. 357, a bill for an act to appropriate money to pay custodian's employees for the month of March, 1902.

Read first and second time and referred to committee on Appropriations.

By Nagle of Van Buren, House file No. 358, a bill for an act to amend section 2414 of the code, relating to intoxicating liquors.

Read first and second time and referred to committee on Suppression of Intemperance.

The resolution of Hasselquist of Lucas, relative to printing 1,000 copies of the report of the commission on coal mine disasters, was called up by Mr. Hasselquist, who moved its adoption.

Adopted.

Eiker of Decatur offered the following resolution, which was laid over under rule 34:

*Resolved*, That a committee of three be appointed by the Speaker to draft resolutions in memory of Hon. S. P. McNeill, deceased, who was a member of the Fifteenth General Assembly of Iowa.

#### REPORT OF COMMITTEE.

Stuckslager of Linn, from the committee on Claims, submitted the following report:

MR. SPEAKER—Your committee on Claims, to whom was referred House file No. 242, a bill for an act for the relief of James T. Ward, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. C. STUCKSLAGER,  
*Chairman.*

Ordered passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 121, a bill for an act to amend section sixteen hundred ten (1610) and sec-

tion one thousand six hundred and eighteen (1618) of the code, as amended by chapter forty (40) of the acts of the Twenty-seventh General Assembly and chapter fifty-six (56) of the acts of the Twenty-eighth General Assembly, relating to incorporations for pecuniary profit.

Also, House file No. 198, a bill for an act to legalize the official acts of the town council of the incorporated town of Sumner, in Bremer county, Iowa.

Also, House file No. 67, a bill for an act to amend section thirty-four hundred and ninety-seven (3497) of the code, relating to place of bringing action.

Also, House file No. 195, a bill for an act to amend section one hundred and six (106) of the code, relative to the time of settlement of the auditor of state with the treasurer of state.

Also, House file No. 117, a bill for an act to amend section four thousand, eight hundred and seven (4807) of the code, relating to malicious mischief and trespass.

Also, House file No. 68, a bill for an act to amend section thirty-five hundred and twenty-nine (3529) of the code, relating to manner of commencing actions.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Report adopted.

The Speaker signed, in the presence of the House, in open session, House files Nos. 67, 68, 117, 121, 195 and 198.

On motion of English of Polk, House file No. 6 was made a special order for Wednesday, March 5th, at 10:30 A. M.

#### BILLS ON THEIR PASSAGE.

On motion of Secor of Winnebago, House file No. 145, a bill for an act to repeal chapter 8 of title 16 of the code, and enact a substitute therefor, relating to the care of friendless children and the establishment, regulation and visitation of homes for friendless children, with report of committee recommending passage as amended, was taken up, considered and the report of the committee, with amendment, adopted.

Jones of Mahaska moved to amend House file No. 145 by striking out the period at the end of section 4 and inserting a comma in lieu thereof, and adding the following words: "and the society or person so adopting shall be required to keep such

child, if over 7 years of age and under 14 years of age, in school during the school sessions of the school district in which said child is kept."

Adopted.

Jones of Mahaska moved to amend by striking out the semi-colon after the word "institutions" in the tenth line of section 10 of the printed bill and by inserting a comma and the following words: "the number and names and number of months of each of those attending school," and inserting a semi-colon after the word "school."

Adopted.

Jones of Mahaska moved to amend by inserting the words "or person" after the word "society," in the third line of section 11 of the printed bill, and by striking out the word "it" in the same line and inserting in lieu thereof the following words: "such society or person;" also by striking out the word "its" in the fourth line of said section 11 and inserting the word "the" in lieu thereof; and by striking out the period after the word "control" in the same line and preceding the word "it" and inserting the words "of such society or person."

Adopted.

Secor of Winnebago moved to amend by adding thereto after the word "illfame" in the fourth line of section three of the printed bill, the following: "by the mother alone, if the child is illegitimate and in her care and custody."

Adopted.

Mr. Secor moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cheney, Christianson, Clarke, Cowles, Crouse, Cummings, Dodds, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman,

Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hutschmidt, Hughes, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Roome, Secor, Stratton, Stuckslager, Sweeley, Teachout, Temple, Townsend, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wright, Mr. Speaker—77.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Cassel, Coburn, Colclo, Cruikshank, Dav-enport, Donahue, Greeley, Hertert, Hilsinger, Hurn, Jaeger, Kendall, Langan of Clinton, Langan of Crawford, Marshall, Robinson, Sokol, Springer, Sweet, Utterback, Walters, Wise—23.

So the bill passed and the title was agreed to.

On motion of Stuckslager of Linn, House file No. 275, a bill for an act to amend section 167 of the laws of the Twenty-eighth General Assembly of Iowa, entitled an act to provide for the erection of monuments to mark the positions occupied by the Iowa volunteers at the battle of Shiloh, Tennessee, and to make an appropriation to pay the expenses of the commissioners, was taken up and considered.

Hasselquist of Lucas moved to amend House file No. 275, by adding after the word "chapter," in the first line of section one, the words "one hundred sixty-seven," and the figures enclosed in brackets.

Carried.

Stuckslager of Linn moved to amend by inserting after the word "section" in the fourth line of section one, the word "four"; also, inclose the figure "4" following, in brackets.

Carried.

Mr. Stuckslager moved that the rule be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blake-more, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dodds, Dunham, Edwards, Eiker, Eng-lish, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hilsinger, Huf-schmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Larrabee, Leech, Lyman, McClure, McClur-kin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Roome, Secor, Stratton, Stuckslager, Sweeley, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson, of Buena Vista, Wil-son of Washington, Wright, Mr. Speaker—84.

The nays were:

None.

Absent or not voting:

Messrs. Cassel, Davenport, Donahue, Greeley, Hertert, Hurn, Kendall, Langan of Clinton, Langan of Crawford, Marshall, Robinson, Sokol, Springer, Sweet, Walters, Wise—16.

So the bill passed.

On motion of Mr. Hasselquist the title was amended by insert-  
ing the words "one hundred sixty-seven" before the figures 167,  
and enclosing the figures in brackets.

The title, as amended, was agreed to.

On motion of Koontz of Johnson, House file No. 15, a bill for  
an act to repeal chapter 97 of the acts of the Twenty-eighth  
General Assembly, and to enact a substitute therefor, with report  
of committee recommending passage, was taken up, considered  
and the report of the committee was adopted.

Whiting of Monona moved to amend the bill by inserting  
after the word "thereafter" in the eight line of the printed bill, the  
words, "All money in excess of \$110,000 raised under this levy  
annually shall be paid back into the state treasury."

Adopted.

Hawk of Jasper moved to amend by adding to section 2, "This tax shall be in lieu of all appropriations for building purposes now asked of the Twenty-ninth General Assembly."

Lost.

Hasselquist of Lucas moved to amend by inserting the words "ninety-seven" before the figures "97" and by enclosing the figures "97" in brackets.

Adopted.

Jenks of Pottawattamie moved to amend by striking out the word "five" and inserting the word "two" in lieu thereof in line three of section 2, and striking out the words "four successive years" in the seventh line of same section and inserting the words "one year" in lieu thereof.

Lost.

Jenks of Pottawattamie moved to amend by inserting the word "general" between the words "eighth" and "assembly" in line one, section 1.

Adopted.

Mr. Koontz moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bealer, Boysen, Buchanan, Calderwood, Clarke, Coburn, Colclo, Cowles, Cruikshank, Edwards, Eiker, English, Fields, Frudden, Furry, Gilchrist, Greene, Hamann, Hilsinger, Hufschmidt, Hughes, Jaeger, Koontz, Larrabee, Leech, McClurkin, Marshall, Mattes, Meservey, Mordhorst, Nagle, Patton, Stratton, Sweeley, Teachout, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—42.

The nays were:

Messrs. Anderson, Bailey, Barkley, Black, Blakemore, Campbell, Carter, Cheney, Christianson, Crouse, Cummings, Dodds, Dunham, Flenniken, Freeman, Graff, Hasselquist, Hawk, Head, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Lyman, McClure,

McNie, Moore, Nichols, Payne, Pipher, Powers, Pritchard, Roome, Secor, Stuckslager, Temple, Townsend, Utterback, Walden, Willett—42.

Absent or not voting:

Messrs. Barker, Carden, Cassel, Davenport, Donahue, Greeley, Hertert, Hurn, Kendall, Langan of Clinton, Langan of Crawford, Robinson, Sokol, Springer, Sweet, Walters—16.

So the bill was lost.

On motion of Temple of Clarke, House file No. 276, a bill for an act to protect sheriffs and other peace officers in procuring evidence for the identification of criminals or persons accused of crime, was taken up and considered.

Mr. Temple moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were :

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Stratton, Stuckslager, Sweeley, Temple, Townsend, Utterback, Walden, Warren, Whiting, Willet, Wilson of Washington, Wise, Wright, Mr. Speaker—81.

The nays were:

None.

Absent or not voting :

Messrs. Barker, Cassel, Davenport, Dodds, Donahue, Greeley, Hertert, Hurn, Kendall, Langan of Clinton, Langan of Craw-

ford, Larrabee, Payne, Sokol, Springer, Sweet, Teachout, Walters, Wilson of Buena Vista—19.

So the bill passed and the title was agreed to.

On motion of Buchanan of Wapello, House file No. 123, a bill for an act to amend section one thousand four hundred and forty-one (1441) of the code, relating to service of notice of expiration of right of redemption from tax sales, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee, with amendment, adopted.

Mr. Buchanan moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dodds, Dunham, Edwards, Eiker, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Stratton, Stuckslager, Temple, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Washington, Wright, Mr. Speaker—78.

The nays were:

Messrs. Hamann and Sweeley—2.

Absent or not voting:

Messrs. Barker, Cassel, Davenport, Donahue, English, Greeley, Hertert, Hurn, Kendall, Langan of Clinton, Langan of Crawford, Larrabee, Marshall, Sokol, Springer, Sweet, Teachout, Walters, Wilson of Buena Vista, Wise—20.

So the bill passed and the title was agreed to.



## REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, House file No. 121, a bill for an act to amend section sixteen hundred ten (1610) and section sixteen hundred eighteen (1618) of the code, as amended by chapter forty (40) of the acts of the Twenty-seventh General Assembly, and chapter fifty-six (56) of the acts of the Twenty-eighth General Assembly, relating to incorporations for pecuniary profit.

Also, House file No. 198, a bill for an act to legalize the official acts of the town council of the incorporated town of Sumner, in Bremer county, Iowa.

Also, House file No. 67, a bill for an act to amend section thirty-four hundred and ninety-seven (3497) of the code, relating to place of bringing action.

Also, House file No. 195, a bill for an act to amend section one hundred and six (106) of the code, relative to the time of settlement of the auditor of state with the treasurer of state.

Also, House file No. 117, a bill for an act to amend section four thousand eight hundred and seven (4807) of the code, relating to malicious mischief and trespass.

Also, House file No. 68, a bill for an act to amend section thirty-five hundred and twenty-nine (3529) of the code, relating to manner of commencing actions.

J. P. LYMAN,  
*Chairman.*

March 4, 1902.

Report adopted.

## MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

Senate file No. 19, a bill for an act to amend section 4845 of the code, in relation to receiving stolen goods.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 197, a bill for an act relating to powers of boards of

health and health officers, and the erection and maintenance of pesthouses and hospitals in certain cases.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 199, a bill for an act to amend section seven hundred and forty-five (745) of the code of Iowa, as amended by the acts of the Twenty-seventh General Assembly, relating to the purchase and construction of waterworks.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 195, a bill for an act to amend section 3225 of the code, relating to the support of persons adjudged to be insane.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 200, a bill for an act to amend section eight hundred and ninety-four (894) of the code of Iowa, as amended by the Twenty-sixth General Assembly, relating to the levy of special taxes by cities.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 202, a bill for an act to amend section seven hundred and twenty-four (724) of the code of Iowa, as amended, relating to certain powers of cities and towns.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 201, a bill for an act to amend section six hundred fifty-eight (658) of the code, relating to the powers and duties of mayors of cities.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 198, a bill for an act to amend chapter sixteen (16), of title twelve (12) of the code, as amended, relating to the powers of boards of health and expenses for caring for persons affected with infectious and contagious diseases.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 203, a bill for an act to amend section eight hundred and twenty-three (823) of the code of Iowa, relating to notice of the levy of special assessments.

GEO. A. NEWMAN,  
*Secretary.*

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote whereby House file No. 15 was lost on passage.

M. L. TEMPLE.

I second the above motion.

W. D. DODDS.

On motion of Warren of Marion, House adjourned till 2 P. M.

## AFTERNOON SESSION.

House met at 2 P. M., Speaker Eaton in the chair.

Greeley of Story offered the following communication:

*To the Honorable members of the Twenty-ninth General Assembly and wives:*

You are hereby invited to visit the Ames College of Agriculture and Mechanic Arts on Wednesday, March 12, 1902, at Ames, Iowa.

W. M. GREELEY.

On motion of Eiker of Decatur the invitation of the citizens of Ames, Iowa, was accepted on the part of the House.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval, House file No. 194, a bill for an act for the relief of the grantees of John Carsner, and for the purpose of having a patent issued in his name for a certain tract of land.

Also, House file No. 179, a bill for an act for the relief of the grantees of John Noble and W. A. Noble, and for the purpose of having a patent issued in their names for a certain tract of land.

J. P. LYMAN,

*Chairman.*

Report adopted.

On motion of Jones of Mahaska, Senate file No. 46, a bill for an act to amend sections 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091 of the code, relating to taxes in aid of railroads, and extending the provisions thereof to trolley and electric railways, with report of committee recommending passage as amended by substitute, was taken up, considered and the report of the committee, with substitute as amendment, adopted.

Eiker of Decatur moved to amend section one of the printed bill by adding to said section the following: "also by striking out the word 'five' in the first line of section 2084 and inserting the word 'two' in lieu thereof;" and that section two of the printed bill be amended by adding the following: "and wherever the words 'five per cent' occur in said section of the code they shall

be stricken out and the words 'two per cent' inserted in lieu thereof."

Lost.

Mr. Jones moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Bealer, Blakemore, Boysen, Buchanan, Calderwood, Carter, Coburn, Colclo, Cummings, Dunham, Edwards, Flenniken, Freeman, Frudden, Furry, Graff, Haselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kerr, Kling, Larrabee, Leech, Lyman, McClurkin, Meservey, Moore, Nagle, Payne, Pipher, Powers, Robinson, Roome, Secor, Stuckslager, Sweeley, Sweet, Temple, Townsend, Walters, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Mr. Speaker—54.

The nays were:

Messrs. Bailey, Barkley, Black, Campbell, Cheney, Christianson, Clarke, Crouse, Cruikshank, Dodds, Donahue, Eiker, Fields, Gilchrist, Greeley, Greene, Hamann, Kolthoff, Langan of Crawford, McClure, McNie, Marshall, Mattes, Mordhorst, Nichols, Patton, Pritchard, Stratton, Teachout, Utterback, Walden, Wright—32.

Absent or not voting:

Messrs. Carden, Cassel, Cowles, Davenport, English, Hertert, Hilsinger, Hurn, Kendall, Koontz, Langan of Clinton, Sokol, Springer, Whiting—14.

So the bill passed and the title was agreed to.

On motion of Colclo of Carroll, House file No. 92, a bill for an act defining the crime of the commission of crime as an occupation and providing the penalty therefor, with report of committee recommending passage as amended by substitute, was taken up, considered and the report of the committee, with substitute as amendment, adopted.

Wilson of Washington in the chair.

Mr. Colclo moved that the rules be suspended, that the bill be considered engrossed, read a third time now, and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carter, Christianson, Clarke, Coburn, Colclo, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, Fields, Fleniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—86.

The nays were:

None.

Absent or not voting:

Messrs. Carden, Cassel, Cheney, Cowles, Davenport, English, Hertert, Hurn, Kendall, Koontz, Langan of Clinton, Nagle, Sokol, Springer—14.

So the bill passed and the title was agreed to.

Speaker Eaton in the chair.

On motion of Hasselquist of Lucas, House file No. 182, a bill for an act to amend section 2028 of the code, relating to the taking of private property for works of internal improvement, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Hasselquist moved that the rules be suspended, that the bill be considered engrossed, read a third time now, and placed

upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carter, Cheney, Christianson, Coburn, Cowels, Crouse, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, Fields, Freeman, Frudden, Furry, Gilchrist, Graff, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Jaeger, Jones, Keagy, Kerr, Kling, Kolthoff, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Stratton, Stuckslager, Sweeley, Sweet, Temple, Townsend, Utterback, Walden, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Mr. Speaker—75,

The nays were:

None.

Absent or not voting:

Messrs. Carden, Cassel, Clarke, Colclo, Cruikshank, Davenport, English, Flenniken, Greeley, Greene, Hertert, Hurn, Jenks, Kendall, Koontz, Langan of Clinton, Larrabee, Marshall, Nagle, Sokol, Springer, Teachout, Walters, Whiting, Wright—25.

So the bill passed and the title was agreed to.

Head of Greene moved that House file No. 184 be recommitted to the committee on Ways and Means, but retain its place on the calendar.

Carried.

On motion of Clarke of Dallas, Senate file No. 40, a bill for an act to legalize the incorporation of certain corporations incorporated under the laws of the state of Iowa, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Clarke moved that the rules be suspended, that the bill be read a third time and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carter, Cheney, Christianson, Clarke, Coburn, Cowles, Crouse, Dodds, Donahue, Dunham, Edwards, Eiker, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Kerr, Kling, Kolthoff, Langan of Crawford, Larrabee, Leech, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Stratton, Stuckslager, Sweeley, Sweet, Temple, Townsend, Utterback, Walden, Warren, Whiting, Wilson, of Buena Vista, Wilson of Washington, Wise, Mr. Speaker—79.

The yeas were:

None.

Absent or not voting:

Messrs. Carden, Cassel, Colclo, Cruikshank, Cummings, Davenport, English, Hertert, Hurn, Keagy, Kendall, Koontz, Langan of Clinton, Lyman, Nagle, Sokol, Springer, Teachout, Walters, Willett, Wright—21.

So the bill passed and the title was agreed to.

Warren of Marion moved that House file No. 20 be made a special order for tomorrow, Wednesday, at 2 P. M.

Carried.

On motion of Clarke of Dallas, Senate file No. 18, a bill for an act to amend section forty-seven hundred and ninety (4790) of the code, in relation to the possession of burglars' tools, with report of the committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Clarke moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?



The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blake-  
more, Boysen, Buchanan, Calderwood, Campbell, Carter, Cheney,  
Christianson, Clarke, Coburn, Cowles, Crouse, Cruikshank, Cum-  
mings, Dodds, Donahue, Dunham, Edwards, Eiker, Fields, Flenniken,  
Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Has-  
selquist, Hawk, Head, Hufschmidt, Hughes, Jaeger, Jenks, Keagy,  
Kerr, Kling, Kolthoff, Langan of Crawford, Larrabee, Leech,  
Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore,  
Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers,  
Pritchard, Robinson, Roome, Secor, Stratton, Stuckslager,  
Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Wal-  
den, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of  
Washington, Wise, Wright, Mr. Speaker—83.

The nays were:

Mr. Hilsinger.

Absent or not voting:

Messrs. Carden, Cassel, Colclo, Davenport, English, Hamann,  
Hertert, Hurn, Jones, Kendall, Koontz, Langan of Clinton, Mar-  
shall, Sokol, Springer, Walters—16.

So the bill passed and the title was agreed to.

On motion of Stratton of Montgomery, House file No. 228, a  
bill for an act to provide for the admission and maintenance of  
feeble-minded women to the Institution for Feeble-Minded Chil-  
dren at Glenwood, with report of committee recommending  
passage, was taken up, considered and the report of the com-  
mittee adopted.

Mr. Stratton moved that the rules be suspended, that the bill  
be considered engrossed, read a third time now and placed upon  
its passage, which motion prevailed and the bill was read a third  
time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black,  
Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carter,  
Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Cruik-

shank, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Warren, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—82.

The nays were:

None

Absent or not voting:

Messrs. Carden, Cassel, Crouse, Davenport, English, Gilchrist, Hertert, Hilsinger, Hurn, Kendall, Koontz, Langan of Clinton, Marshall, Sokol, Springer, Walters, Whiting, Wilson of Washington—18.

So the bill passed.

Mr. Stratton moved to amend the title by striking out the words "and maintenance" after the word "admission" and by adding to the title the words "and maintenance thereof".

Adopted and the title, as amended, was agreed to.

Anderson of Warren moved that House file No. 286 be referred to the committee on Judiciary, and that they be instructed to report on this bill, or a substitute embodying practically the same features, to this House within five days and that the bill retain its place on the calendar.

Carried.

On motion of Buchanan of Wapello, House file No. 214, a bill for an act to amend section 3016 of the code, relating to bushel weight, was taken up for further consideration.

Mr. Buchanan moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Bealer, Black, Blakemore, Boysen, Buchanan, Campbell, Christianson, Colclo, Cowles, Cruikshank, Cummings, Dodds, Dunham, Edwards, Eiker, Flenniken, Freeman, Frudden, Furry, Greeley, Hasselquist, Hawk, Head, Hufschmidt, Hughes, Jenks, Keagy, Kling, Koontz, Langan of Crawford, Leech, McClure, McClurkin, Mattes, Nagle, Patton, Payne, Pipher, Pritchard, Roome, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—58.

The nays were:

Messrs. Barker, Barkley, Calderwood, Carter, Cheney, Clarke, Donahue, Graff, Hamann, Jones, Kerr, Kolthoff, Larrabee, McNie, Meservey, Moore, Mordhorst, Nichols, Robinson, Secor, Walden,—21.

Absent or not voting:

Messrs. Carden, Cassel, Coburn, Crouse, Davenport, English, Fields, Gilchrist, Greene, Hertert, Hilsinger, Hurn, Jaeger, Kendall, Langan of Clinton, Lyman, Marshall, Powers, Sokol, Springer, Walters—21.

So the bill passed.

Mr. Buchanan moved to amend the title of the bill by inserting the figures 3016 after the words "thirty hundred and sixteen" and enclosing them in brackets.

Carried and the title, as amended, was agreed to.

Clarke of Dallas moved that House file No. 285 be recalled from the committee on Appropriations and be referred to the committee on Claims.

Carried and the bill was so referred.

The Speaker announced as the committee of three to whom House file No. 59 be referred, in accordance with the motion of Mr. Hawk, Messrs. Cummings of Marshall, Edwards of Butler and Springer of Buchanan.

On motion of Pipher of Cass, the House adjourned until 9 A. M. tomorrow, Wednesday, March 5th.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, Wednesday, March 5, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. W. J. Stratton, of Carroll, Iowa.

Special order set for 9 A. M., being the consideration of Senate refusal to concur in House amendment to Senate concurrent resolution on the Hoar bill, was taken up and considered.

Dunham of Delaware moved that the House insist on its amendment as made by the House to this concurrent resolution.

Messrs. Warren of Marion and Hughes of Iowa demanded that the roll be called on this motion.

On the question, Shall the motion prevail?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Carden, Cassel, Clarke, Cowles, Crouse, Cummings, Dunham, Edwards, Eiker, Fields, Freeman, Furry, Gilchrist, Graff, Greeley, Hasselquist, Head, Jones, Keagy, Kling, Kolthoff, Leech, Lyman, McClure, McNie, Mattes, Moore, Nagle, Patton, Powers, Pritchard, Roome, Secor, Stratton, Sweet, Teachout, Temple, Townsend, Wilson of Buena Vista, Wilson of Washington, Wise, Mr. Speaker—49.

The nays were:

Messrs. Buchanan, Calderwood, Campbell, Cheney, Coburn, Colclo, Dodds, Donahue, English, Hawk, Hufschmidt, Hughes, Jaeger, Jenks, Kendall, Kerr, Langan of Clinton, Larrabee, Marshall, Payne, Sweeley, Utterback, Walden, Warren, Whiting Willett, Wright—27.

Absent or not voting:

Messrs. Boysen, Carter, Christianson, Cruikshank, Davenport, Flenniken, Frudden, Greene, Hamann, Hertert, Hilsinger, Hurn, Koontz, Langan of Crawford, McClurkin, Meservey, Mordhorst, Nichols, Pipher, Robinson, Sokol, Springer, Stuckslager, Walters—24.

So the motion prevailed and the House insisted on its amendment to this concurrent resolution.

Kendall of Monroe moved that the Speaker appoint a committee of three as a conference committee.

Carried.

The resolution laid over under rule 34, relative to appointing a committee to draft resolutions in memory of Hon. S. P. McNeill, was taken up and, on motion of Eiker of Decatur, the resolution was adopted.

The Speaker appointed as this committee Messrs. Eiker of Decatur, Walden of Wayne, Hasselquist of Lucas.

#### PETITIONS AND MEMORIALS

Donahue of O'Brien presented petition of citizens of O'Brien county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Campbell of Fremont presented petition of citizens of Fremont county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Wilson of Washington, presented petition of citizen of Washington county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Crouse of Adams presented petition of citizens of Adams county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Jenks of Pottawattamie presented petition of citizens of Pottawattamie county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Furry of Hardin presented petition of citizens of Hardin county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Whiting of Monona presented petition of citizens of Monona county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Jones of Mahaska presented petition of citizens of Mahaska county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Teachout of Polk presented petitions of citizens of Polk county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Graff of Page presented five petitions of citizens of Page county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Fields of Plymouth presented petition of citizens of Plymouth county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Cheney of Clay presented petition of citizens of Emmetsburg, Iowa, asking that the open season on wild water fowl be changed to run from September 15th to April 15th.

Referred to committee on Fish and Game.

Lyman of Poweshiek presented petition of citizens of Brooklyn, Iowa, asking passage of osteopathic bill.

Referred to committee on Public Health.

Crouse of Adams presented remonstrance of citizens of Adams county, opposed to additional normal schools.

Referred to committee on Normal Schools.

Kling of Harrison presented memorial of farmers institute held at Woodbine, Iowa, asking that Iowa Agricultural College at Ames be allowed the full appropriation asked for.

Referred to committee on Agricultural College.

Keagy of Dubuque presented two remonstrances of citizens of Holy Cross, Iowa, against the passage of House files Nos. 134 and 45.

Referred to committee on Schools and Text-Books.

Hughes of Iowa presented petition of citizens of Williamsburg, Iowa, asking that the Iowa State Poultry association be legalized, and that an appropriation be provided therefor.

Referred to committee on Animal Industries.

Stuckslager of Linn presented petition of retail merchants of Cedar Rapids, urging passage of House file No. 184, relative to personal earnings.

Referred to committee on Ways and Means.

#### REPORTS OF COMMITTEES.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR SPEAKER—Your committee on Judiciary, to whom was referred House file No. 283, a bill for an act to legalize copy of certified record of the supreme court of the United States in case of the Burlington and Missouri River Railroad company, plaintiff in error, vs. Fremont county, Iowa, in error to the supreme court of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out section 2 (being the publication clause), and when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 343, a bill for an act providing that the civil actions authorized in section 4302 of the code, may be brought in any county where a nuisance is committed in part, or in any county where any of the acts or effects constituting or requisite to the consummation of a nuisance occur, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred

House file No. 284, a bill for an act to legalize transcript of deed record, Fremont county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Report adopted on motion of Mr. Clarke.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 338, a bill for an act to legalize acknowledgments of deeds and conveyances of land and of other instruments, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Report adopted on motion of Mr. Clarke.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 349, a bill for an act to legalize the incorporation of the town of Rudd, Floyd county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Mr. Stratton, from the committee on Suppression of Intemperance, submitted the following report:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House file No. 337, a bill for an act to amend section 2410 of the code, relating to sale of intoxicating liquors and abatement of nuisance, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. L. STRATTON,  
*Chairman.*

Ordered passed on file.

Coburn of Cherokee, from the committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House file No. 266, a bill for an act to amend section fifteen hundred and thirty-three (1533) of the code, relating to duties of township



trustees, and House file No. 267, a bill for an act to amend section fifteen hundred and forty-two (1542) of the code, relating to the certifying delinquent road tax, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that House file No. 267 be indefinitely postponed and that House file No. 266 be amended by substituting therefor the bill attached hereto, and when so amended, that the same do pass.

A BILL.

For an act to amend sections fifteen hundred and twenty-eight (1528), fifteen hundred and thirty-three (1533), fifteen hundred and forty-two (1542) and fifteen hundred and fifty-four (1554) of the code, relative to the levying, certifying and collection of road tax.

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

Section 1. That section fifteen hundred and twenty-eight (1528) of the code be amended by striking out the word "amount" in the sixth line of said section, and inserting in lieu the word "rate."

Sec. 2. That section fifteen hundred and thirty-three (1533) of the code, be amended by inserting after the words "road tax," and before the words "to be," in the fourteenth line of said section, the words "locally assessed."

Sec. 3. That section fifteen hundred and forty-two (1542) of the code be repealed and the following enacted in lieu of the same:

"Section 1542. He shall, on or before the second Monday of November of each year, make out a certified list of all property, including lands, town lots, personal property and property otherwise assessed, including assessments by the executive council on which the road tax has not been paid in full, and the amount of tax charged on each separate assessment or parcel of said property, designating the district in which the same is situated and transmit the same to the county auditor, who shall enter the amount of tax on the lists the same as other taxes, and deliver the same to the county treasurer, charging him therewith, which shall be collected in the same manner as county taxes are collected. In case the township clerk shall fail or neglect to make such return, he shall forfeit and pay to the township for road purposes a sum equal to the amount of tax on said property, which may be collected by an action on his bond."

Sec. 4. That section fifteen hundred and fifty-four (1554) of the code be amended by inserting after the word "all" and before the word "lands" in the twelfth and fifteenth lines of said section the words "property including."

Sec. 5. This act, being deemed of immediate importance, shall take effect and be in force from and after the publication of the same in the Iowa State Register and the Des Moines Daily Leader, newspapers published at Des Moines, Iowa.

GEO. F. COBURN,  
*Chairman.*

Carter of Sioux, from the committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 272, a bill for an act requiring the clerk and treasurer of cities and towns to keep books showing the funds of municipal corporations, and to provide for a publication of a financial statement annually, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Langan of Crawford submitted the following report:

MR. SPEAKER—Your committee on Engrossed Bills respectfully report that they have examined, and found correctly engrossed, House file No. 53, a bill for an act to amend section eleven hundred and six (1106) of the code.

HUGH LANGAN,  
*Chairman.*

Report adopted.

SENATE MESSAGES CONSIDERED.

Senate file No. 197, a bill for an act relating to powers of boards of health and health officers, and the erection and maintenance of pesthouses and hospitals in certain cases.

Read first and second time and referred to committee on Municipal Corporations.

Senate file No. 199, a bill for an act to amend section seven hundred and forty-five (745) of the code, as amended by the acts of the Twenty-seventh General Assembly, relating to the purchase and construction of waterworks.

Read first and second time and referred to committee on Municipal Corporations.

Senate file No. 195, a bill to amend section 3225 of the code, relating to the support of persons adjudged to be insane.

Read first and second time and referred to committee on Judiciary.

Senate file No. 202, a bill for an act to amend section seven hundred and twenty-four (724) of the code, as amended, relating to certain powers of cities and towns.

Read first and second time and referred to committee on Municipal Corporations.

Senate file No. 201, a bill for an act to amend section six hundred fifty-eight (658) of the code, relating to the powers and duties of mayors of cities.

Read first and second time and referred to committee on Municipal Corporations.

Senate file No. 198, a bill for an act to amend chapter sixteen (16), of title twelve (12) of the code, as amended, relating to the powers of boards of health and expenses for caring for persons affected with infectious and contagious diseases.

Read first and second time and referred to committee on Public Health.

Senate file No. 200, a bill for an act to amend section eight hundred and ninety-four (894) of the code, as amended by the Twenty-eighth General Assembly, relating to the levy of special taxes by cities.

Read first and second time and referred to committee on Ways and Means.

Senate file No. 203, a bill for an act to amend section eight hundred and twenty-three (823) of the code, relating to notice of the levy of special assessments.

Read first and second time and referred to committee on Municipal Corporations.

Senate file No. 19, a bill for an act to amend section 4845 of the code, in relation to receiving stolen goods.

Read first and second time and referred to committee on Judiciary.

#### INTRODUCTION OF BILLS.

By Wise of Black Hawk, House file No. 359, a bill for an act providing for the levy of a special tax of one-tenth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for State Normal school at Cedar Falls.

Read first and second time and referred to committee on Ways and Means.

By Payne of Appanoose, House file No. 360, a bill for an act to amend section 2606 of the code, relative to admission to the soldiers' home.

Read first and second time and referred to committee on Soldiers' and Orphans' Home.

By Cheney of Clay, House file No. 361, a bill for an act to amend section 4295 of the code of 1897, relative to the satisfaction of mortgages.

Read first and second time and referred to committee on Judiciary.

#### BILLS ON THEIR PASSAGE.

On motion of Teachout of Polk, House file No. 318, a bill for an act to authorize the temporary transfer of funds accumulated under chapter 1 of the acts of the Twenty-eighth General Assembly, section 742 of the code, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Teachout the amendments of the committee were adopted.

Mr. Hasselquist moved to amend by inserting the word "one" after the word "section" and enclose the figure "1" in brackets in the sixth line of section 3; also to amend the title by inserting the word "one" after the word "section" and enclose the figure "1" in brackets in the second line thereof.

Adopted.

Mr. Teachout moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Buchanan, Calderwood, Campbell, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Graff, Greeley, Greene, Hamann,

Hasselquist, Head, Hilsinger, Hufschmidt, Hughes, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—80.

The nays were:

None.

Absent or not voting:

Messrs. Blackemore, Boysen, Carter, Cowles, Cruikshank, Davenport, Frudden, Hawk, Hertert, Hurn, Jenks, Koontz, Langan of Crawford, Larrabee, Marshall, Meservey, Sokol, Walters, Warren, Willett—20.

So the bill passed and the title was agreed to.

On motion of Utterback of Keokuk, House file No. 178, a bill for an act for the protection of owners of breeding stock, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Fields of Plymouth moved to amend the bill by inserting the word "registered" before the word "stallion" in line 1 section 1 also in lines 3 and 4 of said section, also in lines 1 and 2 of section 2 of the printed bill, also substitute the word and figure "six (6)" for the word and figure "ten (10)" in line 2 of section 2 of the printed bill.

Adopted.

Hughes of Iowa moved to amend by striking out the words "the section before" at the end of section two and inserting in lieu thereof the words "section one (1) hereof."

Adopted.

Robinson of Emmet moved to amend by adding to the word "mule" in the third line of the printed bill, section 2, the words "jack, jenny."

Adopted.

Mr. Kendall in the chair.

Gilchrist of Pocahontas moved to amend by inserting a period after the word "calf" in the third line of section 2 of the printed bill and by striking out all of said section after the word "calf."

Adopted.

Mr. Utterback moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Coburn, Cowles, Crouse, Cruikshank, Dodds, Edwards, Eiker, English, Fields, Flenniken, Furry, Gilchrist, Graff, Greeley, Greene, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Jaeger, Keagy, Kendall, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Leech, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Stratton, Stuckslager, Sweeley, Teachout, Temple, Townsend, Utterback, Warren, Whiting, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—70.

The nays were:

Messrs. Barker, Clarke, Cummings, Donahue, Dunham, Freeman, Hamann, Hurn, Jenks, Kerr, Larrabee, Nagle, Patton, Payne, Sweet, Walden, Willett, Wilson of Washington—18.

Absent or not voting:

Messrs. Buchanan, Colclo, Davenport, Frudden, Hertert, Jones, Koontz, Lyman, Marshall, Sokol, Springer, Walters—12.

So the bill passed.

Utterbach of Keokuk moved to amend the title of House file No. 178 by striking out the words "breeding stock," and inserting "registered stallions, jacks and bulls."

Carried and the title, as amended, was agreed to.

Speaker Eaton in the chair.

At this juncture, the secretary of agriculture in President Roosevelt's cabinet, Hon. James Wilson, was presented to the House by the Speaker, and addressed the House by express invitation.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 134, a bill for an act appropriating money to pay express, freight and cartage.

Also, Senate file No. 147, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Report adopted.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 276, a bill for an act to appropriate seven thousand dollars, or so much thereof as may be necessary, to supply the Indians on the reservation in Tama county with a substitute for things to be destroyed on account of being infected with disease.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Report adopted.

On motion of Meservey of Webster, leave of absence was granted Frudden of Dubuque till Friday.

The Speaker announced that he had signed in open session of the House, Senate files Nos. 134, 147 and 276.

Special order set for 10:30 being House file No. 6, a bill for an act relating to the assessment and collection of the collateral inheritance tax and repealing chapter 4, of title seven of the code,

and chapter thirty-seven of the acts of the Twenty-seventh General Assembly, and chapter fifty-one of the acts of the Twenty-eighth General Assembly, with report of committee recommending passage as amended, was taken up, and considered and the report of the committee was adopted.

Temple of Clarke, moved that the committee amendments be adopted one at a time.

Carried.

Mr. Temple moved to amend the first committee amendment to section 1 by striking out the words "sixth" and "seventh" and and inserting in lieu thereof, the words "fifth" and "sixth."

Adopted.

Mr. Temple moved that the first committee amendment to section 1, as amended, be adopted.

Carried, and the committee amendment was adopted.

Mr. Temple moved that the House adopt the second committee amendment to section 1, as found on page 330 of the House Journal.

The roll was demanded on this question by Messrs. English and Temple, which resulted as follows:

On the question, Shall the amendment of the committee be adopted?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassel, Cheney, Christianson, Clarke, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, Freeman, Gilchrist, Graff, Greeley, Greene, Hamann, Head, Jaeger, Jenks, Jones, Keagy, Langan of Clinton, Larrabee, Lyman, McClure, McNie, Marshall, Meservey, Moore, Mordhorst, Patton, Payne, Robison, Roome, Sokol, Springer, Stratton, Stuckslager, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Whiting, Willett, Wilson of Washington, Wise, Wright—59.

The nays were:

Messrs. Blakemore, Carter, Coburn, Eiker, English, Fields, Furry, Hasselquist, Hawk, Hilsinger, Hughes, Kendall, Kerr,



Kling, Kolthoff, Koontz, Leech, McClurkin, Mattes, Nagle, Nichols, Pipher, Powers, Secor, Sweeley, Teachout, Warren, Wilson of Buena Vista, Mr. Speaker—29.

Absent or not voting:

Messrs. Anderson, Colclo, Cowles, Davenport, Flenniken, Frudden, Hertert, Hufschmidt, Hurn, Langan of Crawford, Pritchard, Walters—12.

So the amendment was adopted.

On motion of Mr. Temple, the following committee amendments were adopted:

Committee amendments to section 2.

Committee amendment to section 6.

Committee amendments to section 9.

Committee amendments to section 10.

Committee amendments to section 13.

Committee amendments to section 18.

On motion of Donahue of O'Brien, House adjourned till 2 P. M.

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#### AFTERNOON SESSION.

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The House met pursuant to adjournment, Speaker Eaton in the chair.

The House resumed consideration of House file No. 6.

Committee amendment to section 19 was adopted.

Committee amendment to section 25 was adopted.

Committee amendment to section 29 was adopted.

English of Polk moved that the bill be indefinitely postponed.

The roll call was demanded on this motion, which resulted as follows:

On the question, Shall the motion prevail?

The yeas were:

Messrs. Anderson, Bailey, Eiker, English, Fields, Furry, Has-

selquist, Hawk, Hughes, Kendall, Leech, Nagle, Nichols, Pipher, Sweeley, Warren, Wilson of Buena Vista, Mr. Speaker—18.

The nays were:

Messrs. Barker, Barkley, Bealer, Black, Calderwood, Campbell, Cassel, Cheney, Christianson, Clarke, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dodds, Donahue, Edwards, Graff, Greeley, Hamann, Head, Hertert, Hurn, Jaeger, Jenks, Jones, Keagy, Kerr, Langan of Clinton, Langan of Crawford, Larrabee, Lyman, McClure, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Patton, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweet, Temple, Townsend, Utterbach, Walden, Whiting, Willett, Wilson of Washington, Wise, Wright—60.

Absent or not voting:

Messrs. Blakemore, Boysen, Buchanan, Carden, Carter, Coburn, Davenport, Dunham, Flenniken, Freeman, Frudden, Gilchrist, Greene, Hilsinger, Hufschmidt, Kling, Kolthoff, Koontz, McClurkin, Payne, Teachout, Walters—22.

So the motion was lost.

Hamann of Scott moved to amend House file No. 6 by inserting before the word "all" in line 2 section 1 of the printed bill the words "the excess in value over \$10,000 of"; also strike out of the fourteenth and fifteenth lines of said section in the printed bill the words "when the value of the estate after deducting the debts exceeds the sum of \$1,000".

Lost.

Mr. Temple moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassel, Cheney, Christianson, Clarke, Colclo, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, Flenniken,

Freeman, Gilchrist, Graff, Greeley, Hamann, Head, Hilsinger, Hufschmidt, Hurn, Jaeger, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Langan of Crawford, Larrabee, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweet, Temple, Townsend, Utterback, Walden, Whiting, Willett, Wilson of Washington, Wise, Wright—74.

The nays were:

Messrs. Blakemore, English, Fields, Furry, Hasselquist Hawk, Hertert, Hughes, Kendall, Leech, Nagle, Nichols, Sweeley, Warren, Mr. Speaker—15.

Absent or not voting:

Messrs. Carter, Coburn, Cowles, Davenport, Frudden, Greene, Koontz, Langan of Clinton, Teachout, Walters, Wilson of Buena Vista—11.

So the bill passed and the title was agreed to.

Special order set for 2 P. M., being House file No. 20, a bill for an act to create an additional state normal school in the state institution formerly occupied as the industrial school for the blind at Knoxville, Marion county, and to convert said property to said uses and purposes, and provide for the maintenance, equipment and improvement thereof, with report of committee on Normal Schools, also committee on Appropriations, recommending passage as amended, was taken up, considered and the reports of the committees adopted, on motion of Mr. Warren.

Mr. Warren moved that the amendments recommended by the committee on Normal Schools be adopted.

Adopted.

Mr. Warren moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Barkley, Buchanan, Campbell, Cruikshank, Cummings, Donahue, Edwards, English Flenniken, Furry, Greene, Hawk, Hughes, Keagy, Kerr, Kling, Koontz, Langan of Clinton, Leech, Marshall, Mattes, Nagle, Teachout, Whiting, Willett, Mr. Speaker—26.

The nays were:

Messrs. Anderson, Bailey, Barker, Bealer, Black, Blakemore, Boysen, Calderwood, Carden, Cassel, Cheney, Christianson, Clarke, Colclo, Cowles, Crouse, Dodds, Dunham, Eiker, Fields, Freeman, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Head, Hilsinger, Hufschmidt, Hurn, Jaeger, Jenks, Kendall, Kolthoff, Langan of Crawford, Larrabee, McClure, McNie, Moore, Mordhorst, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Temple, Townsend, Utterback, Walden, Warren, Wilson of Buena Vista, Wilson of Washington, Wise, Wright—64.

Absent or not voting:

Messrs. Carter, Coburn, Davenport, Frudden, Hertert, Jones, Lyman, McClurkin, Meservey, Walters—10.

So the bill was lost.

The following explanation of vote was filed:

MR. SPEAKER—I vote “no” on the passage of House file No. 20 in order to file a motion to reconsider.

J. L. WARREN.

The following motion to reconsider was filed:

I move to reconsider the vote by which House file No. 20 was lost and the vote by which the same passed to its third reading.

J. L. WARREN.

I second the motion.

D. W. HURN.

On motion of Larrabee of Fayette, House adjourned till 9 A. M., Thursday, March 6th.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, Thursday, March 6, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. M. S. Runkle of Des Moines.

The Journal of Tuesday, March 4th, was read, corrected and approved.

PETITIONS AND MEMORIALS.

Springer of Buchanan presented petition of citizens of Buchanan county, relative to time limit of filing petitions under the mulct law.

Referred to the committee on Suppression of Intemperance.

Roome of Winneshiek presented petition of citizens of Tama county, relative to equal suffrage.

Referred to committee on Constitutional Amendments.

Edwards of Butler presented petition of 240 citizens of Butler county, relative to equal suffrage.

Referred to committee on Constitutional Amendments.

Teachout of Polk presented petition of citizens of Polk county, relative to equal suffrage.

Referred to committee on Constitutional Amendments.

Leech of Cedar presented petition of citizens of Cedar county, relative to time limit of filing petitions under mulct law.

Referred to committee on Suppression of Intemperance.

Cummings of Marshall presented petition of citizens of Marshall county, relative to equal suffrage.

Referred to committee on Constitutional Amendments.

Carter of Sioux presented petition of citizens of Sioux county, asking that the question of equal suffrage be submitted to the voters of the state.

Referred to committee on Constitutional Amendments.

Carden of Henry presented petition of citizens of Henry county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Buchanan of Wapello presented petitions of Painters' union, United Garment Workers' union, and Ottumwa Union I. B. of B., all of Ottumwa, asking a resolution urging congress to have war vessels built in this country.

Referred to committee on Federal Relations.

Donahue of O'Brien offered the following resolution, which was laid over under rule 34:

*Resolved*, That this legislature of the great agricultural state of Iowa, being duly convened, express our heartfelt sympathy for the brave Boers of South Africa in their great struggle for liberty; and it is our earnest hope that their present Valley Forge period will yet bring its Yorktown.

Powers of Floyd moved that House file No. 45 be referred to the committee on Schools and Text-Books, but retain its place on the calendar.

Carried.

#### REPORTS OF COMMITTEES.

Wright of Guthrie, from the committee on Agriculture, submitted the following report:

MR. SPEAKER— Your committee on Agriculture, to whom was referred House file No. 146, a bill for an act to prevent cheating by the sale of adulterated and misbranded foods; to create the office of state food and dairy commissioner, and define his duties, and for other purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

NATE WRIGHT,  
*Chairman.*

On motion of Secor of Winnebago, House file No. 146 was referred to the committee on Appropriations.

Also:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House file No. 298, a bill for an act to amend section twenty-five hundred twenty-two (2522) of the code, relating to reports to the dairy commissioner by milk dealers and operators of creameries and cheese and condensed milk factories, and providing a penalty for violations of the section as amended, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

NATE WRIGHT,  
*Chairman.*

Ordered passed on file.

Boysen of Audubon, from the committee on Industrial Schools, submitted the following report:

MR. SPEAKER—Your committee on Industrial Schools, to whom was referred House file No. 245, a bill for an act to amend chapter eight (8) title thirteen (13) of the code, granting to the governor of the state the power to parole inmates of the Industrial school in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

ASMUS BOYSEN,  
*Chairman.*

Ordered passed on file.

Carter of Sioux, from the committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 317, a bill for an act to amend section one thousand three hundred five (1305) of the code, relating to the assessment of property for taxes and the valuation thereof, by making the said section applicable to cities acting under special charters that now have a population of over twenty-five thousand (25,000) and thirty thousand (30,000), according to the United States census of 1900, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended, and when so amended that the same do pass.

Amend section one (1) by inserting a period after the word "charters", in the third line of said section, and striking out all after said word.

Be it further amended by striking out sections two (2) and three (3).

Also, amend the title by striking out all after the word "charters", in the fifth line thereof.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Also:

**MR. SPEAKER**—Your committee on Municipal Corporations, to whom was referred House file No. 278, a bill for an act to authorize the improvement of the channels of meandered streams dividing the territory within the corporate limits of certain cities, and to authorize the reclaiming of waste lands between the meandered lines of said streams within said corporate limits, and to create a commission therefor and defining its powers and prescribing its duties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

That the title of the printed bill be amended by striking out the word "waste", in the third line thereof;

That the second "Whereas" of the printed bill be amended by striking out the word "waste", in the first line thereof;

That the third "Whereas" of the printed bill be amended by striking out the word "waste", in the first line thereof;

That section 3 of the printed bill be amended by striking out the word "board", in the sixth line thereof and inserting in lieu thereof the word "commission".

That section 3 of the printed bill be amended by striking out the word "board", in the seventh line thereof and inserting in lieu thereof the word "commission";

That section 4 of the printed bill be amended by inserting after the word "the," in the first line thereof the words "fee simple."

That section 5 of the printed bill be amended by striking out the word "waste," in the first line thereof.

That section 6 of the printed bill be amended by striking out the word "waste," in the second line thereof.

That section 5 of the printed bill be amended by inserting the letter "d" at the end of the word "base," in the fourth line thereof.

That section 7 of the printed bill be amended by striking out the word "now," in the second line thereof; and all after the word "it," in the fifth line, and the words "desirable for its purposes," in the sixth line thereof.

That section 7 of the printed bill be amended by inserting after the word "estate," in the first line the words "and riparian and other rights;" and by inserting in the second line after the word "condemnation," the words "for the public uses herein authorized;" and by substituting for the word "may," in the third line, the word "shall;" and by inserting after the word "successors" in the fourth line, the words "in trust for the public;" and by inserting after the word "sell," in the fourth line, the words "and convey;" and by inserting after the word "it," in the fifth line thereof, the words "by virtue of this act and otherwise."



That section 8 of the printed bill be amended by inserting after the word "amounts," in the second line, the word "as"; and by inserting after the word "property," in the third line, the words "acquired by virtue of this act and otherwise."

That section 12 of the printed bill be amended by inserting after the third word of the fourth line the words, "within the corporate limits of such city."

That section 13 of the printed bill be amended by inserting after the word "to," in the sixth line, the words "or by."

That section 15 of the printed bill be amended by striking out all of lines 2 and 3, and inserting after the word "charter," in the first line thereof, the following words: "and cities of the first class acting under the general incorporation laws having a population of less than twenty-five thousand (25,000)."

And when so amended that the same do pass.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Mr. Eiker, from the committee on Public Health, submitted the following:

MR. SPEAKER—Your committee on Public Health, to whom was referred Senate file No. 192, a bill for an act to amend section twenty-five hundred seventy-two (2572) of the code, relating to the enforcement of the rules and regulations of the state board of health, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

B. L. EIKER,  
*Chairman.*

Ordered passed on file.

Calderwood of Scott offered the following resolutions, and moved their adoption:

MR. SPEAKER—Your committee appointed to present resolutions respecting the life and public services of the late Mathias J. Rohlf of Scott county, beg leave to submit the following:

WHEREAS, The Hon. Mathias J. Rohlf, an honored member of the Eleventh, Twelfth, Thirteenth and Fourteenth General Assemblies, departed this life at his home in the city of Davenport, September 6, 1900, after a long and useful life; therefore be it

*Resolved*, That in his death the state has lost a citizen who was ever honorable and upright, and one whose work was always for the betterment and uplifting of mankind.

*Resolved*, That this Assembly extend to the bereaved family our sincere sympathy, and the Clerk of the House is hereby instructed to mail an

engrossed copy of these resolutions to them, and that they be printed in the Journal of the House.

M. H. CALDERWOOD,  
CHAS. MORDHORST,  
SAMUEL A. MOORE,  
*Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Furry of Hardin, House file No. 362, a bill for an act to amend section 894 of the code, relating to the levy of taxes for waterworks.

Read first and second time and referred to committee on Municipal Corporations.

By Furry of Hardin, House file No. 363, a bill for an act to amend title 25, chapter 49 of the code, in relation to the discharge or parole of inmates of the State Industrial school.

Read first and second time and referred to committee on Industrial Schools.

By Cummings of Marshall, House file No. 364, a bill for an act to amend section 4979 of the code, in regard to removing dead animals from cities and towns.

Read first and second time and referred to committee on Public Health.

By Black of Mills, House file No. 365, a bill for an act to authorize the granting to the Chicago, Burlington & Quincy Railroad company, its successors or assigns, a right-of-way through lands owned by the state, and used by the Institution for Feeble-Minded Children at Glenwood.

Read first and second time and referred to committee on Judiciary.

By Teachout of Polk, House file No. 366, a bill for an act providing for the organization of trust companies and loan and trust companies, defining their powers and providing for their examination and control.

Read first and second time and referred to committee on Judiciary.

## BILLS ON THEIR PASSAGE.

On motion of Powers of Floyd, House file No. 349, a bill for an act to legalize the incorporation of the town of Rudd, Floyd county, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Powers moved to amend by striking out the publication clause.

Adopted.

Mr. Powers moved that the rules be suspended, that the bill be considered engrossed, read third time and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Casel, Cheney, Christianson, Clarke, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Freeman, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Head, Hertert, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Teachout, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Coburn, Colclo, Cowles, Crouse, Cruikshank, Davenport, Flenniken, Frudden, Hawk, Hilsinger, Hurn, Koontz, Marshall, Payne, Stuckslager, Sweet, Temple, Walters—19.

So the bill passed.

The title was amended on motion of Cummings of Marshall by adding the words "and the ordinances thereof," and as so amended was agreed to.

On motion of Bailey of Ringgold, House file No. 328, a bill for an act to legalize the ordinances of the town of Shannon City, situated in Union and Ringgold counties, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Bailey moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blackemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, English, Fields, Freeman, Furry, Gilchrist, Graff, Greeley, Greene, Hasselquist, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Sokol, Springer, Stratton, Stuckslager, Sweeley, Teachout, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—82.

The nays were:

None.

Absent or not voting:

Messrs. Coburn, Colclo, Cowles, Davenport, Eiker, Flenniken, Frudden, Hamann, Hawk, Hurn, Koontz, Langan of Clinton, Marshall, Payne, Secor, Sweet, Temple, Walters—18.

So the bill passed.

The title was amended, on motion of Furry of Hardin, by striking out the word "Iowa" and inserting the word "Des Moines".

The title, as amended was agreed to.

On motion of Hughes of Iowa, House file No. 321, a bill for

an act to amend subdivision 3 of section 2448 of the code, relating to surety on bonds, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Hughes of Iowa moved the adoption of the amendments recommended by the committee.

Carried.

Mr. Hughes moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Blake-more, Boysen, Calderwood, Campbell, Carden, Cheney, Christian-son, Clarke, Crouse, Cruikshank, Cummings, Dodds, Donahue, Eiker, English, Fields, Freeman, Gilchrist, Graff, Greeley, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Townsend, Utterback, Walden, War-ren, Whiting, Willett, Wilson of Buena Vista, Wilson of Wash-ington, Wise, Wright, Mr. Speaker—73.

The nays were:

Messrs. Black, Cassel, Dunham, Edwards, Hasselquist, Ken-dall, Kerr, Larrabee, McClure—9.

Absent or not voting:

Messrs. Buchanan, Carter, Coburn, Colclo, Cowles, Davenport, Flenniken, Frudden, Furry, Greene, Hamann, Hurn, Koontz, Marshall, Payne, Springer, Temple, Walters—18.

So the bill passed and the title was agreed to.

On motion of Lyman of Poweshiek, House file No. 249, a bill for an act to amend section 4811 of the code, with reference to jumping on and off cars in motion, with report of committee rec-

ommending passage, was taken up, considered and the report of the committee adopted.

Mr. Lyman moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blake-more, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Freeman, Furry, Gilchrist, Graff, Greely, Greene, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Larrabee, Leech, Lyman, McClure, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—86.

The nays were :

None.

Absent or not voting:

Messrs. Coburn, Colclo, Cowles, Davenport, Flenniken, Frud-den, Hamann, Koontz, Langan of Crawford, Marshall, Pipher, Temple, Walters—14.

So the bill passed and the title was agreed to.

On motion of Hurn of Cerro Gordo, House file No. 268 was referred to committee on Appropriations, and allowed to retain its place on the calendar.

Furry of Hardin in the chair.

On motion of Leech of Cedar, House file No. 326, a bill for an act to legalize the acts of the Independent School district of Stanwood, Cedar county, in voting bonds at a special election

held September 16, 1901, for the rebuilding of a schoolhouse in said independent school district, and to enable such district to insure such bonds, and to validate all the official acts and proceedings of the board of directors of said school district relative thereto, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Leech of Cedar moved to amend by striking out the word "meeting", in the ninth line of original bill.

Carried.

Mr. Leech moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Casel, Cheney, Clarke, Cowles, Crouse, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Freeman, Furry, Gilchrist, Graff, Greene, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Christianson, Coburn, Colclo, Cruikshank, Davenport, Flenniken, Frudden, Greeley, Hamann, Hufschmidt, Hurn, Koontz, McClurkin, Marshall, Payne, Stuckslager, Sweeley, Walters—19.

So the bill passed and the title was agreed to.

On motion of Temple of Clarke, House file No. 270, a bill for an act to repeal section 5167 of the code, and to enact a substitute therefor, relating to the time of commencing action in criminal cases.

Mr. Temple moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Clarke, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, English, Flenniken, Freeman, Furry, Gilchrist, Graff, Greeley, Greene, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple, Utterback, Walden, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—83.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Christianson, Coburn, Colclo, Cowles, Davenport, Fields, Frudden, Hamann, Hurn, Koontz, Langan of Clinton, Nagle, Stuckslager, Wilson of Buena Vista—17.

So the bill passed, and the title was agreed to.

On motion of Barker of Howard, House file No. 245, a bill for an act to refund to administrators and executors any surplus they have paid to the treasurer of state as collateral inheritance tax in excess of that legally due, with report of committee recommend-



ing passage, was taken up, considered and the report of the committee adopted.

Lyman of Poweshiek moved to amend House file No. 245 by striking out all after the second word "council," in the ninth line of the bill, and inserting in lieu thereof the following: "shall issue an order to the auditor of state directing him to issue a warrant upon the treasurer of state to refund such tax."

Adopted.

Gilchrist of Pocahontas moved to amend by adding to the end thereof the following, to wit:

Section 2. Such order of court shall not be given until fifteen days' notice of the application therefor shall be given to the treasurer of state of the time and place of the hearing of such application, which notice shall be served in the same manner as provided for original notices.

Adopted.

Lyman of Poweshiek moved to amend by striking out the word "and," in line seven of the printed bill, and inserting a comma in lieu thereof.

Carried.

Mr. Barker moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Coburn, Crouse, Cruikshank, Cummings, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Graff, Greene, Hasselquist, Hawk, Head, Hertert, Hughes, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Sweeley, Teachout, Temple, Utterback, Walden, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—74.

The nays were:

None.

Absent or not voting:

Messrs. Boysen, Christianson, Clarke, Colclo, Cowles, Davenport, Dodds, Frudden, Greeley, Hamann, Hilsinger, Hufschmidt, Hurn, Jaeger, Kendall, Koontz, Larrabee, McClure, Marshall, Mordhorst, Stratton, Stuckslager, Sweet, Townsend, Walters, Whiting—26.

So the bill passed and the title was agreed to.

On motion of Teachout of Polk, House file No. 200, a bill for an act to amend section 560, of title 4, chapter 10 of the code, abolishing the office of township clerk and trustees in certain civil townships, with report of committee recommending passage as amended by substitute, was taken up, considered and the report of the committee adopted.

On motion of Mr. Teachout the amendment of the committee in the form of a substitute was adopted.

Mr. Teachout moved to amend by adding the letter "s" to the word "trustee," in the last line of the bill as amended.

Adopted.

Mr. Teachout moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cheney, Coburn, Cruikshank, Cummings, Donahue, Edwards, Eiker, English, Fields, Freeman, Furry, Gilchrist, Graff, Greene, Hawk, Head, Hertert, Hughes, Jenks, Jones, Keagy, Kerr, Kling, Kolt-hoff, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sweeley, Sweet, Teachout, Temple, Walden, Warren, Wil-

lett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—66.

The nays were:

Mr. Hamann.

Absent or not voting:

Messrs. Barker, Black, Cassel, Christianson, Clarke, Colclo, Cowles, Crouse, Davenport, Dodds, Dunham, Flenniken, Frud-den, Greeley, Hasselquist, Hilsinger, Hufschmidt, Hurn, Jaeger, Kendall, Koontz, Larrabee, McClure, Marshall, Mordhorst, Sokol, Springer, Stratton, Stuckslager, Townsend, Utterback, Walters, Whiting—33.

So the bill passed and the title was agreed to.

Speaker Eaton in the chair.

On motion of Bealer of Linn, House file No. 278, a bill for an act to authorize the improvement of the channels of meandered streams dividing the territory within the corporate limits of certain cities, and to authorize the reclaiming of waste lands between the meandered lines of said streams within said corporate limits and to create a commission therefor, and defining its powers and prescribing its duties, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Bealer, Senate file No. 234 was recalled from the committee on Municipal Corporations and substituted for House file No. 278, it being a like bill and having already passed the Senate.

Buchanan of Wapello moved that this bill, Senate file No. 234, be made a special order for tomorrow morning.

On motion of Hasselquist of Lucas, the motion was amended making the time 10 A. M., Saturday, March 8th.

Motion, as amended, carried.

On motion of Keagy of Dubuque, House file No. 135, a bill for an act in regard to supervisors' districts, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Hughes of Iowa moved to amend by striking from section 4 the words "publication clause".

Adopted.

Keagy of Dubuque moved to amend by striking from section 4 the words "Des Moines", and inserting in lieu thereof the words "Iowa State".

Adopted.

Hughes of Iowa moved to amend by adding to section 4, after the words "Des Moines," the word "Iowa".

Adopted.

Head of Greene moved to amend by striking out the period after the words "Des Moines", in section 4, and inserting a comma, and placing a period after the word "Iowa".

Adopted.

Mr. Keagy moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Coburn, Cowles, Dunham, Edwards, Eiker, Fields, Flenniken, Freeman, Furry, Gilchrist, Greene, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hughes, Hurn, Keagy, Kendall, Kling, Kolthoff, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Payne, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Temple, Townsend, Walden, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wright, Mr. Speaker—70.

The nays were:

Messrs. Cruikshank, Langan of Clinton, Springer—3.

Absent or not voting:

Messrs. Clarke, Colclo, Crouse, Cummings, Davenport, Dodds,

Donahue, English, Frudden, Graff, Greeley, Hamann, Hufschmidt, Jaeger, Jenks, Jones, Kerr, Koontz, Marshall, Patton, Pipher, Sweeley, Sweet, Teachout, Utterback, Walters, Whiting, Wise—27.

So the bill passed and the title was agreed to.

The Speaker appointed as a conference committee on the Senate concurrent resolution, relative to the Hoar bill, Messrs. Cummings of Marshall, Coburn of Cherokee and Wilson of Washington.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate desires to recall Senate file No. 19.

GEO. A. NEWMAN.

*Secretary.*

Gilchrist of Pocahontas moved that the House adjourn until tomorrow, Friday, at 9 A. M.

Carried and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, Friday, March 7, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. M. C. Waddell, of Des Moines.

The Journal of Wednesday, March 5th, was read, corrected and approved.

PETITIONS AND MEMORIALS.

Edwards of Butler presented petition of citizens of Butler county, favoring equal suffrage.

Referred to committee on Constitutional Amendments.

Springer of Buchanan presented petition of citizens of Buchanan county, favoring equal suffrage.

Referred to committee on Constitutional Amendments.

Nichols of Muscatine presented petition of G. A. R. Post of Muscatine, relative to Vicksburg park appropriation.

Referred to committee on Appropriations.

Pritchard of Wright presented petition of citizens of Wright county, relative to establishment of state board of osteopathic examiners.

Referred to committee on Public Health.

Head of Greene presented petition of G. A. R. Post of Grand Junction, relative to increase of levy for a soldiers' relief fund.

Referred to committee on Soldiers' and Orphans' Home.

Jaeger of Des Moines presented remonstrance of citizens of Des Moines county, against House file No. 184.

Referred to committee on Ways and Means.

Robinson of Emmet presented petition of citizens of Dickinson county asking equal suffrage.

Referred to committee on Ways and Means.

Crouse of Adams presented petition of citizens of Adams county, relative to equal suffrage.

Referred to committee on Constitutional Amendments.

REPORTS OF COMMITTEES.

Barkley of Boone, from the committee on Public Libraries, submitted the following report:

MR. SPEAKER—Your committee on Public Libraries, to whom was referred Senate file No. 25, a bill for an act to amend section 727 of the code, relating to gifts and bequests for library purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. J. BARKLEY,  
*Chairman.*

Ordered passed on file.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 171, a bill for an act to amend section 468 of the code, relating to supplies for county officers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 141, a bill for an act authorizing the district court to appoint trustees to manage, control and invest funds donated for and on account of cemetery purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 340, a bill for an act to limit actions for the recovery of real property on the claim of dower, curtesy or distributive share of surviving spouse, beg leave to report that they have had the same under considera-

tion, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Report adopted, on motion of Mr. Clarke, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 347, a bill for an act to repeal section 584 of the code and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Report adopted, on motion of Mr. Clarke, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 168, a bill for an act to enable the owners of lands to drain them when the same cannot be done without affecting the lands of others, prescribing the powers and duties of county supervisors and other officers in the premises, and to provide for the repair and enlargement of such drains, and repealing certain acts therein specified, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended as recommended by the committee on Agriculture, and that it be further amended, as follows:

Section 2 be amended by inserting after the word "in," in the fifty-ninth line, the words "one of" and striking out of said line the word "official."

Section 3 be amended by striking out all after the word "and," in the fourth line, and insert or add in lieu thereof the following, "the value of such excavation as then existing on such tract of land, which value shall be deducted from the assessment on such tract of land."

Section 4 be amended by inserting after the word "assessed," in the second line, the words "for the construction thereof," and by striking out the words "for the construction thereof;" following the word "benefits," in the said second line.

Section 9 be amended by inserting the words "one of" after the word "in" in the fourth line, and striking out the word "official" in said fourth line.

And by inserting the words "at least" before the word "three," and striking out the word "immediately" after the word "weeks," in the sixth line of said section nine.



Section 11 be amended by striking out the words "board of supervisors," at the commencement of line thirteen, and insert in lieu thereof the word "auditor."

Section 16 be amended by inserting after the word "appeal," in the second line, the words, "to the district court."

Section 35 be amended by striking out after the word "all," in the first line and before the colon after the word "assembly" in the third line, the words "laws now in force within purview of this act are hereby repealed, except laws passed at the present session of this General Assembly," and insert in lieu thereof the following: "acts or parts of acts inconsistent with the provisions of this act are hereby repealed."

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 351, a bill for an act relating to negotiable instruments, being an act to establish a law uniform with the laws of other states on that subject, and to repeal section 3043, 3045, 3049, 3050, 3051, 3052, 3054 and 3055 of title 15, chapter 3 of the code, additional to code title 15, chapter 3, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 339, a bill for an act to amend section 1090 of chapter 3 of the code, and providing for the consolidation of two or more wards into one voting precinct, and to constitute an aldermanic district, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Report adopted, on motion of Mr. Clarke, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 342, a bill for an act to amend section nine hundred and fifteen (915) of the code, relating to the recording and certification of plats, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recom-

mentation that the same be amended by striking out section two (2), being the publication clause, and when so amended the same do pass.

G. W. CLARKE,

*Chairman.*

Ordered passed on file.

Mr. Temple, from the committee on Ways and Means, submitted the following report:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 184, a bill for an act to amend section forty hundred eleven (4011), chapter three (3) of title nineteen (19) of the code of 1897, relative to personal earnings, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be referred to the Judiciary Committee.

M. L. TEMPLE,

*Chairman.*

So referred, on motion of Mr. Temple.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 200, a bill for an act to amend section eight hundred ninety-four (894) of the code, as amended by the Twenty-eighth General Assembly, relating to the levy of special taxes by cities, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

M. L. TEMPLE,

*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 332, a bill for an act to amend section seven-hundred thirty-two (732) of the code, as amended by chapter twenty-one (21) and twenty-two (22) of the acts of the Twenty-eighth (28) General Assembly relating to the levying of taxes for library purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

M. L. TEMPLE,

*Chairman.*

Ordered passed on file.

Sweet of Bremer, from the committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER—Your committee on Constitutional Amendments, to whom was referred Senate joint resolution No. five (5), a joint resolu-

tion by Senator Harper, proposing to amend the constitution of the state of Iowa, so as to provide for biennial elections, the same being the identical joint resolution that was received from the Senate, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

BURTON E. SWEET,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Constitutional Amendments, to whom was referred Senate joint resolution No. two (2), a joint resolution for an amendment to the constitution of the state of Iowa, proposing the repeal of sections thirty-four (34), thirty-five (35) and thirty-six (36), of article three (3), of said constitution, and proposing a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out the words "one hundred and ten," in the second line of section thirty-five (35) of the original bill, and inserting in lieu thereof the words "one hundred and eight;" also, by striking out the period at the end of said section thirty-five (35) of the original bill, and inserting a comma in lieu thereof, and by adding at the end of said section thirty-five (35) the following words: "but said addition shall extend only to the nine counties having the greatest population."

And when so amended that the same do pass.

BURTON E. SWEET,  
*Chairman.*

Ordered passed on file.

Mr. Dunham, from the committee on Schools and Text-Books, submitted the following report:

MR. SPEAKER—Your committee on Schools and Text-Books, to whom was referred House file No. 134, a bill for an act providing for free text-books and supplies to be furnished pupils in the public schools of the state, regulating the contract therefor and providing for payment thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. W. DUNHAM,  
*Chairman.*

Report adopted, on motion of Mr. Dunham, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Schools and Text-Books, to whom was referred House file No. 229, a bill for an act to amend section twenty-

seven hundred seventy-eight (2778) of the code, relating to the election of teachers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. W. DUNHAM,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Schools and Text-Books, to whom was referred House file No. 288, a bill for an act to amend section twenty-seven hundred fifty-four (2754) of the code, relating to the election of school treasurers in independent districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. W. DUNHAM,  
*Chairman.*

On motion of Mr. Hasselquist, the report was adopted and the bill indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Schools and Text-Books, to whom was referred House file No. 312, a bill for an act to amend section twenty-seven hundred thirty-eight of the code, in relation to normal institutes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

GEO. W. DUNHAM,  
*Chairman.*

Report adopted, on motion of Mr. Dunham, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Schools and Text-Books, to whom was referred House file No. 294, a bill for an act to amend section 2757 of the code, relating to time of meeting of boards of school directors, and to amend sections 2762, 2764, 2765, 2769, 2785, 2798, 2801 of the code, to conform therewith, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. W. DUNHAM,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Schools and Text-Books, to whom

was referred House file No 45, a bill for an act to provide for the transportation of children and giving of state aid to rural schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by substituting the following, and when so amended that the same do pass:

SUBSTITUTE FOR HOUSE FILE NO. 45.

A bill for an act providing for the joining of schools and the transportation of school children.

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

Section 1. When in the judgment of the board of directors of any school corporation, the children of any school under its control will secure increased educational facilities, and there will be a saving of expense, it may, with the concurrence of the county superintendent, close such school and transport the pupils thereof, at the expense of the corporation, to another school in the same corporation, or to an adjoining school corporation, upon such terms as the board or boards of directors may agree;

*Provided*, That in all cases where the average attendance upon any school does not equal four (4) pupils for a period of thirty (30) consecutive days during the months of December, January, February and March, and such small attendance is not caused by any infectious or contagious disease, the board shall close the school and provide for the transportation of the children to and from a school in the same or an adjoining school corporation. Schools closed under the provisions of this act may be reopened upon proper showing made by the board to the county superintendent that four (4) pupils will be in daily attendance. Expenses incurred for the transportation of pupils shall be paid from the contingent fund, while those for instruction shall be paid from the teachers' fund.

GEO. W. DUNHAM,  
*Chairman.*

Ordered passed on file.

Mr. Cummings, from the committee on Soldiers' and Orphans' Home, submitted the following report:

MR. SPEAKER—Your committee on Soldiers' and Orphans' Home, to whom was referred House file No. 348, a bill for an act to prohibit the keeping of children in poorhouses, and to provide for their removal therefrom and support in state institutions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

B. F. CUMMINGS,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Soldiers' and Orphans' Home, to whom was referred House file No. 360, a bill for an act to amend section 2606 of the code, relative to admission to the Soldiers' home, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

B. F. CUMMINGS,  
*Chairman.*

Ordered passed on file.

Carter of Sioux, from the committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 299, a bill for an act to amend section six hundred fifty-four (654), chapter 2 of the code, relating to police matrons in cities of a population of twenty-five thousand or over, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. W. CARTER,  
*Chairman.*

Report adopted, on motion of Mr. Carter, and the bill was indefinitely postponed.

Cowles of Kossuth, from the committee on Elections, submitted the following report:

MR. SPEAKER—Your committee on Elections, to whom was referred House file No. 8, a bill for an act to provide for the nomination of officers, and the election of delegates to conventions of political parties or organizations, by a primary election, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by adopting the committee substitute, and when so amended the bill do pass.

COMMITTEE SUBSTITUTE AS AMENDMENT FOR HOUSE FILE NO. 8.

A bill for an act providing for the nomination of officers and the election of delegates to conventions of political parties or organizations, by a primary election.

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

Section 1. That in the nomination of candidates for all township county, district and state offices, all political parties shall comply with the regulations hereinafter provided for a primary election. The provisions of chapter three (3), title six (6), and of sections 4917, 4918, 4923, 4927, 4928, 4929, 4930 of chapter eight (8), title twenty-three (23) of the code, shall apply to all such primary elections, the same as general elections except as hereinafter provided.

Sec. 2. This primary election, shall consist of an election by all political parties held on the first Tuesday in June of each year at the usual voting places of such precincts, and conducted on the same plan as the regular election held in November, and said primary election day shall be and constitute a day of registration of electors for the next ensuing election in all election precincts where the requirements of the code in the matter of registration of voters are applicable, and shall be in addition to the days now provided by law for the registration of electors in such precincts; but nothing herein shall be construed to affect the date or time of the subsequent registration days now provided by law.

Sec. 3. The judges and clerks of said primary election shall be the same as for the regular election in November, and they shall take the same oath as is provided for the judges and clerks of the regular election held in November, and their duties and compensation shall be the same, provided no judge or clerk shall be entitled to compensation for more than one day, and the expenses of such primary election shall be paid by the county in which the said primary election is held.

Sec. 4. The Australian ballot system, as now used in this state, except as hereinafter provided, shall be used at said primary election in all precincts, and the polls shall be open from 1 P. M. until 7 P. M.

Sec. 5. Any person will be entitled to participate in a primary election who is a qualified elector in such precinct at the time of said primary election (unless challenged, and if challenged then only in event that the challenge is determined in favor of the voter), and shall be entitled forthwith, but not later, to receive a ballot of the political party with which he then declares (under oath if his right thereto is challenged) that he affiliated, and whose candidates he generally supported at the last general election, and with which party he proposes to affiliate at the next election, and the elector voting at said primary election shall be allowed to vote for the candidates for nominations on the ticket of only one political party, the nominees of which party he states he will vote for at the general election the following November; provided, that a first voter shall not be required to declare his past political affiliations. The endorsement of the judges of election and the fac simile of the county auditor's signature shall appear upon the ballots as provided by law for the ballot used at the November election. A judge of election shall instruct the voter that he is to vote for his choice for each office, using only the ballot of the party with which he affiliates, and that he must return the ballot folded, that it may be deposited in the ballot box.

Sec. 6. The names of candidates for nomination shall be given to the county auditor at least ten days before said primary election day, when such candidates are to be voted for only within one county, and the names for candidates for nomination shall be given to the secretary of state at least twenty days before said primary election day, when such candidates are to be voted for in the several counties comprising representative, senatorial, judicial and congressional districts, and the names of candidates for nomination shall be given to the secretary of state at least thirty days before the said primary election day, when such candidates are to be voted for in all the counties of the state of Iowa, and in case the name of no

candidates is filed as herein provided, for any one of the respective offices to be voted for, then shall such office be left blank on the official ballot of the primary election and of the regular election to be held in November; in all of which instances said candidate shall by affidavit state that he is a resident of the county, district, or state in which he is and will be a *bona fide* candidate for nomination for said office as follows: I, A.....  
 B.....being duly sworn, say that I reside at.....  
 street.....(city or town) of.....  
 county of.....state of Iowa and I am a qualified voter therein,  
 and a.....(name of party), that I am a candidate  
 for nomination to the office of.....to be made at the  
 primary election of said party to be held on.....and  
 hereby request that my name be printed upon the official primary ballot as  
 provided by law, as a candidate of the.....party.

Subscribed and sworn (or affirmed) to before me.....  
 date.....

And it shall be the duty of the secretary of state to certify to the auditors of the several counties of said districts of the state of Iowa, the names of such candidates, at least ten days before the holding of said primary election. The candidates for nomination for each and every political party for the several offices shall be printed upon separate and uniform ballots with the names of the political party printed at the head of said ballot, and no political party shall participate in any primary election except those having cast at least two per cent of the total vote cast at the last preceding general election in such township, county, district or state.

Sec. 7. Poll books in the manner provided by law shall be furnished for the primary election board of each precinct, and shall contain blank spaces for the names of the candidates of the several parties for the different offices to be written in, and blank spaces for the registration by the clerks of the names of the electors voting at said primary election and upon the pages provided for the registration of said voters there shall be ruled, commencing at the left hand side of each page, separate columns perpendicularly, and across each line upon which the name of a voter is to be registered and headed at the top of said page with the word "Republican," "Democratic," "Populist," "Prohibitionist," and "Socialist," to designate the several parties, the first mentioned to be placed in the first of said columns and so on in numerical order. It shall be the duty of the clerks of the primary election, when registering the name of a voter, to place a cross thus (x) in the column designating the party ticket which was given to said voter upon his application for a ticket, and upon the final canvass of votes by the said board of primary election the number of ballots of each party taken from the ballot box must correspond with the number of names and crosses in that party's column upon the poll books.

Sec. 8. Upon the completion of the matters prescribed in the last section and upon the closing of the polls, the clerks and judges shall immediately open the ballot boxes at each polling place and proceed to take therefrom the ballots. Said officers shall count the number of ballots cast



by each party, at the same time bunching the tickets cast by each party, together in separate piles, and shall then fasten each pile separately by means of a brass clip, or may use any means that shall effectually fasten each pile together, at the top of each ticket. As soon as the clerks and judges shall have sorted and fastened together the ballots of each separate party, then they shall take the tally sheets provided in the poll books and shall count all the ballots for each party separately until the count is completed, and shall certify to the number of votes cast for each candidate for each office upon the ticket of each party. They shall then place the counted ballots in the box, but in no case shall they separate them from each other. After all have been counted and certified to by the clerks and judges, they shall seal the returns for all parties in one envelope, on the outside of which shall be printed or written in perpendicular columns the names of the several political parties, with the names of the candidates for the different offices under their respective party heading, and opposite each candidate's name shall be placed the number of votes cast for such candidate in said precinct, and at the bottom the total vote cast for each political party in said precinct, to be returned to the county auditor.

Sec. 9. Returns of the vote cast at said primary election shall be made to the county auditor, and a certification of the result of said vote shall be made by the county auditor to the chairman of the county central committees of the several political parties participating in said primary election by 1:30 P. M. of the Friday following the first Tuesday in June, and these returns shall be reviewed as to the result of the vote on their own party candidates by the county central committee in open convention hereafter provided for, and those candidates receiving the highest number of votes shall be declared the nominees of the party, and in case of a tie vote it shall be decided by lot drawn by the chairman of the county central committee, or by the chairman of the convention. Said convention shall by its chairman and secretary, certify to the county auditor of the county wherein same is held, the nominees of the party; and no nominee shall be certified to except from among those whose names are printed on the official ballot of said primary election. There shall be conventions of delegates of the different political parties held on Friday following the first Tuesday in June as aforesaid, at an hour and place designated by the county central committee, the chairman and secretary acting for them, and said call shall be published in a newspaper in the county for at least ten days preceding the time of meeting, and shall also designate the number of delegates each precinct is entitled to have in said county convention.

Sec. 10. Delegates to the county convention shall be voted for in each voting precinct at the same time the primary election for the selection of party nominees is made, and these delegates selected shall attend the county convention of the party for which they are chosen, where they shall select delegates for the district and state conventions of their party and transact such other business as may come before them.

Sec. 11. The selection of delegates to the county convention shall be made in the following manner: The requisite number of delegates to which each precinct is entitled shall be determined by the county auditor,

from the written reports of the chairman of the respective county central committees, said reports to be filed with county auditors on or before May 20th of each year and setting forth the number of delegates to which each precinct is entitled in the county convention of their party. The county auditor shall have alike number of blank lines placed on each ballot. In case no report is filed by any of said chairmen as herein provided, then the auditor shall determine the requisite number of delegates to which each precinct is entitled as he may deem just and proportionate. The voter while in the booth shall write or paste on the blank lines provided on the ballot the requisite number of names of persons of his choice to act as delegates, and the requisite number of persons for delegates receiving the highest number of votes cast shall constitute the delegates from such precinct to the county convention. In case of a tie vote on any delegate or delegates, the matter shall be decided by lot to be cast then and there as the primary election board may determine. In case of vacancy on said delegation the remaining delegates elected shall have full power to vote and act for the entire delegation.

Sec. 12. The delegates to the county convention, therein assembled, shall select delegates to the various district and state conventions to the number to which they are entitled in such manner as said county convention may determine. The district and state chairmen of the respective central committees of the several parties participating in a primary election, shall file with the chairmen of the county committees, a report, showing number of delegates each county is entitled to at their respective district or state conventions. And the delegates selected to the several district and state conventions shall, when in attendance upon said conventions, make nominations for the various district and state officers, and transact such other business as may legally come before them.

Sec. 13. Candidates for nomination to state offices shall pay into the hands of the secretary of state at the time of filing their affidavits of candidacy the sum of \$100, and candidates for nomination for district offices at such time a sum equivalent to \$10 for each county before whose electors they are candidates, and if to be voted for in only one county, \$10 to the county auditor thereof, a receipt for which shall be given them and the county auditor shall place their names upon the primary election ballot of their party as hereinbefore provided; provided, however, that the candidates of no political party having cast at least ten per cent of the total vote cast at the preceding general election shall be placed on the official ballot to be voted in the November election following, by petition, but said candidates must stand for nomination at the primary election held in June.

Sec. 14. The secretary of state and county auditor shall number the affidavits, provided for in section 6 of this act, and file with them, in numerical order as received, and the names of candidates of the same office shall be placed on the ballot in the same numerical order. In case of fees paid to the secretary of state as aforesaid, he shall immediately after the last day for filing affidavits of candidacy, and at the time of certifying such candidacies to the county auditors, as provided for in section 6 of this act, divide the amounts of the fees of candidates paid to him equally between

the counties before whose electors they are candidates for nomination, and issue warrants for said amounts to the state treasurer, who will remit and pay the same at once to the treasurer of said counties respectively.

Sec. 15. Any person offering or giving a bribe to any elector for the purpose of influencing his vote at any primary election, or any elector entitled to vote at such primary election receiving and accepting such bribe, any person making false answer to any of the provisions of section 5 of this act relative to his qualifications and party affiliations; any person wilfully voting or offering to vote at a primary election who has not been a resident of this state for six months next preceding said primary election, or who, at the primary election, is not twenty-one years of age, or is not a citizen of the United States; any person knowing himself not to be a qualified elector of such precinct and primary election where he offers to vote; or any person violating the provisions of this act or of the code, as may be hereto applied, and any person knowingly procuring, aiding, abetting such violation, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not to exceed one hundred dollars, or be imprisoned in the county jail not to exceed thirty days. All acts and sections of the code and of the acts of the Twenty-seventh General Assembly, in conflict herewith, are hereby repealed.

Sec. 16. Nothing in this act shall be construed as amending or changing in any way the manner of certification of nominations to the county auditors and secretary of state, or of the placing of the names of said nominees on the official ballot for the November election.

Sec. 17. This act shall take effect and be in force from and after January 1, 1903, and the same shall be published in the official papers of each county at the expense of the respective counties.

GARDNER COWLES,  
*Chairman.*

Ordered passed on file.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 194, a bill for an act for the relief of John Carsner, and for the purpose of having a patent issued in his name for a certain tract of land.

Also, House File No. 179, a bill for an act for the relief of the grantees of John Noble and W. A. Noble, for the purpose of having a patent issued in their names for a certain tract of land.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Report adopted.

The Speaker announced that he had signed, in the presence of the House, House files Nos. 194 and 179.

Donahue of O'Brien called up his resolution which was laid over under rule 34, relative to sympathizing with the Boers, and moved its adoption.

Meservey of Webster moved that the resolution be referred to the committee on Federal Relations.

Warren of Marion and Hughes of Iowa, demanded a roll call on the motion, which resulted as follows:

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Campbell, Cassel, Christianson, Clarke, Crouse, Cruikshank, Cummings, Dunham, Edwards, Eiker, English, Fields, Graff, Hasselquist, Hawk, Head, Hilsinger, Jenks, Jones, Lyman, McClure, McClurkin, Meservey, Moore, Payne, Roome, Secor, Sokol, Sweeley, Teachout, Temple, Wilson of Washington, Wise, Mr. Speaker—39.

The nays were:

Messrs. Buchanan, Calderwood, Carter, Cheney, Colclo, Cowles, Cruikshank, Donahue, Freeman, Frudden, Furry, Gilchrist, Greeley, Hamann, Hertert, Hufschmidt, Hughes, Jaeger, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Larrabee, Leech, McNie, Marshall, Mattes, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Springer, Townsend, Walden, Warren, Whiting, Wilson of Buena Vista, Wright—44.

Absent or not voting:

Messrs. Blakemore, Boysen, Carden, Coburn, Davenport, Dodds, Flenniken, Greene, Hurn, Koontz, Stratton, Stuckslager, Sweet, Utterback, Willett—17.

So the motion was lost.

Jenks of Pottawattamie moved to amend the resolution by striking out the word "legislature" and inserting the words "House of Representatives."

Adopted.

Hawk of Jasper moved to lay the resolution on the table.

Warren of Marion and Langan of Clinton demanded the yeas and nays on this motion.

On the question, Shall the motion prevail?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Buchanan, Campbell, Cassel, Cheney, Christianson, Clarke, Cummings, Dunham, Edwards, Eiker, English, Fields, Freeman, Furry, Graff, Hasselquist, Hawk, Head, Hilsinger, Hurn, Jenks, Jones, Kling, Leech, Lyman, McClure, McClurkin, Meservey, Moore, Nagle, Patton, Payne, Pritchard, Roome, Secor, Sokol, Stuckslager, Sweeley, Teachout, Temple, Townsend, Willett, Wilson of Washington, Wise, Mr. Speaker—51.

The nays were:

Messrs. Calderwood, Carter, Colclo, Cowles, Crouse, Cruikshank, Donahue, Frudden, Gilchrist, Greeley, Greene, Hamann, Hertert, Hufschmidt, Hughes, Jaeger, Keagy, Kendall, Kerr, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larabee, McNie, Marshall, Mattes, Mordhorst, Nichols, Pipher, Powers, Robinson, Springer, Walden, Warren, Whiting, Wilson of Buena Vista, Wright—38.

Absent or not voting:

Messrs. Blakemore, Boysen, Carden, Coburn, Davenport, Dodds, Flenniken, Stratton, Sweet, Utterback, Walters—11.

So the resolution was tabled.

#### INTRODUCTION OF BILLS.

By Warren of Marion, House file No. 367, a bill for an act to legalize the ordinances of the town of Swan, Marion county, and the official acts of the mayor and recorder thereof in the publication of said ordinances.

Read first and second time and referred to committee on Judiciary.

By Barker of Howard, House file No. 368, a bill for an act legalizing the ordinances and resolutions passed by the incorporated town of Cresco, Howard county, and also of the city of Cresco, in said county.

Read first and second time and referred to committee on Judiciary.

By Wilson of Buena Vista (by request), House file No. 369, a bill for an act to amend section 1610, 1614, 1615 and 1617 of the code, relating to corporations for pecuniary profit.

Read first and second time and referred to committee on Judiciary.

By Wilson of Buena Vista (by request), House file No. 370, a bill for an act to amend section 5049, 5050 and 5051 of the code, relating to label, trade-mark or form of advertisement.

Read first and second time and referred to committee on Private Corporations.

By Meservey of Webster, House file No. 371, a bill for an act providing for a uniform policy to be used exclusively by all fire insurance companies doing business in the state of Iowa.

Read first and second time and referred to committee on Insurance.

By Wilson of Washington, House file No. 372, a bill for an act to amend section 4872 of the code, relating to the punishment of the crime of perjury and providing for commitment to the grand jury therefor by the trial judge.

Read first and second time and referred to committee on Judiciary.

By Buchanan of Wapello, House file No. 373, a bill for an act to repeal section 2812 of the code, section 1 of chapter 95 of the acts of the Twenty-seventh General Assembly and chapter 142 of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor providing for the issuance of school bonds.

Read first and second time and referred to committee on Schools and Text-Books.

By Edwards of Butler, House file No. 374, a bill for an act to amend section 1709 of the code, relating to insurance.

Read first and second time and referred to committee on Insurance.

By Furry of Hardin, House file No. 375, a bill for an act to

amend section 28 of chapter 118 of the laws of the Twenty-seventh General Assembly, in relation to insane patients.

Read first and second time and referred to committee on Hospital for the Insane.

By Furry of Hardin, House file No. 376, a bill for an act to repeal section 2253 of the code and enact a substitute therefor in relation to hospitals for the insane.

Read first and second time and referred to committee on Hospital for the Insane.

By Hughes of Iowa, House file No. 377, a bill for an act to amend section 360 of the code, entitled "When guarantee company may be accepted as surety."

Read first and second time and referred to committee on Judiciary.

Hawk of Jasper offered the following resolution:

WHEREAS, The state of Iowa is annually expending large sums of money for the extension and support of the state educational institutions without having adopted any settled policy of support or any definite plan as to their relation to, or co-ordination with each other; therefore be it

*Resolved*, That it is the sense of this House that in order to secure efficiency, uniformity, harmonious co-operation and economy, the state educational institutions should all be placed under one management and that some definite policy should be adopted as to the manner of their support.

Laid over under rule 34.

Townsend of Calhoun moved that House file No. 168 be made a special order for Tuesday, March 11, at 10 A. M.

Carried.

#### BILLS ON THEIR PASSAGE.

On motion of Hufschmidt of Allamakee, House file No. 62, a bill for an act to amend section 441 of the code, relating to compensation of official papers, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Hughes of Iowa moved to amend by striking out the word

"nineteen," in section 1, and inserting in lieu thereof the word "eighteen."

Carried.

Mr. Hufschmidt moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Blakemore, Cheney, Coburn, Colclo, Cruikshank, Donahue, Edwards, Eiker, English, Flenniken, Freeman, Frudden, Furry, Hasselquist, Head, Hertert, Hufschmidt, Jaeger, Jenks, Kolthoff, Koontz, Langan of Clinton, Leech, McClure, McClurkin, Mattes, Mordhorst, Nagle, Patton, Pipher, Pritchard, Robinson, Springer, Stuckslager, Sweeley, Temple, Wise, Whiting, Wright, Mr. Speaker—44.

The nays were:

Messrs. Barker, Black, Calderwood, Carter, Christianson, Clarke, Cowles, Crouse, Cummings, Dunham, Fields, Gilchrist, Greene, Hawk, Hughes, Hurn, Jones, Kendall, McNie, Meservey, Moore, Nichols, Payne, Powers, Roome, Sokol, Stratton, Warren, Wilson of Buena Vista, Wilson of Washington—30.

Absent or not voting:

Messrs. Boysen, Buchanan, Campbell, Carden, Cassel, Davenport, Dodds, Graff, Greeley, Hamann, Hilsinger, Keagy, Kerr, Kling, Langan of Crawford, Larrabee, Lyman, Marshall, Secor, Sweet, Teachout, Townsend, Utterback, Walden, Walters, Willett—26.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Wilson of Buena Vista, Senate file No. 122, a bill for an act to amend section 2, chapter 67 of the laws of the Twenty-eighth General Assembly, relating to savings banks, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.



Carter of Sioux moved to amend section 1 by striking out all of the third line of the printed bill, after the first word "the" up to and including the word "contained", in the third line, and inserting in lieu thereof the words "fifth line of said section".

Adopted.

Colclo of Carroll moved to amend by striking out publication clause.

Lost.

Jaeger of Des Moines moved to amend by striking out the period, at the end of section 2, and inserting in lieu thereof a comma, and immediately following the comma add the following: "without expense to the state."

Lost.

Wilson of Buena Vista moved that the rules be suspended that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Barker, Barkley, Bealer, Blakemore, Boysen, Buchanan, Calderwood, Carter, Cassel, Cheney, Clarke, Coburn, Cowles, Dodds, Edwards, Fields, Freeman, Gilchrist, Graff, Greeley, Head, Hilsinger, Hufschmidt, Hughes, Jenks, Keagy, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Nagle, Pipher, Pritchard, Robinson, Roome, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Temple, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Mr. Speaker—54.

The nays were:

Messrs. Anderson, Bailey, Black, Campbell, Christianson, Colclo, Crouse, Cruikshank, Cummings, Donahue, Dunham, Eiker, English, Flenniken, Frudden, Furry, Greene, Hasselquist, Hawk, Hertert, Jaeger, Jones, Kendall, Kolthoff, McClure, Marshall, Moore, Mordhorst, Nichols, Patton, Payne, Powers, Secor, Springer, Townsend, Walden, Whiting, Wright—38.

Absent or not voting:

Messrs. Carden, Davenport, Hamann, Hurn, Larrabee, Teach-out, Utterback, Walters—8.

So the bill passed and the title was agreed to.

On motion of Cummings of Marshall, House file No. 35, a bill for an act to amend section 254 of the code, relating to compensation of shorthand reporters, with report of committee recommending passage, as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Cummings the amendment of the committee was adopted.

Hasselquist of Lucas moved to amend by inserting the figures "(254)" after the words "two hundred fifty-four" in section 1, line 1, also insert the figures "(\$1,200)," after the word "dollars" in sixth line, section 2; also after word "six" insert figures "(\$6.00)" in first line of section 3.

Adopted.

Mr. Cummings moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carter, Cassel, Cheney, Christianson, Clarke, Colclo, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Springer, Stratton, Stuckslager, Sweeley, Sweet, Temple, Townsend, Utterback, Walden, Willett, Wilson of Buena Vista, Wright, Mr. Speaker—79.

The nays were:

None.

Absent or not voting:

Messrs. Carden, Coburn, Cowles, Davenport, Greeley, Jones, Koontz, Langan of Clinton, Larrabee, Marshall, Nagle, Payne, Pritchard, Sokol, Teachout, Walters, Warren, Whiting, Wilson of Washington, Wise—21.

So the bill passed.

Mr. Cummings moved to amend the title by striking out the words "amend section 254," and inserting the words "repeal section two hundred fifty-four (254)"; also add to the title "and enact a substitute therefor."

Carried and the title, as amended, was agreed to.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

Concurrent resolution relative to the publication of 1,000 copies of the report of the commission appointed to investigate the cause of explosions in coal mines of Iowa.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 10, a bill for an act to repeal chapter 97 of the acts of the Twenty-eighth General Assembly and to enact a substitute therefor, providing for the levy of a special tax of one-fifth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the State University of Iowa.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 153, a bill for an act to repeal chapter 99 of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor,

providing for the levy of a special tax of one-fifth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the Iowa State College of Agriculture and Mechanic Arts.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Carter of Sioux, House adjourned till 2 P. M.

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### AFTERNOON SESSION.

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House met pursuant to adjournment, Speaker Eaton in the chair.

Jones of Mahaska called attention to the fact that on March 4th, on page 537 of the Journal, in his first amendment to House file No. 145, the words, "or in some parochial school for like period," have been omitted from this amendment as passed by the House. The words were inserted at the end of the amendment by unanimous consent, and he asked that the Journal of today show that such amendment, with the above words added, was passed by the House when House file No. 145 was under consideration, the omission not being discovered in time to make the correction in the Journal of March 4th.

The amendment as correctly stated and passed by the House follows:

Amend House file No. 145 by striking out the period at the end of section 4 and insert a comma in lieu thereof, and adding the following words: "and the society or person so adopting shall be required to keep such child, if over 7 years of age and under 14 years of age, in school during the school sessions of the school district in which said child is kept, or in some parochial school for like period."

Mr. Jones also asked that the Chief Clerk be instructed to insert the omitted words in the proper place on page 537, in his certified copy of the House Journal when such Journal is certified to the secretary of state.

Granted by unanimous consent.

### REPORTS OF COMMITTEE.

Carter of Sioux, from the committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 309, a bill for an act authorizing the council in towns and cities having a population of five thousand inhabitants or less, to appropriate money from their general fund, for the improvement and maintenance of public parks, and providing for the expenditure thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended, and when so amended that the same do pass.

Amend by striking out section three (3).

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 256, a bill for an act to amend sections seven hundred twenty (720) and seven hundred twenty-four (724) of the code, relating to the powers of cities and towns, and to authorize cities and towns to purchase, establish, erect, maintain, operate, lease and sell telephone plants or systems, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Sweeley of Woodbury filed the following minority report on House file 256:

MR. SPEAKER—The undersigned, members of the committee to which was referred House file No. 256, a bill for an act to amend sections 720 and 724 of the code, relating to the powers of cities and towns and to authorize cities and towns to purchase, establish, erect, maintain, operate, lease and sell telephone plants or systems, beg leave to report that they have had the same under consideration and recommend that the same do pass.

M. J. SWELEY,  
LOUIS M. JAEGER,  
C. W. CARTER.

Ordered passed on file.

On motion of McClurkin of Louisa, leave of absence was granted Carden of Henry until Tuesday morning.

## INTRODUCTION OF BILLS.

By Donahue of O'Brien, House file No. 378, a bill for an act legalizing acts of the county auditor and the board of supervisors of Lyon county.

Read first and second time and referred to committee on Judiciary.

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote by which House file No. 62 was lost on passage; also the vote by which the same passed to its third reading.

C. S. CROUSE.

I second the motion.

A. J. WILSON.

Kendall of Monroe moved that the committee report on Senate joint resolution No. 3 be made a special order for Thursday, March 13, at 10:30 A. M.

Carried.

House file No. 262, a bill for an act to repeal sections 2, 3, 6, and 7 of chapter 45 of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor, and to amend section 1, chapter 45, acts of the Twenty-eighth General Assembly, relating to the taxation of express companies, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Edwards of Butler, the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 154, a bill for an act in relation to the destruction of the English sparrow and the protection of American birds, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Cruikshank of Lee, the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Calderwood of Scott, House file No. 244, a bill for an act to repeal section 2692 of the code, and section 5 of chapter 78 of the acts of the Twenty-seventh General Assembly, relating to the support of children in the Iowa Soldiers' Orphans'

Home, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Calderwood moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Buchanan, Calderwood, Campbell, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dodds, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Larrabee, Leech, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Temple, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—84.

The nays were:

None.

Absent or not voting:

Messrs. Boysen, Carden, Davenport, Dunham, Greely, Hawk, Keagy, Koontz, Langan of Crawford, Lyman, Marshall, Springer, Sweet, Teachout, Townsend, Walters—16.

So the bill passed and the title was agreed to.

On motion of Hasselquist of Lucas, House file No. 40, a bill for an act to amend section 1530 of the code, relating to the working of highways, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Edwards of Butler moved to strike out the word "monies" and insert the word "moneys", in line five of the printed bill.

Adopted.

Mr. Hasselquist moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Campbell, Carter, Cassel, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Frudden, Furry, Gilchrist, Graff, Hasselquist, Head, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Larabee, Leech, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Teachout, Temple, Utterback, Warren, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—76.

The nays were:

Messrs. Cheney, Christianson, Freeman, Greene, Jenks, Jones, Walden—7.

Absent or not voting:

Messrs. Buchanan, Carden, Davenport, Greeley, Hamann, Hawk, Hertert, Keagy, Koontz, Lyman, Marshall, Nagle, Payne, Sweet, Townsend, Walters, Wilson of Washington—17.

So the bill passed and the title was agreed to.

Cruikshank of Lee announced that he understood that ex-Governor Francis of Missouri, "Private John" Allen of Mississippi, Fred Lehman and others of St. Louis, were in the building at the time, and moved that the Speaker appoint a committee of three to invite them to appear before the House.

Carried.

Speaker appointed as such committee, Cruikshank of Lee, Meservey of Webster and Temple of Clarke.

Springer of Buchanan in the chair.



On motion of Warren of Marion, concurrent resolution relative to the state of Iowa asserting its rightful claim to the unqualified ownership of all the land in this state originally designated as meandered lake beds, and memorializing the congress of the United States to preserve and protect all its rights and interest in said lands by appropriate legislation, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Speaker Eaton in the chair.

Cowles of Kossuth moved that the resolution be laid upon the table.

Carried, on a division of the House, by a vote of 38 for and 27 against.

The committee appointed to invite the members of the Louisiana Purchase exposition to visit the House in session appeared and conducted the distinguished visitors to the Speaker's desk.

The Speaker introduced to the members of the House, ex-Gov. D. R. Francis of St. Louis, John M. Allen of Mississippi, Hon. Fred. W. Lehman, Judge W. F. Boyle, Pierre Chouteau and L. D. Dozier. Brief speeches were made by Messrs. Francis Allen, Lehman and Boyle, after which the visitors withdrew.

On motion of Hurn of Cerro Gordo, House adjourned till 9 A. M. tomorrow, Saturday, March 8th.

HALL OF THE HOUSE OF REPRESENTATIVES }  
 DES MOINES, Saturday, March 8, 1902. }

The House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. A. T. Shortess of Hedrick Iowa.

The Journal of Thursday, March 6th, was corrected and approved.

On motion of Wilson of Washington, leave of absence was granted Messrs. Sweet of Bremer, Larrabee of Fayette, Eiker of Decatur, Townsend of Calhoun, Pritchard of Wright, Coburn of Cherokee, Hasselquist of Lucas, Dodds of Des Moines, Crouse of Adams, Edwards of Butler, until Monday.

On motion of Donahue of O'Brien, leave of absence was granted Willett of Woodbury until Tuesday.

On motion of Langan of Clinton, leave of absence was granted Mordhorst of Clinton until Tuesday.

PETITIONS AND MEMORIALS.

Powers of Floyd presented petition of citizens of Floyd county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Wright of Guthrie presented petition of citizens of Guthrie county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

McNie of Benton presented petition of citizens of Benton county asking equal suffrage.

Referred to committee on Constitutional Amendments.

Nichols of Muscatine presented petition of citizens of Muscatine county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Jaeger of Des Moines presented remonstrance of citizens of Burlington, against House file No. 184.

Referred to committee on Judiciary.

Jaeger of Des Moines presented petitions of insurance agents of Burlington, urging the passage of House file No. 279.

Referred to committee on Insurance.

Blakemore of Taylor presented petition of citizens of Taylor county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Kling of Harrison presented petition of citizens of Little Sioux, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Robinson of Emmet presented petition of citizens of Dickinson county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Mr. Speaker presented petition of sixty citizens of Mitchell county, relative to equal suffrage.

Referred to committee on Constitutional Amendments.

Carter of Sioux presented petition of citizens of Sioux county, relative to equal suffrage.

Referred to committee on Constitutional Amendments.

Kendall of Monroe presented petition of citizens of Monroe county, relative to equal suffrage.

Referred to committee on Constitutional Amendments.

Buchanan of Wapello presented petition of citizens of Ottumwa, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Mr. Lyman, from the committee on Enrolled Bills, submitted the following report:

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval, House file No. 194, a bill for an act for the relief of the grantees of John Carsner, and for the purpose of having a patent issued in his name for a certain tract of land.

Also, House file No. 179, a bill for an act for the relief of the grantees of John Noble and W. A. Noble, and for the purpose of having a patent issued in their names for a certain tract of land.

J. P. LYMAN,  
*Chairman.*

March 7, 1902.

Report adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 18, a bill for an act to amend section forty-seven hundred ninety (4790) of the code, in relation to the possession of burglars' tools.

Also, Senate file No. 40, a bill for an act to legalize the incorporation of certain corporations incorporated under the laws of the state of Iowa.

Also, Senate file No. 96, a bill for an act to amend section two hundred ninety-six (296) of the code, relating to fees in probate matters.

Also, Senate file No. 108, a bill for an act to amend section five thousand seven hundred sixteen (5716) of the code, in relation to the compensation of officers and employes of the penitentiaries of the state.

Also, Senate file No. 46, a bill for an act to amend sections two thousand eighty-four (2084), two thousand eighty-five (2085), two thousand eighty-six (2086), two thousand eighty-seven (2087), two thousand eighty-eight (2088), two thousand eighty-nine (2089), two thousand ninety (2090), two thousand ninety-one (2091) of the code, relating to taxes in aid of railroads, and extending the provisions thereof to trolley and electric railways.

J. P. LYMAN,  
*Chairman House Committee.*

E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

REPORTS OF COMMITTEES.

Anderson of Warren, from the committee on Printing, submitted the following report:

MR. SPEAKER—Your committee on Printing, to whom was referred House file No. 320, a bill for an act to repeal section four hundred forty-one (441) of the code and to enact a substitute therefor in relation to the publishing of the proceedings of the board of supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. M. ANDERSON,  
*Chairman.*

Ordered passed on file.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 184, a bill for an act to amend section 4011 of the code, relative to personal earnings, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Report adopted and the bill indefinitely postponed, on motion of Mr. Clarke.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 111, a bill for an act to amend section 255 of the code, relating to superior courts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 378, a bill for an act legalizing acts of the county auditor and of the board of supervisors of Lyon county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

That section 2 be numbered as "Section 3", and the following be inserted:

"Section 2. That the provisions of this act shall in no wise affect any pending litigation."

And when so amended the same do pass.

G. W. CLARKE,  
*Chairman*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 363, a bill for an act to legalize the ordinances and resolutions passed by the incorporated town of Cresco, Howard county, Iowa, and also of the city of Cresco in said county and state, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 365, a bill for an act to authorize the granting to C B. & Q. railroad company, its successors or assigns, a right-of-way through lands owned by the state, and used by the Institution for Feeble-Minded Children at Glenwood, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 353, a bill for an act to amend section 482 of the code, relating to duties of the county treasurer, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Report adopted and the bill indefinitely postponed, on motion of Mr. Clarke.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 361, a bill for an act to amend section 4295 of the code, relative to the satisfaction of mortgages, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Report adopted and the bill indefinitely postponed, on motion of Mr. Clarke.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 372, a bill for an act to amend section 4872 of the code, relating to the punishment of the crime of perjury; and providing for commitment to the grand jury therefor by the trial judge, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out the word "Justice" in the fifth line of section 1 and inserting in lieu thereof the word "record", and when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Carter of Sioux, from the committee on Constitutional Amendments submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 273, a bill for an act to amend section six hundred sixty-one (661) and section six hundred seventy-four (674) of the title five (5), chapter two (2) of the code of 1897, relating to assessors in cities and towns, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by committee substitute hereto attached, and when so amended that the same do pass.

COMMITTEE SUBSTITUTE FOR HOUSE FILE NO. 273.

A bill for an act to amend section six hundred sixty-one (661) and section six hundred seventy-four (674), relating to assessors in cities and towns.

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

Section 1. That section six hundred sixty-one (661) of the code, relating to assessors in cities and towns be and the same is hereby amended by adding thereto the following: "Except that in cities of the first class having a population of sixty thousand or over the board of supervisors of the county shall furnish the assessor with supplies and office. And said assessor shall appoint such number of deputies as the board of supervisors may authorize, such appointments to be approved by the said board."

Sec. 2. That section six hundred seventy-four (674) of the code, relating to assessors in cities and towns be and the same is hereby amended by adding thereto the following: "Except that in cities of the first class having a population of sixty thousand or over the compensation of the chief assessor shall not be more than three dollars (\$3) per calendar day, Sundays excepted, and that of the deputies at not more than two dollars and fifty cents (\$2.50) per calendar day, Sundays excepted, to be fixed by the board of supervisors in both cases."

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Carter of Sioux, from the committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 255, a bill for an act to amend section seven hundred twenty five (725) of the code, relating to the powers of cities and towns to supervise and control telephone plants or systems, to prescribe regulations relating thereto, and to fix and regulate telephone rates and service, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by the committee substitute hereto attached and, when so amended, that the same do pass.

COMMITTEE SUBSTITUTE FOR SECTIONS 1 AND 2 OF HOUSE FILE NO. 255.

Section 1. That section seven hundred and twenty-five (725) of the code be amended by inserting after the word "plant," in the third line the words "or any telephone plant," and by inserting the words "telephone and telephone service" and a comma after the word "with" where it first occurs in the fifth line; and after the word "with" in the sixth line; and after the word "for" in the seventh line; and after the word "of" in the eighth line of said section.

Sec. 2. This act shall not be construed as giving to cities and towns the right to change the rates, rents or charges fixed by any existing franchise or charter held by a person, or company, or corporation owning or operating a telephone plant.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Wilson of Buena Vista submitted the following report:

MR. SPEAKER—Your committee on Banks and Banking, to whom was referred House file No. 16, a bill for an act to repeal sections 111, 112, 113 and 114 of the code, and authorize the establishment of a depository or depositories for state funds, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

A. J. WILSON,  
*Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS.

By Langan of Clinton, House file No. 379, a bill for an act requiring the examination and providing for the licensing of municipal and county engineers, and for the protection of public property and public health.

Read first and second time and referred to committee on Public Health.



By Hamann of Scott, House file No. 380, a bill for an act to amend section 2425 of the code, in relation to payments or compensation for intoxicating liquors.

Read first and second time and referred to committee on Judiciary.

By Jaeger of Des Moines, House file No. 381, a bill for an act to amend section 2 of chapter 30 of the acts of the Twenty-eighth General Assembly, relating to the duties and compensation of park commissioners in certain cities.

Read first and second time and referred to committee on Judiciary.

#### SENATE MESSAGES CONSIDERED.

Senate file No. 153, a bill for an act to repeal chapter 99 of the Twenty-eighth General Assembly, and to enact a substitute therefor providing for a levy of a special tax of one-fifth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the Iowa State College of Agriculture and Mechanic Arts.

Read first and second time and referred to committee on Ways and Means.

Senate file No. 10, a bill for an act to repeal chapter 97 of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor providing for the levy of a one-fifth mill on the dollar upon the assessed valuation of the taxable property of the state for the erection, repair, improvement of buildings for the State University of Iowa.

Read first and second time and referred to committee on Ways and Means.

On motion of Clarke of Dallas, House file No. 124 was recommitted to the committee on Judiciary.

On motion of Jones of Mahaska, House file No. 290 was referred to the committee on Judiciary and allowed to retain its place in the calendar.

## BILLS ON THEIR PASSAGE.

On motion of Clarke of Dallas, House file No. 241, a bill for an act to amend section 1759 of the code, and to provide for the insurance of plate glass, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Clarke moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Cassel, Cheney, Christianson, Clarke, Colclo, Donahue, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Teachout, Temple, Walden, Wilson of Buena Vista, Wilson of Washington, Wright, Mr. Speaker—71.

The nays were:

None.

Absent or not voting:

Messrs. Carden, Carter, Coburn, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Dunham, Edwards, Eiker, Greeley, Hamann, Hasselquist, Hurn, Larrabee, Marshall, Mordhorst, Pritchard, Stuckslager, Sweet, Townsend, Utterback, Walters, Warren, Whiting, Willett, Wise—29.

So the bill passed and the title was agreed to.

On motion of Teachout of Polk, House file No. 260, a bill for an act to amend section 2008 of the code, relating to filing of transcript in condemnation proceedings, with report of committee

recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Teachout moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Cheney, Christianson, Clarke, Colclo, Donahue, English, Fields, Flenniken, Freeman, Frudden, Furry, Greeley, Greene, Hawk, Head, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Teachout, Utterback, Walden, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—68.

The nays were:

None.

Absent or not voting:

Messrs. Carden, Carter, Cassel, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Dunham, Edwards, Eiker, Gilchrist, Graff, Hamann, Hasselquist, Hilsinger, Larrabee, Marshall, Mordhorst, Powers, Pritchard, Stuckslager, Sweet, Temple, Townsend, Walters, Warren, Whiting, Willett—32.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, Senate file No. 21, a bill for an act to amend section 1400 of the code, to make taxes levied on buildings as personal taxes a lien thereon, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Kendall moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Campbell, Cassel, Cheney, Christianson, Clarke, Colclo, Cowles, Donahue, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greely, Greene, Hamann, Hawk, Head, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolt-hoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClure, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Temple, Utterback, Walden, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—73.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Carden, Carter, Coburn, Crouse, Cruikshank, Cummings, Davenport, Dodds, Dunham, Edwards, Eiker, Hasselquist, Hilsinger, Larrabee, McClurkin, Marshall, Mordhorst, Payne, Pritchard, Sweet, Teachout, Townsend, Walters, Warren, Whiting, Willett—27.

So the bill passed and the title was agreed to.

The hour having arrived, special order No. 10, Senate file No. 234, a bill for an act to authorize the improvement of the channels of meandered streams dividing the territory within the corporate limits of certain cities, and to authorize the reclaiming of waste lands between the meandered lines of said streams within said corporate limits, and to create a commission therefor, and defining its powers and prescribing its duties, was taken up and considered.

Bealer of Linn, offered the following amendments and moved their adoption:

That the title of the printed bill be amended by striking out the word "waste", in the third line thereof.

That the second "Whereas" of the printed bill be amended by striking out the word "waste", in the first line thereof.

That the third "Whereas" of the printed bill be amended by striking out the word "waste", in the first line thereof.

That section 3 of the printed bill be amended by striking out the word "board", in the sixth line thereof and inserting in lieu thereof the word "commission".

That section 3 of the printed bill be amended by striking out the word "board", in the seventh line thereof and inserting in lieu thereof the word "commission".

That section 4 of the printed bill be amended by inserting after the word "the", in the first line thereof the words "fee simple".

That section 5 of the printed bill be amended by striking out the word "waste," in the first line thereof.

That section 6 of the printed bill be amended by striking out the word "waste," in the second line thereof.

That section 5 of the printed bill be amended by inserting the letter "d" at the end of the word "base," in the fourth line thereof.

That section 7 of the printed bill be amended by striking out the word "now," in the second line thereof; and all after the word "it," in the fifth line, and the words "desirable for its purposes," in the sixth line thereof.

That section 7 of the printed bill be amended by inserting after the word "estate," in the first line, the words "and riparian and other rights," and by inserting in the second line, after the word "condemnation," the words "for the public uses herein authorized;" and by substituting for the word "may," in the third line, the word "shall;" and by inserting after the word "successors," in the fourth line, the words "in trust for the public;" and by inserting after the word "sell," in the fourth line, the words "and convey;" and by inserting after the word "it," in the fifth line thereof, the words "by virtue of this act and otherwise."

That section 8 of the printed bill be amended by inserting after the word "amounts," in the second line, the word "as"; and by inserting after the word "property," in the third line, the words "acquired by, virtue of this act and otherwise."

That section 12 of the printed bill be amended by inserting after the third word of the fourth line, the words, "within the corporate limits of such city."

That section 13 of the printed bill be amended by inserting after the word "to," in the sixth line, the words "or by."

That section 15 of the printed bill be amended by striking out all of lines two and three, and inserting after the word "charter," in the first line thereof, the following words: "and cities of the first class acting under

the general incorporation laws having a population of less than twenty-five thousand (25,000).'

The motion prevailed and the amendments were adopted.

Head of Greene moved to amend Senate file No. 234 by striking out the period at the end of section 16 and substituting a comma therefor; and by adding thereto, "without expense to the state.'

Carried.

Mr. Bealer moved that the rules be suspended, and that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs: Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Campbell, Carter, Cassel, Cheney, Christianson, Clarke, Colclo, Cowles, Cruikshank, Donahue, Dunham, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Sokol, Springer, Stratton, Stuckslager, Sweeley, Teachout, Temple, Utterback, Walden, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—78

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Carden, Coburn, Crouse, Cummings, Davenport, Dodds, Edwards, Eiker, Hasselquist, Larrabee, Marshall, Mordhorst, Payne, Pritchard, Secor, Sweet, Townsend, Walters, Warren, Whiting, Willett—22.

So the bill passed and the title was agreed to.

Lyman of Poweshiek in the chair.

The following explanation of vote was filed:

**MR. SPEAKER**—In my opinion section one (1) of Senate file No. 234 is in conflict with section one (1) of article 8 of the constitution of Iowa, but I vote aye because the bill is not general in its nature and appears to be satisfactory to the cities affected thereby.

M. J. SWEELEY.

On motion of Temple of Clarke, Senate file No. 157, a bill for an act to validate certain conveyances of real estate in which the husband or wife conveyed the contingent dower interest of the other spouse, with the report of committee recommending passage as amended by substitute, was taken up, considered and the report of the committee adopted.

Mr. Temple moved the adoption of the committee substitute as an amendment to the bill.

Adopted.

Mr. Temple moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carter, Cassel, Cheney, Christianson, Clarke, Cowles, Cruikshank, Donahue, Dunham, English, Fields, Flenniken, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Sokol, Springer, Stratton, Stuckslager, Sweeley, Teachout, Temple, Utterback, Walden, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—78.

The nays were:

None.

Absent or not voting:

Messrs. Carden, Coburn, Colclo, Crouse, Cummings, Daven-

port, Dodds, Edwards, Eiker, Freeman, Hasselquist, Larrabee, Marshall, Mordhorst, Pritchard, Secor, Sweet, Townsend, Walters, Warren, Whiting, Willett—22.

So the bill passed and the title was agreed to.

On motion of Anderson of Warren, House file No. 334, a bill for an act to amend sections 125 and 126 of the code, relating to the printing, binding and distribution of public reports and documents, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Anderson moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carter, Cassel, Cheney, Clarke, Cowles, Cruikshank, Donahue, Dunham, English, Fields, Flenniken, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Sokol, Springer, Stratton, Sweeley, Teachout, Temple, Utterback, Walden, Warren, Wilson of Buena Vista, Wilson of Washington, Wise, Wright—73-

The nays were:

None.

Absent or not voting:

Messrs. Carden, Christianson, Coburn, Colclo, Crouse, Cummings, Davenport, Dodds, Edwards, Eiker, Freeman, Hasselquist, Hurn, Langan of Crawford, Larrabee, Marshall, Mordhorst, Payne, Pritchard, Secor, Stuckslager, Sweet, Townsend, Walters, Whiting, Willett, Mr. Speaker—27.

So the bill passed and the title was agreed to.

On motion of Donahue of O'Brien, House file No. 378, a bill



for an act legalizing acts of the county auditor and of the board of supervisors of Lyon county, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Donahue the committee amendments were adopted.

Mr. Donahue moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

Speaker Eaton in the chair.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood Campbell, Carter, Cassel, Cheney, Clarke, Cruikshank, Donahue, Dunham, English, Flenniken, Frudden, Furry, Graff, Hamann, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagey, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Payne, Pipher, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Teachout, Temple, Walden, Warren, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—72.

The nays were:

Nore.

Absent or not voting:

Messrs. Bailey, Carden, Christianson, Coburn, Colclo, Cowles, Crouse, Cummings, Davenport, Dodds, Edwards, Eiker, Fields, Freeman, Gilchrist, Greeley, Greene, Hasselquist, Langan of Crawford, Larrabee, Mordhorst, Sweet, Townsend, Utterback, Walters, Whiting, Willet—28.

So the bill passed and the title was agreed to.

On motion of Barker of Howard, House file No. 368, a bill for an act legalizing the ordinances and resolutions passed by the

incorporated town of Cresco, Howard county, and also of the city of Cresco, in said county, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Mr. Barker moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carter, Cassel, Cheney, Clarke, Cowles, Cruikshank, Donahue, Dunham, English, Fields, Flenniken, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Teachout, Temple, Utterback, Walden, Warren, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—74.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Carden, Christianson, Coburn, Colclo, Crouse, Cummings, Davenport, Dodds, Edwards, Eiker, Freeman, Greeley, Hasselquist, Hurn, Larrabee, Lyman, Mordhorst, Payne Pipher, Pritchard, Sweet, Townsend, Walters, Whiting, Willett—26.

So the bill passed and the title was agreed to.

On motion of Barkley of Boone, House file No. 263, a bill for an act repealing sections 2, 3, 4 and 5, chapter 116, acts of the Twenty eighth General Assembly, also defining the duties of Iowa library commission, transferring the associate and traveling libraries from the state library board to the Iowa library commission, and providing for an appropriation for the extension of

the work of the Iowa library commission; also amending section 168 of the code of 1897, and repealing sections 2868, 2869, 2871, 2873, 2874 of said code; also repealing chapter 148 of the acts of the Twenty-seventh General Assembly, was taken up, considered and the reports of the committees adopted.

Barkley of Boone moved to amend House file No. 263 by striking out of section 5 of the printed bill the word "April" and inserting in lieu thereof the word "July."

Adopted.

Mr. Barkley moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass.

The yeas were:

Messrs. Anderson, Barker, Barkley, Black, Blakemore, Boyesen, Buchanan, Calderwood, Campbell, Carter, Cassel, Cheney, Clarke, Colclo, Cowles, Cruikshank, Donahue, Dunham, English, Fields, Flenniken, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hawk, Head, Hufschmidt, Hughes, Jaeger, Jenks, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Crawford, Leech, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Powers, Robinson, Roome, Secor, Springer, Stratton, Stuckslager, Teachout, Walden, Warren, Wilson of Washington, Wise, Wright, Mr. Speaker—65.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Carden, Christianson, Coburn, Crouse, Cummings, Davenport, Dodds, Edwards, Eiker, Freeman, Greeley, Hasselquist, Hertert, Hilsinger, Hurn, Jones, Langan of Clinton, Larrabee, Lyman, Mordhorst, Payne, Pipher, Pritchard, Sokol, Sweeley, Sweet, Temple, Townsend, Utterback, Walters, Whiting, Willett, Wilson of Buena Vista—35.

So the bill passed and the title was agreed to.

## MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

Senate file No. 250, relative to creating a board of police and fire commissioners in cities of the first class having a population of more than 60,000, and defining the powers and duties of such board.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 283, a bill for an act to legalize the incorporation of Rudd, Floyd county.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill, in which the concurrence of the Senate was asked:

House file No. 88, a bill for an act amending section 2394 of the code, relating to the sale of intoxicating liquors by permit holders.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 215, a bill for an act to legalize the action of the town council of the incorporated town of Orleans, Dickinson county.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Substitute for Senate file No. 188 bill for an act to legalize certain instruments in writing which were defectively acknowledged.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the

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

Senate file No. 281, a bill for an act to repeal section 747 of the code, as amended, relating to the appointment of waterworks trustees in cities of the first class, and to enact a substitute therefor.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Relative to the interstate commerce law.

CONCURRENT RESOLUTION.

WHEREAS, It is generally believed that the effectiveness of the interstate commerce law has been seriously impaired by certain decisions of the federal courts, and that the law in its present state is practically inoperative in remedying the evils of the transportation service of the country, which was the purpose of its enactment; and,

WHEREAS, A bill designated as H. R. 8337 and S. 4575, known as the Nelson-Corliss bill, is now pending in the two houses of congress to amend the interstate commerce act by conferring upon the commission created thereby additional powers for the purpose of enabling it to enforce the provisions of the act, and giving its rulings immediate effect, pending review by the courts; therefore, be it

*Resolved*, By the Senate, the House concurring: That the senators and representatives in congress from this state be and are hereby respectfully requested to give said measure careful consideration, and to use their efforts in every proper way to secure its early enactment, or the enactment of some other measure which will afford the relief sought.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 304, a bill for an act to authorize the granting to the Chicago, Burlington & Quincy Railroad company, its successors or assigns a right-of-way through lands owned by the state and used by the Institution for the Feeble-Minded Children at Glenwood.

GEO. A. NEWMAN,  
*Secretary.*

Black of Mills called up Senate file No. 304 just message from the Senate.

The bill was read first and second time.

Mr. Black asked unanimous consent to take this bill up at this time and put it on its passage.

Granted.

Mr. Black moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carter, Cassel, Cheney, Christianson, Clarke, Colclo, Cowles, Cruikshank, Donahue, Dunham, English, Fields, Flenniken, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hawk, Head, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Leech, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Payne, Powers, Robinson, Roome Secor, Springer, Stratton, Stuckslager, Teachout, Utterback, Walden, Walters, Wilson of Washington, Wise, Wright, Mr. Speaker—71.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Carden, Coburn, Crouse, Cummings, Davenport, Dodds, Edwards, Eiker, Freeman, Greeley, Hasselquist, Hilsinger, Langan of Clinton, Langan of Crawford, Larrabee, Lyman, Mordhorst, Pipher, Pritchard, Sokol, Sweeley, Sweet, Temple, Townsend, Walters, Warren, Whiting, Willett, Wilson of Buena Vista—29.

So the bill passed and the title was agreed to.

Black of Mills asked unanimous consent to withdraw House file No. 365 from further consideration by this House.

Granted.

The following resolution, adopted by the state legislature of

Nebraska, was sent to secretary of state of Iowa, W. B. Martin, and by him messaged to the House:

*Be it Resolved*, If the Senate concur: That the state of Nebraska, by its legislature in session assembled, joins with the several states of the Union, in respectfully requesting the congress of the United States to call a convention for the purpose of proposing an amendment to the constitution of the United States, as provided in article five (5) of the said constitution, which amendment shall provide for the selection of the United States senators by direct vote of the people.

*Resolved*, That a copy of this resolution be sent to the secretary of state of each state in the United States, and to the president of the United States senate and the speaker of the house of representatives.

The Speaker announced that he had signed in the presence of the House the following bills: Senate files Nos. 18, 40, 96, 108, 46.

On motion of Jenks of Pottawattamie, House adjourned until 9:30 A. M., Monday, March 10th.

HALL OF THE HOUSE OF REPRESENTATIVES, {  
DES MOINES, Monday, March 10, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by Rev. Lawrence McCray of Valley Junction, Iowa.

Journal of Friday, March 7th, was corrected and approved.

On motion of Stratton of Montgomery, leave of absence was granted Wright of Guthrie until tomorrow.

On motion of Leech of Cedar, leave of absence was granted Anderson of Warren and Freeman of Pottawattamie until tomorrow.

On motion of Calderwood of Scott, leave of absence was granted Meservey of Webster until tomorrow.

On motion of Wilson of Washington, leave of absence was granted Messrs. Sweet, Edwards, Eiker, Larrabee and Townsend until tomorrow.

On motion of Mattes of Sac, leave of absence was granted Pipher of Cass until tomorrow.

PETITIONS AND MEMORIALS.

Wise of Black Hawk presented petition of citizens of Black Hawk county, relating to equal suffrage.

Referred to committee on Constitutional Amendments.

Marshall of Lee presented petition of ninety-three citizens of Lee county, relating to uniform insurance policies.

Referred to committee on Insurance.



Jenks of Pottawattamie presented petition of twenty-five firms and business men of Council Bluffs, favoring a standard insurance policy.

Referred to committee on Insurance.

Lyman of Poweshiek presented petition of citizens of Poweshiek county, relating to same subject.

Referred to committee on Insurance.

Stuckslager of Linn presented petition of thirty-five citizens of Marion, relating to same subject.

Referred to committee on Insurance.

Stucklager of Linn presented petition of twenty-four citizens of Mt. Vernon and Lisbon, relating to same subject.

Referred to committee on Insurance.

Jaeger of Des Moines presented petition of forty-six citizens of Des Moines county, relating to the same subject.

Referred to committee on Insurance.

Hufschmidt of Allamakee presented petition of fifty-three business men of Waukon and Lansing, relating to same subject.

Referred to committee on Insurance.

Cruikshank of Lee presented petition of seventy-three business men of Lee county, relating to same subject.

Referred to committee on Insurance.

Barkley of Boone presented petition of fifty-two business men of Boone, relating to same subject.

Referred to committee on Insurance.

Donahue of O'Brien presented petition of 210 business men of O'Brien and Sioux counties, relating to same subject.

Referred to committee on Insurance.

Powers of Floyd presented petition of eighty-one business men of Floyd county, relating to same subject.

Referred to committee on Insurance.

Sweeley of Woodbury presented petition of business men of Sioux City, relating to same subject.

Referred to committee on Insurance.

Hawk of Jasper presented petition of fifty-five citizens of Jasper county, relating to same subject.

Referred to committee on Insurance.

Secor of Winnebago presented petition of seventy-nine citizens of Mitchell, Worth and Winnebago counties, relating to same subject.

Referred to committee on Insurance.

Sokol of Jones presented petition of 100 business men of Jones county, relating to same subject.

Referred to committee on Insurance.

Nichols of Muscatine presented petition of forty-one citizens of Muscatine county, relating to same subject.

Referred to committee on Insurance.

Wise of Black Hawk presented petition of seventy-eight citizens of Black Hawk and Grundy counties, relative to same subject.

Referred to committee on Insurance.

Jones of Mahaska presented petition of 132 business men of Mahaska county, relating to the same subject.

Referred to committee on Insurance.

Springer of Buchanan presented petition of ninety-six business men of Buchanan county, relative to the same subject.

Referred to committee on Insurance.

Robinson of Emmet presented petition of twenty-seven business men of Emmet county, relating to same subject.

Referred to committee on Insurance.

Colclo of Carroll presented petition of business men of Carroll county, relating to same subject.

Referred to committee on Insurance.

Cheney of Clay presented petition of twenty-nine business men of Clay county, relating to the same subject.

Referred to committee on Insurance.

Walden of Wayne presented petition of thirty-four business men of Wayne county, relating to same subject.

Referred to committee on Insurance.

Cheney of Clay presented petition of twenty business men of Clay county, relating to same subject.

Referred to committee on Insurance.

Greeley of Story presented petition of twenty-six business men of Ames, relating to same subject.

Referred to committee on Insurance.

Greeley of Story presented petition of eight business men of Nevada, relating to same subject.

Referred to committee on Insurance.

Black of Mills presented petition of thirty-two men of Mill county, relating to same subject.

Referred to committee on Insurance.

Roome of Winneshiek presented petition of business men of Winneshiek and Howard counties, relating to same subject.

Referred to committee on Insurance.

Mattes of Sac presented petition of twenty business men of Sac county, relating to same subject.

Referred to committee on Insurance.

Buchanan of Wapello presented petition of sixty-seven business men of Ottumwa, relating to same subject.

Referred to committee on Insurance.

Hughes of Iowa presented petition of fifty-four business men of Iowa county, relating to same subject.

Referred to committee on Insurance.

Leech of Cedar presented petition of seventeen business men of Cedar county, relating to same subject.

Referred to committee on Insurance.

Wilson of Washington presented petition of 115 business men of Washington county, relating to same subject.

Referred to committee on Insurance.

Boysen of Audubon presented petition of twenty-seven business men of Audubon county, relating to same subject.

Referred to committee on Insurance.

Teachout of Polk presented petition of citizens of Des Moines, relating to same subject.

Referred to committee on Insurance.

Stratton of Montgomery presented petition of business men of Montgomery county, relating to same subject.

Referred to committee on Insurance.

Hurn of Cerro Gordo presented petition of ninety-two business men of Cerro Gordo county, relating to same subject.

Referred to committee on Insurance.

Hertert of Shelby presented petition of seventeen business men of Shelby county, relating to same subject.

Referred to committee on Insurance.

#### REPORT OF COMMITTEE.

Secor of Winnebago, from the committee on Horticulture, submitted the following report:

MR. SPEAKER—Your committee on Horticulture, to whom was referred House file No. 114, a bill for an act to encourage the planting of forest and fruit trees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the following substitute as amendment be recommended for passage.

#### SUBSTITUTE FOR HOUSE FILE NO. 114.

A bill for an act to encourage the planting of forest and fruit trees in the state of Iowa.

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

Section 1. That on any tract of land in the state of Iowa the owner or owners may select a permanent forest reservation not less than two acres n continuous area, or a fruit tree reservation not less than one acre in area,

or both, and that upon compliance with the provisions of this act such owner or owners shall be entitled to the benefits hereinafter set forth.

Sec. 2. A forest reservation shall contain not less than two hundred growing forest trees on each acre. If the area selected is an original forest containing the required number of growing forest trees, it shall be accepted as a forest reservation under the provisions of this act. If the area selected is an original forest containing less than two hundred forest trees to the acre, or if it is an artificial grove, the owner or owners thereof shall have planted, cultivated and otherwise properly cared for the number of forest trees necessary to bring the total number of growing trees to not less than two hundred on each acre, during the period of not less than two years, before it can be accepted as a forest reservation within the meaning of this act.

Sec. 3. Not more than one-fifth of the total number of trees in any forest reservation shall be removed in any one year, excepting in cases where the trees die naturally.

Sec. 4. The ash, black cherry, black walnut, butternut, catalpa, coffee tree, the elms, hackberry, the hickories, honey locust, locust, mulberry, the oaks, sugar maple, European larch and other coniferous trees, and all other forest trees introduced into the state for experimental purposes shall be considered forest trees within the meaning of this act. In forest reservations which are artificial groves, the willows, box elder, soft maple, cottonwood and other poplars, shall be included among forest trees for the purposes of this act when they are used as protecting borders not exceeding two rows in width around a forest reservation, or when they are used as nurse trees for forest trees in such forest reservation, the number of such nurse-trees not to exceed one hundred on each acre.

Sec. 5. The trees of a forest reservation shall be in groves not less than four rods wide.

Sec. 6. A fruit tree reservation shall contain not less than ninety fruit trees on each acre, growing under proper care, and may be claimed as such for a period of five years after planting.

Sec. 7. The cultivated varieties of apples, crabs, plums, cherries, peaches and pears shall be considered fruit trees within the meaning of this act.

Sec. 8. Whenever any tree or trees on a fruit tree or forest reservation shall be moved or die, the owner or owners of such reservation shall, within one year, plant and care for other fruit or forest trees, in order that the number of such trees may not fall below that required by this act.

Sec. 9. Cattle, horses, mules, sheep, goats and hogs shall not be permitted to pasture upon a fruit-tree or forest reservation.

Sec. 10. Forest reservations fulfilling the conditions of this act shall be assessed on a taxable valuation of one dollar per acre. Fruit-tree reservations shall be assessed on a taxable valuation of one dollar per acre for a period of five years from the time of planting. In all other cases where trees are planted upon any tract of land, without regard to area, for shade

or ornamental purposes, or for wind-breaks, the assessor shall not increase the valuation of such property because of such improvements.

Sec. 11. If the owner or owners of a fruit or forest reservation violate any provision of this act within the two years preceding the making of an assessment, the assessor shall not list any tract belonging to such owner or owners as such reservation for the ensuing two years.

Sec. 12. It shall be the duty of the assessor to secure the facts relative to fruit trees and forest reservations by taking the sworn statement, or affirmation, of the owner or owners making application under this act.

Sec. 13. It shall be the duty of the county auditor in every county to keep a record of all forest and fruit tree reservations within his county.

Sec. 14. The secretary of the Iowa State Horticultural society shall be state forestry commissioner, without salary. It shall be his duty to promote the objects of this act, and he shall have power to appoint deputies without salary for each county, or group of counties, who shall assist him, and who shall make an annual report to him of forestry matters and of the operations of this act, within their respective territories.

EUGENE SECOR,  
*Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By Keagy of Dubuque, House file No. 382, a bill for an act to amend section 5, chapter 43 of the acts of the Twenty-eighth General Assembly.

Read first and second time and referred to committee on Insurance.

By Barkley of Boone, House file No. 383, a bill for an act to amend section 731 of the code, relating to library reports.

Read first and second time and referred to committee on Public Libraries.

By Barkley of Boone, House file No. 384, a bill for an act to protect the property of public libraries and reading rooms.

Read first and second time and referred to committee on Public Libraries.

By Donahue of O'Brien, House file No. 385, a bill for an act to repeal section 4220 of the code, relating to appeals in actions of forcible entry and detainer, and to enact a substitute therefor.

Read first and second time and referred to committee on Judiciary.

By Campbell of Fremont, House file No. 386, a bill for an act to amend sections 2433 and 2435 of the code, relating to the listing of places where intoxicating liquors are kept for sale or sold, and the assessment of the mulct tax against property and its owner or owners and the occupant or tenant of such property.

Read first and second time and referred to committee on Suppression of Intemperance.

By Fields of Plymouth, House file No. 387, a bill for an act to amend section 1076 of the code, regarding the compensation of the board of registers.

Read first and second time and referred to committee on Compensation of Public Officers.

By Keagy of Dubuque, House file No. 388, a bill for an act to amend section 5 of chapter 43 of the Twenty-eighth General Assembly, relating to the taxing of insurance corporations.

Read first and second time and referred to committee on Insurance.

By Messrs. Temple, Hurn and Payne, House file No. 389, a bill for an act to create a state board of managers for educational institutions, and to provide for the management and control of the State university, State College of Agriculture and Mechanic Arts, and State Normal school, etc.

Read first and second time and referred to committee on Judiciary.

By Gilchrist of Pocahontas, by request, House file No. 390, a bill for an act to provide for a county board of examiners for the examination of teachers.

Read first and second time and referred to committee on Schools and Text-books.

By Appropriations committee, House file No. 391, a bill for an act making appropriations for the construction, repair, support and contingent funds of the hospitals for the insane at Mt. Pleasant, Independence and Clarinda, the penitentiaries, the industrial schools for boys and girls, the institution for feeble-minded children, the School for the deaf, the College for the blind, the Soldiers' Orphans' home and the Soldiers' home, and relating to the Industrial Home for the blind; also, authorizing

the use of a portion of the balance in the support fund at the Hospital for the Insane at Clarinda, in the enlargement and equipment of the shop building, and of a portion of the balance of certain funds of the penitentiary at Ft. Madison, in the erection of the hospital and library building.

Read first and second time and passed on file.

By Hughes of Iowa, joint resolution No. 3.

JOINT RESOLUTION NO. 3.

Joint resolution for an application to the congress of the United States of America in behalf of the state of Iowa, for the calling of a convention for proposing amendments to the constitution of the United States of America, as provided in article 5 of said constitution.

WHEREAS, A large number of state legislatures have at various times adopted memorials and resolutions in favor of the election of United States senators by popular vote; and

WHEREAS, The National House of Representatives has on four separate occasions, within recent years, adopted resolutions in favor of this proposed change in the method of electing United States senators, which were not adopted by the senate; and

WHEREAS, Article 5 of the constitution of the United States provides that congress, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, and believing there is a general desire upon the part of the citizens of the state of Iowa that the United States senators should be elected by a direct vote of the people; therefore

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

That the legislature of the state of Iowa favors the adoption of an amendment to the constitution which shall provide for the election of United States senators by popular vote, and joins with other states of the Union in respectfully requesting that a convention be called for the purpose of proposing an amendment to the constitution of the United States as provided for in Article 5 of the said constitution, which amendment shall provide for a change in the present method of electing United States senators, so that they can be chosen in each state by direct vote of the people. Be it further

*Resolved,* That a copy of this joint resolution, and an application to congress for the calling of a convention, be sent to the secretary of state of each of the United States, and that a similar copy be sent to the president of the United States senate, and to the speaker of the house of representatives.

Read first and second time and referred to the committee on Federal Relations.



## SENATE MESSAGES CONSIDERED.

Senate file No. 250, a bill for an act to creating a board of police and fire commissioners in cities of the first class, having a population of more than sixty thousand, and defining the powers and duties of such board.

Read first and second time and referred to committee on Municipal Corporations.

Senate file No. 283, a bill for an act to legalize the incorporation of Rudd, Floyd county, to the extension of the limits thereof, and the ordinances passed by the council of said town.

Read first and second time and referred to committee on Judiciary.

Substitute for Senate file No. 188, a bill for an act to legalize certain instruments in writing which were defectively acknowledged.

Read first and second time and referred to committee on Judiciary.

Senate file No. 215, a bill for an act to legalize the action of the town council of the incorporated town of Orleans, Dickinson county.

Read first and second time and passed on file.

Senate file No. 281, a bill for an act to repeal section 747 of the code, as amended, relating to the appointment of waterworks trustees in cities of the first class, and to enact a substitute therefor.

Read first and second time.

On motion of Frudden of Dubuque, by unanimous consent, the bill was taken up and considered without reference to a committee.

Mr. Frudden moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Campbell, Cassel, Cheney, Christianson, Colclo, Cruikshank, Donahue, English, Fields, Flenniken, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Moore, Nagle, Nichols, Patton, Payne, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Teachout, Walden, Wilson of Buena Vista, Wilson of Washington, Wise, Mr. Speaker—66.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Barker, Buchanan, Carden, Carter, Clarke, Coburn, Cowles, Crouse, Cummings, Davenport, Dodds, Dunham, Edwards, Eiker, Freeman, Gilchrist, Head, Hilsinger, Koontz, Larrabee, Meservey, Mordhorst, Pipher, Pritchard, Sweet, Temple, Townsend, Utterback, Walters, Warren, Whiting, Willett, Wright—34.

So the bill passed and the title was agreed to.

#### BILLS ON THEIR PASSAGE.

On motion of Kendall of Monroe, Senate file No. 196, a bill for an act to amend section 2267 of the code, relating to appeals from the findings of commissioners of insanity, with the report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Kendall moved that the rules be suspended, and that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Cassel, Cheney, Christianson, Colclo, Cruikshank, Donahue, English, Fields, Flenniken, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hertert, Hufschmidt, Hughes,

Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Moore, Nagle, Nichols, Patton, Payne, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Teachout, Walden; Wilson of Buena Vista, Wilson of Washington, Wise, Mr. Speaker—68.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Carden, Carter, Clarke, Coburn, Cowles, Crouse, Cummings, Davenport, Dodds, Dunham, Edwards, Eiker, Freeman, Head, Hilsinger, Koontz, Larrabee, Meservey, Mordhorst, Pipher, Pritchard, Sweet, Temple, Townsend, Utterback, Walters, Warren, Whiting, Willett, Wright—32.

So the bill passed and the title was agreed to.

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote by which Senate file No. 304 passed the House, and the vote by which it went to its third reading.

C. W. BLACK.

I second the above motion.

H. B. KLING.

On motion of Campbell of Fremont, House file No. 283, a bill for an act to legalize copy of certified record of the supreme court of the United States in case of the Burlington & Missouri River Railroad company, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Campbell, the amendment of the committee was adopted.

Mr. Campbell moved to amend the bill by inserting the word "forty" after the word "number", in the preamble of the bill, and by enclosing the figures "40" in brackets.

Adopted.

Mr. Campbell moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon

its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Blakemore, Buchanan, Calderwood, Campbell, Cassel, Cheney, Christianson, Cruikshank, Donahue, English, Fields, Flenniken, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClurkin, McNie, Mattes, Moore, Nagle, Nichols, Patton, Payne, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Walden, Wise, Mr. Speaker—60.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Black, Boysen, Carden, Carter, Clarke, Coburn, Colclo, Cowles, Crouse, Cummings, Davenport, Dodds, Dunham, Edwards, Eiker, Freeman, Greeley, Head, Hilsinger, Koontz, Larrabee, McClure, Marshall, Meservey, Mordhorst, Pipher, Pritchard, Sweet, Teachout, Temple, Townsend, Utterback, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wright—40.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, Senate file No. 9, a bill for an act to amend section 3825 of the code, making taxes on property in hands of receivers a preferred claim, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Kendall moved to amend the bill by inserting in the first line the words "thirty-eight hundred and twenty-five" and by enclosing the figures "3825" in brackets.

Adopted.

Mr. Kendall moved that the rules be suspended, and that the

bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were :

Messrs. Bailey, Barker, Barkley, Bealer, Blakemore, Buchanan, Calderwood, Campbell, Cassel, Cheney, Cowles, Cruikshank, Donahue, Dunham, English, Fields, Flenniken, Frudden, Gilchrist, Greene, Hamann, Hasselquist, Hawk, Hertert, Hufschmidt, Hughes, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Moore, Nagle, Nichols, Patton, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Walden, Warren, Wilson of Washington, Wise, Mr. Speaker—59.

The nays were:

None.

Absent or not voting :

Messrs. Anderson, Black, Boysen, Carden, Carter, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Dodds, Edwards, Eiker, Freeman, Furry, Graff, Greeley, Head, Hilsinger, Hurn, Jenks, Koontz, Langan of Clinton, Larrabee, Meservey, Mordhorst, Payne, Pipher, Pritchard, Sweet, Teachout, Temple, Townsend, Utterback, Walters, Whiting, Willett, Wilson of Buena Vista, Wright—41.

So the bill passed.

Mr. Kendall moved to amend the title by inserting the word "hundred", after the words "thirty-eight", and by enclosing the figures "3825" in brackets

Adopted.

The title as amended was agreed to.

On motion of Barkley of Boone, Senate file No. 26, a bill for an act to authorize library boards to condemn grounds for location of libraries and for additional library grounds, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Barkley moved that the rules be suspended, and that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Blakemore, Buchanan, Calderwood, Campbell, Cassel, Cheney, Christianson, Cruikshank, Donahue, Dunham, English, Fields, Flenniken, Frudden, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Hertert, Hufschmidt, Hughes, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Moore, Nagle, Nichols, Patton, Payne, Powers, Robinson, Roome, Secor, Sokol, Springer, Sweeley, Walden, Wilson of Washington, Wise, Mr. Speaker—57.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Black, Boysen, Carden, Carter, Clarke, Coburn, Colco, Cowles, Crouse, Cummings, Davenport, Dodds, Edwards, Eiker, Freeman, Furry, Greeley, Head, Hilsinger, Hurn, Jenks, Koontz, Langan of Clinton, Larrabee, Marshall, Meservey, Mordhorst, Pipher, Pritchard, Stratton, Stuckslager, Sweet, Teachout, Temple, Townsend, Utterback, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wright—43.

So the bill passed and the title was agreed to.

On motion of Robinson of Emmet, Senate file No. 215, which was placed on file, was taken up by unanimous consent and considered.

Mr. Robinson moved that the rules be suspended, and that the bill be read a third time now and placed upon its passage, which motion prevailed by a two-thirds vote of those present, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Blakemore, Boysen, Calderwood, Campbell, Cassel, Cheney, Cowles, Cruikshank, Donahue, Dunham, English, Fields, Flenniken, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Moore, Nagle, Nichols, Patton, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Walden, Wilson of Washington, Wise, Mr. Speaker—59.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Bealer, Black, Buchanan, Carden, Carter, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Dodds, Edwards, Eiker, Freeman, Head, Hertert, Hurn, Koontz, Langan of Clinton, Larrabee, Marshall, Meservey, Mordhorst, Payne, Pipher, Pritchard, Stuckslager, Sweet, Teachout, Temple, Townsend, Utterback, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wright—41.

So the bill passed and the title was agreed to.

On motion of Dunham of Delaware, House file No. 171, a bill for an act to amend section 468 of the code, relating to supplies for county officers, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Dunham moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Cassel, Cheney, Colclo, Cruikshank, Donahue, Dunham, English, Fields, Flenniken, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Ken-

dall, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Moore, Nagle, Nichols, Patton, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Walden, Wilson of Washington, Wise, Mr. Speaker—62.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Black, Carden, Carter, Christianson, Clarke, Coburn, Cowles, Crouse, Cummings, Davenport, Dodds, Edwards, Eiker, Freeman, Gilchrist, Hawk, Head, Hurn, Koontz, Larrabee, Marshall, Meservey, Mordhorst, Payne, Pipher, Pritchard, Sweet, Teachout, Temple, Townsend, Utterback, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wright—38.

So the bill passed and the title was agreed to.

On motion of Powers of Floyd, House file No. 45 was made a special order for Friday, March 14th, at 2:30 P. M.

Black of Mills moved that Senate file No. 304 be recalled from the Senate.

Carried.

Lyman of Poweshiek in the chair.

On motion of Teachout of Polk, House file No. 305, a bill for an act to prohibit and punish the secret or unlawful tapping of water or gas pipes or electric light or power wires, or the appropriation or use of water or gas or electric currents for light or power purposes without the knowledge or consent of the owner, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Jones of Mahaska moved to amend section 2 by striking out the words and figures, "one hundred dollars (\$100)" and inserting in lieu thereof the words "one cent."

Lost.

Wilson of Washington moved to amend by inserting after the word "main," in line, 2 section I of the printed bill, the words, "ice and ice houses in cities having a population of over 60,000."

Lost.



Speaker Eaton in the chair.

Cheney of Clay moved to adjourn till 2 P. M.

Gilchrist of Pocahontas moved to amend by making it 9 A. M., tomorrow.

Lost.

Motion of Mr. Cheney lost.

Mr. Teachout moved that the rules be suspended, that the bill be considered engrossed, read a third time now, and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Black, Boysen, Buchanan, Calderwood, Campbell, Cassel, Christianson, Colclo, English, Fields, Flenniken, Furry, Greene, Hamann, Hasselquist, Hertert, Hilsinger, Hurn, Kling, McClure, McClurkin, McNie, Mattes, Moore, Nagle, Patton, Payne, Robinson, Roome, Secor, Springer, Stratton, Sweeley, Teachout, Wise—37.

The nays were:

Messrs. Bealer, Blakemore, Cheney, Colclo, Donahue, Dunham' Frudden, Gilchrist, Graff, Hughes, Jenks, Kendall, Kerr, Kolt-hoff, Langan of Clinton, Langan of Crawford, Leech, Lyman, Nichols, Powers, Sokol, Walden, Wilson of Washington, Mr. Speaker—24.

Absent or not voting:

Messrs. Anderson, Carden, Carter, Clarke, Coburn, Cowles Crouse, Cruikshank, Cummings, Davenport, Dodds, Edwards Eiker, Freeman, Greeley, Hawk, Head, Hufschmidt, Jaeger Jones, Keagy, Koontz, Larrabee, Marshall, Meservey, Mordhorst Pipher, Pritchard, Stuckslager, Sweet, Temple, Townsend, Utterback, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wright—39.

So the bill, having failed to receive a constitutional majority, was declared to have been lost.

House file No. 320, a bill for an act to repeal section 441 of the code, and to enact a substitute therefor, in relation to the pub-

lishing of the proceedings of the board of supervisors, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Kendall of Monroe, the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 360, a bill for an act to amend section 2606 of the code, relative to admission to the Soldiers' home, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Kendall of Monroe, the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 229, a bill for an act to amend section 2778 of the code, relating to the elections of teachers, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Kendall of Monroe, the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 39, a bill for an act to amend section 1, of chapter 141 of the laws of the Twenty-eighth General Assembly, relating to the salary of the chief executive officer of the Iowa Soldiers' Orphans' Home, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Hamann of Scott, the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 238, a bill for an act to require all railway companies or corporations to pay employes semimonthly, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Wise of Black Hawk, the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 16, a bill for an act to repeal sections 111, 112, 113 and 114 of the code, and authorizing the establishment of a depository or depositories for state funds, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Kendall of Monroe, the report of the committee was adopted.

So the bill was indefinitely postponed.

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote by which House file No. 305 was lost.

C. J. WILSON.

I second the motion.

F. C. GILCHRIST.

On motion of Kerr of Grundy, House adjourned till tomorrow March 11th, at 9 A. M.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Tuesday, March 11, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by Rev. B. E. S. Ely, D. D., of Des Moines, Iowa.

Journal of Saturday, March 8th, corrected and approved.

On request of Barker of Howard, leave of absence was granted Hurn of Cerro Gordo until Friday.

PETITIONS AND MEMORIALS.

Fields of Plymouth presented remonstrance of St. Catherine's congregation of Oyens, Plymouth county, against House files Nos. 45, 105 and 134.

Referred to committee on Schools and Text-Books.

Pritchard of Wright, presented petition of citizens of Wright county, asking a standard fire insurance policy.

Referred to committee on Insurance.

Clarke of Dallas presented petition of citizens of Dallas county, same subject.

Referred to committee on Insurance.

Head of Greene presented petition of citizens of Greene county, same subject.

Referred to committee on Insurance.

Hamann of Scott presented petition of citizens of Scott county, relative to same subject.

Referred to committee on Insurance.

Cummings of Marshall presented petition of citizens of Marshall county, relative to the same subject.

Referred to committee on Insurance.

Christianson of Hamilton presented petition of citizens of Hamilton county, relative to the same subject.

Referred to committee on Insurance.

Sweet of Bremer presented petition of citizens of Bremer county, favoring equal suffrage.

Referred to committee on Constitutional Amendments.

Whiting of Monona presented remonstrance of citizens of Mapleton, against House files Nos. 45, 108 and 134.

Referred to committee on Schools and Text-Books.

#### REPORTS OF COMMITTEES.

Mr. Hurn of Cerro Gordo, from the committee on Compensation of Public Officers, submitted the following report:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House file No. 281, a bill for an act to provide for the manner of paying the salary or compensation of deputy state officers and deputy county officers, prohibiting their principals receiving or retaining any part and punishing the violation thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be passed.

D. W. HURN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House file No. 287, a bill for an act to amend section four hundred ninety-six (496) of the code, relating to the employment of additional help by county recorders, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out all after the enacting clause and substituting the following in lieu thereof:

Section 1. That section four hundred ninety-six (496) of the code be and the same is hereby amended by striking out of said section all after the word "supervisors", in the eleventh (11th) line, down to and including the first word "for", in line sixteen (16) thereof, and inserting in place thereof the words, "In case no deputy be appointed, and in counties having a popu-

lation of forty thousand (40,000) or over, the recorder may, with the approval of the board of supervisors, temporarily employ one or more assistants, when the pressure of business in his office renders it necessary, and he shall file a bill for such service at the next regular meeting of the board of supervisors, who shall make a reasonable allowance therefor."

And when so amended that the same do pass.

D. W. HURN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House file No. 350, a bill for an act to amend section sixty-five 65), chapter one (1) of the code 1897, in relation to the salary of the governor and the secretary to the governor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out the words "six thousand" in the fourth line of section one (1), and inserting in lieu thereof the words "five thousand," and when so amended that the same do pass.

D. W. HURN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House file No. 225, a bill for an act to amend section three hundred and eight (308) of the code, relative to compensation of county attorney, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House the attached substitute as an amendment for House file No. 225, with the recommendation that the same do pass.

COMMITTEE SUBSTITUTE, AS AMENDMENT, FOR HOUSE FILE NO. 225.

A bill for an act to amend section three hundred and eight (308) and to repeal section three hundred and three (303) of the code, and to enact a substitute therefor, relating to the compensation of county attorneys.

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

Section 1. That section three hundred and three (303) of the code be and the same is hereby repealed and the following enacted in lieu thereof:

In counties having a population of thirty-six thousand (36,000) or more, the county attorney thereof, with the approval of the board of supervisors, may appoint a practicing attorney who is a resident of his county, as his assistant, whose salary shall be fixed at a reasonable figure by the board of supervisors at the time of his appointment and approval, but not to exceed ten hundred dollars (\$1000) per annum. In counties of less than thirty-six thousand (36,000), he may appoint deputies who shall act without

compensation from the county, to assist him in the discharge of his duties. With the approval of the district court, he may procure such assistance in the trial of a person charged with the crime of felony as he shall deem necessary, and such assistant, upon presenting to the board of supervisors a certificate of the district judge before whom said cause was tried, certifying to the service rendered, shall be allowed a reasonable compensation therefor, to be fixed by the board of supervisors; but nothing in this section shall prevent the board of supervisors from employing an attorney to assist the county attorney in any cause or proceeding in which the state or county is interested.

Sec. 2. Amend section three hundred and eight (308) by striking out the word "three" in the fifteenth (15th) line and inserting in lieu thereof the word "five."

D. W. HURN,  
*Chairman.*

Ordered passed on file.

Jones of Mahaska, from the committee on Police Regulation, submitted the following report:

MR. SPEAKER—The following members of your committee on Police Regulations, to whom was referred House file No. 69, a bill for an act to amend section 5040 of the code of 1897, relative to the desecration of the Sabbath, beg leave to report that they have had the same under consideration, and report the same back to House without recommendation.

W. G. JONES,  
P. H. POWERS,  
A. F. FRUDDEN,  
C. A. WISE.

Ordered passed on file.

Also:

MR. SPEAKER—The following members of your committee on Police Regulations, to whom was referred House file No. 7, a bill for an act for the better protection of life and property against injury or damage resulting from the operation of steam engines and boilers by incompetent engineers and others, beg leave to report that they have had the same under consideration, and report the same back to the House with the recommendation that the same be amended by committee substitute hereto attached, and that said substitute do pass.

COMMITTEE SUBSTITUTE FOR HOUSE FILE NO. 7.

A bill for an act to the better protection of life and property against injury or damage resulting from the operation of steam engines and boilers by incompetent engineers and others.

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

Section 1. That hereafter it shall be unlawful for any person to have charge of or operate a steam boiler or engine in the state, except locomotive

boilers and engines and mine hoisting engines, which are now governed by a state license law for such; and boilers under the jurisdiction of the United States, and boilers used for heating or agricultural purposes, where the steam pressure does not exceed twenty (20) pounds per square inch, unless he holds a license as hereinafter provided, and it shall be unlawful for any owner or user of any steam engine or boiler, other than those excepted, to operate or cause to be operated, a steam engine or boiler for a period of not more than one week without a duly licensed engineer.

Sec. 2. Any person desiring to act as engineer, and having had one year's experience with an engine or boiler, shall make application to so act to the district examiner in his district upon blanks furnished by the examiner; and if, after a practical examination, the applicant is found trustworthy and competent a license shall be granted to said applicant within forty-eight hours after his examination, a license graded according to the merits of his examination, irrespective of the grades of license for which he applied. No person shall be entitled to receive more than one examination within ninety days, except in case of an appeal granted by the chief examiner, said license to continue in force for one year from date thereon, unless after a proper hearing it is sooner revoked for intoxication or other sufficient cause, and renewed every year on application to the authority granting the same, or at such time as may be determined by said authority. In case a license of different grade is issued the old license must be destroyed in the presence of the examiner; in case of a loss of the license by fire or other means, a new license shall be issued in its place without examination upon satisfactory proof of such loss to an examiner.

Sec. 3. Licenses shall be granted in the following classes:

First class—Unlimited in horse power. No person to be eligible for examination for a first-class license, except he has had not less than five years' experience previous to his examination.

Second class—To have charge of and operate any boiler or boilers, and any engine not exceeding 150-horse power.

Third class—To have charge of and operate any single boiler and any engine not exceeding fifty-horse power.

Special class—A special license for any particular plant and no other, but no person shall be examined for a special license except a written request for such examination, signed by the owner or operator of said plant, is filed with the application. Any engineer who has had three years' experience with an engine or boiler will be granted a third-class license without examination if he desires.

Sec. 4. The words "have charge" in this act shall be construed to designate the person under whose supervision the boiler or engine is operated.

Sec. 5. The horse power of any boiler shall be ascertained upon the basis of three-horse power for each square foot of grate surface for a power boiler, and on the basis of one and one-half square foot of grate surface per horse power if the boiler is used for heating exclusively; the engine power shall be reckoned on a basis of a mean effective pressure of forty pounds



per square inch of piston for a simple engine, and fifty pounds for a condensing engine, and seventy pounds for a compound engine reckoned upon area of high pressure piston.

Sec. 6. If any steam engine or boiler is found at any time in charge of or operated by any person who is not a duly licensed engineer, and if after a lapse of one week from such time the same is found to be operated by a person or persons not duly licensed, it shall be deemed *prima facie* evidence of a violation of section one of this act.

Sec. 7. It shall be the duty of the examiner to notify every person operating a boiler or engine mentioned in section one (1), and not included among the exceptions therein specified, to apply for a license under this act, and to give such person a reasonable opportunity to take the examination therefor in the town or city in which he is engaged in operating such boiler or engine; the examiner shall issue a license or shall notify the applicant of his rejection within forty-eight hours after his examination. All original notices sent to engineers must be accompanied by a copy of this act.

Sec. 8. Upon receipt of a special request, signed by three citizens, stating that in their belief the boiler in a neighboring steam plant is in an unsafe condition and demand that said boiler be examined, it shall be the duty of the examiner of that district, to examine said boiler as soon as practical and if in his opinion it is unsafe, he shall condemn same, or recommend such repairs as will make it safe to be again operated.

Sec. 9. The governor of the state of Iowa shall appoint one chief examiner of steam engineers, and said chief examiner of steam engineers, with the approval of the governor, shall appoint four district examiners of steam engineers, provided, however, that not more than two of said examiners so appointed shall be members of any one of the political parties; the chief and district examiners shall hold their offices for a term of three (3) years, or until their successors are appointed and qualified; the first appointment hereunder shall be made sixty days from the passage of this act.

In case of the resignation, removal or death of the chief or any district examiner, the vacancy shall be filled in the manner as provided for the original appointment for the unexpired term only of the position so made vacant.

Sec. 10. All candidates for chief examiner shall have not less than ten years' experience as a practical steam engineer previous to his appointment, and all candidates for district examiner shall have not less than seven years' experience as a practical steam engineer previous to his appointment.

Sec. 2. The chief and district examiners shall give their whole time and attention to the duties of their offices respectively. The chief examiner shall be located in Des Moines, and shall have his office in the state house or other office furnished by the state where shall be kept all records of his office; the chief examiner shall issue such instructions, make such rules and regulations for the government of the district examiners, not inconsistent with the powers and duties vested in them by law, as shall secure uniformity of action and proceedings throughout the different districts. The chief examiner shall receive a salary of fifteen hundred dollars (\$1500.00) per

annum, and office expenses, and the district examiners shall each receive a salary of one thousand dollars (\$1000.00) per annum, which salary and traveling expenses incurred by said examiners in the discharge of their duties shall be paid out of the treasury of the state from any funds therein not otherwise appropriated on the warrant of the auditor on the presentation to him of the proper vouchers, said traveling expenses not to exceed \$600.00 per annum; the chief examiner shall give a bond in the sum of \$3,000.00, and the district examiners shall give a bond in the sum of \$2,000.00, all bonds required by this act to be given shall be approved by the governor.

Sec. 12. The fee for a license and examination shall be \$3.00 and renewals \$2.00. All fees collected and received by the district examiners from the issue of licenses and the renewal of the same shall be on or before the fifth day of each month, submitted to the chief examiners at Des Moines, together with the monthly report of the business of their offices; said chief examiner shall pay into the treasury to the credit of the general revenue fund all the money and fees by him received from the district examiners, and on before the tenth of each month, said chief examiner shall file a duly verified monthly report with the governor, of the business of his office and the amount of money received by him and paid into the state treasury.

Sec. 13. Any owner, user, or engineer who after being notified as provided in sections six and seven violates any of the provisions of this act, shall be fined not more than \$100 nor less than \$10.00, or imprisonment not exceeding three months. Any justice of the peace may in his discretion take jurisdiction in complaints for violations of this act.

Sec. 14. It shall be the duty of every engineer to exhibit his license under glass in a conspicuous place near his engine, a violation of this section shall be punished by a fine not to exceed \$5.00. The examiners shall have authority, and are hereby empowered to visit any and all engines or boilers in the state at all reasonable hours, and it shall be his duty to inspect said engines and boilers once a year.

Sec. 15. All acts and parts of acts inconsistent with this act are hereby repealed.

W. G. JONES,  
P. H. POWERS,  
A. F. FRUDDEN.

Ordered passed on file.

Jaeger of Des Moines, from the committee on Federal Relations, submitted the following report:

MR. SPEAKER—Your committee on Federal Relations, to whom was referred House joint resolution No. 3, for an application to the congress of the United States of America, in behalf of the state of Iowa, for the calling of a convention for proposing amendments to the constitution of the United States of America, as provided in Article 5 of said constitution, beg leave to report that they have had the same under consideration, and have

instructed me to report the same back to the House with the recommendation that the same do pass.

LOUIS M. JAEGER,  
*Chairman.*

Ordered passed on file.

Hughes of Iowa, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 161, a bill for an act to provide for the support of the hospitals for the insane and for the transfer of patients on account of the opening of the hospital at Cherokee, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 209, a bill for an act to appropriate money in aid of the quarterly conference of the board of control and executive officers of state institutions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 280, a bill for an act making appropriation for the purchase of land, tombstone, and erection thereof for the proper marking of the grave of one Charles Shepherd, a soldier who served in the war of the Revolution, died in 1845, and who lies in an unmarked grave near Mills-paugh's mills, Henry county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 344, a bill for an act to appropriate annually fifteen thousand dollars from the funds in the state treasury, not otherwise appropriated, to fumigate, and when necessary, to prevent the spread of contagious diseases, to destroy property infected with smallpox and other con-

tagious diseases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed

JOHN HUGHES, JR.,

*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 208, a bill for an act to defray the cost of inspecting county and private institutions in which insane persons are kept, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,

*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 142, a bill for an act to reimburse F. M. Powell for money paid by him to secure the vacation of a public road for the benefit of the Institution for Feeble-Minded Children at Glenwood, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,

*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 265, a bill for an act making provision for the support of the department of the Industrial School for Boys at Eldora, amendatory to chapter eighty-one (81) of the acts of the Twenty-seventh General Assembly relating to support of the Industrial school, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,

*Chairman.*

Ordered passed on file.

Coburn of Cherokee, from the committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House file No. 149, a bill for an act to amend sections 1487 and

2028 of the code, relating to the establishment of roads and highways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended as follows, and when so amended that the same do pass:

That the words "or so as to cause the removal of any buildings without the consent of the owner" after the word "house" in the third line and constituting the fourth line of section 1, be stricken out.

That the word "buildings" in the second line of section 2, be stricken out.

That the title be amended by adding after the word "sections" and before the figures "1487" the words "fourteen hundred and eighty-seven."

That the figures "1487" be enclosed within parentheses.

That the words "twenty-hundred and twenty-eight" be inserted after the word "and" being the first "and" in the title, and before the figures "2028."

That the figures "2028" be enclosed within parentheses.

GEO. F. COBURN,  
*Chairman.*

Ordered passed on file.

Wright of Guthrie, from the committee on Agriculture, submitted the following report:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House file No. 303, a bill for an act to repeal section twenty-five hundred twenty-three (2523) of the code, relating to milk tests and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

NATE WRIGHT,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House file No. 330, a bill for an act to amend chapter two (2) of title ten (10) of the code of Iowa, relating to levees, drains and water-courses, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

NATE WRIGHT,  
*Chairman.*

Ordered passed on file

Also:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House file No. 311, a bill for an act to amend section three (3), of chapter fifty-eight (58), of the acts of the Twenty-eighth General Assembly, relating to membership in the annual convention of the department of agriculture, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by adding: "Provided said institute has been organized for at least one year and has filed with the secretary of agriculture a certified report that such institute was held, together with the names of its officers such report to be made not later than November 15," and when so amended the same do pass.

NATE WRIGHT,  
*Chairman.*

Ordered passed on file.

Stuckslager of Linn, from the committee on Claims, submitted the following report:

MR. SPEAKER—Your committee on Claims, to whom was referred House file No. 316, a bill for an act appropriating one hundred and seventy-five dollars (\$175) to compensate Charles Rowdabush for two horses killed by J. I. Gibson, state veterinary surgeon, as glandered, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

W. C. STUCKSLAGER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Claims, to whom was referred House file No. 315, a bill for an act appropriating six hundred and twenty-five dollars to compensate Charles Alexander for eight horses killed by J. I. Gibson, state veterinary surgeon, as glandered, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

W. C. STUCKSLAGER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Claims, to whom was referred House file No. 353, a bill for an act making an appropriation to Charles Gray for publishing original notice in the case of Bettannier v. Caille, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. C. STUCKSLAGER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Claims, to whom was referred House file No. 304, a bill for an act to reimburse Mathew R. Sadler for damages caused to him by the agents and employes of the state of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report a substitute, as amendment, back to the House with the recommendation that the same do pass.

SUBSTITUTE FOR HOUSE FILE 304.

A bill for an act to indemnify Mathew R. Sadler for damages caused by sewage from the Industrial School for Girls at Mitchellville.

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

Section 1. That there is hereby appropriated out of any money in the state treasury not otherwise appropriated, or so much thereof as shall be found due to Mathew R. Sadler, for the payment of damages sustained by him in consequence of the flow of sewage from the Industrial School for Girls at Mitchellville, onto land owned by him.

Sec. 2. The damages sustained by said Sadler, shall be ascertained by the board of control of state institutions of Iowa, and shall be paid on a voucher approved by said board in the same manner that the ordinary expenses of said institution are paid. And if the amount found to be due by said board is accepted by said Sadler, it shall have the force and effect of full compensation for all damages sustained by him from such flow of sewage, prior to the allowance of such amount by said board of control.

W. C. STUCKSLAGER,  
*Chairman.*

Ordered passed on file.

Blakemore of Taylor submitted the following report:

MR. SPEAKER—Your committee on County and Township Organization, to whom was referred House file No. 314, a bill for an act authorizing the publication and sale and directing the purchase of the laws of Iowa relating to townships and to township officers, other than justices of the peace and constables, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended, and when so amended that it do pass.

A BILL

For an act authorizing the publication and sale, and directing the purchase of the laws of Iowa, relating to townships and township officers, other than justices of the peace and constables.

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

Section 1. That any private individual, who may have been authorized by the executive council of this state, be and he is hereby empowered to publish and sell in book form, in sections and parts of sections, of the laws of the state of Iowa, which may be enforced, July 4, 1902, with forms relating to townships and township officers; and such other sections and parts of sections of said laws, as may enable such officers to properly discharge their duties.

Sec. 2. Such books shall contain all the sections, and parts of sections, of the statutes of this state, which may be enforced July 4, 1902, relating to townships and township officers, other than justices of the peace and constables, and such other statutes as may aid them in the discharge of their duties. As a part of said book, there shall be printed suitable and necessary forms for papers to be drawn by persons making applications to, or to be signed by, township officers, other than justices of the peace and constables, in the discharge of their duties, for reports required to be made and for accounts and records necessary to be kept by them. Such books shall contain a suitable and plain index, with cross references, in the usual manner of indexing statutes.

Sec. 3. The title to such books shall be "A compilation of the laws of the state of Iowa, relating to townships and township officers, other than justices of the peace and constables, with forms, prepared by S. H. Fairall, and published by authority of law."

Sec. 4. Each subject shall be briefly stated, the sections shall be numbered as in the statutes from which copied, and under each section shall be cited, giving books and page of report, each decision of the supreme court of Iowa, as may aid in understanding or explaining same, stating briefly the pertinent point decided.

Sec. 5. Such books shall be well made, of first-class material, printed and bound in board, covered with suitable paper, with cloth binding and to be well sewed. The main body of the book and prefix and subjects indexed, shall be in small pica of the same quality, double column, all set solid on paper, of the same size except to thickness and of as good quality as the School Laws of Iowa.

Sec. 6. The manuscript, printed and typewritten, for such book, except the figures in the index, shall be deposited in the office of the attorney-general of the state within thirty days after the adjournment of the present session of the General Assembly, whose duty it shall be, as soon as he reasonably can, to ascertain that such book, so far as it has progressed when it came into his office, was in accord with the requirements of section 2 of this act, and when such requirements were complied with the attorney-general shall so certify, which certificates shall be filed in the office of the executive council. Within ninety days from the filing of such certificate as many of the copies of such book, as will be necessary to be distributed according to section 7 of this act, shall be ready for delivery. Upon a showing satisfactory to the executive council it may extend a reasonable time, the times for the doing of the several acts provided for in this section.



Sec. 7. Within 30 days after such copies shall be ready for delivery, as provided in section 6 of this act, the auditor of each county in this state shall order, for the use of the township clerks in his county, not including justices of the peace and constables, as many copies of such books as there are civil townships in their respective counties. And in cities and towns where there is a city or town clerk or a city or town assessor, the city or town council shall have the power, to purchase at the price fixed in section 8 hereof, a copy of such book for the use of such officers, and a copy for each voting ward or precinct in such city or town, for the use of the registers and judges of election, and when not in use by officers other than himself such clerk shall have the custody of and be responsible for such copies.

Sec. 8. The price of such books shall be \$1.50 per copy delivered free of charge at the county seat, or city or town where shipped. On the arrival of such books at a county seat, the county auditor shall execute receipts therefor in duplicate, one of which shall be immediately transmitted to the county treasurer, and the other to the persons furnishing such books; and at the same time the county auditor shall issue to such person furnishing such books to the county a warrant drawn on the county treasurer, payable out of the county fund, for the price of the copies sent to each county auditor, at the rate of \$1.50 per copy, such warrant to have the same force and effect, and be payable as other warrants drawn on such fund.

Sec. 9. The county auditor shall deliver at the courthouse in his county a copy of said book to each of the township clerks in the county, who shall keep the same for the use of the township officers, except justices of the peace and constables; and each of such officers shall have the right to the possession of such copy for future use, at and for such reasonable times as may be convenient and practicable.

Sec. 10. The township clerk on receiving shall execute to the county auditor a receipt therefor, and deliver the same to his successor, and each officer receiving a copy of said book and not accounting therefor shall be liable for the cost price therefor, and on his official bond, if he has given one.

W. D. BLAKEMORE,  
*Chairman.*

Ordered passed on file.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 381, a bill for an act to amend section 2, of chapter 30 of the acts of the Twenty-eighth General Assembly, relating to the duties and compensation of park commissioners in certain cities, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out the period at the end of section 1 and inserting in lieu thereof a semicolon; and adding to said section, after said semicolon, the following: "but where such manager is selected the remaining com-

missioners shall receive no compensation." And when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 380, a bill for an act to amend section 2423 of the code, in relation to payments or compensation for intoxicating liquors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House for reference to the committee on Suppression of Intemperance, with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

On motion of Mr. Clarke, the report of the committee was adopted and the bill was referred to the committee on the Suppression of Intemperance.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 290, a bill for an act to amend section eighteen hundred five (1805) of the code, relating to exemption of insurance policies and proceeds thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

On motion of Mr. Clarke, the report of the committee was adopted and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 389, a bill for an act to create a state board of managers for educational institutions, and to provide for the management and control of the State university, State College of Agriculture and Mechanic Arts and State Normal school, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 286, a bill for an act to repeal section 1532 and to amend sec-

tion 1533 of the code, relating to public roads, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by adopting the substitute submitted herewith, and when so amended the same do pass.

SUBSTITUTE AS AMENDMENT FOR HOUSE FILE NO 286.

Abill for an act to amend sections one thousand and seventy-five (1075), one thousand one hundred and thirty (1130), one thousand five hundred and twenty eight (1528), one thousand five hundred and thirty-three (1533), one thousand five hundred and forty-two (1542) one thousand five hundred and forty-five (1545), one thousand five hundred and fifty-one (1551) and one thousand five hundred and fifty-four (1554) of the code, and to repeal sections one thousand five hundred and thirty-two (1532), one thousand five hundred and forty (1540) and one thousand five hundred and fifty (1550) of the code and enact substitutes therefor, and to repeal sections one thousand five hundred and forty-one (1541), one thousand five hundred and forty-six (1546), one thousand five hundred and fifty-three (1553) and one thousand five hundred and sixty-seven (1567) of the code, relative to the duties of township trustees; the duties of township clerks; the election, qualification, duties, compensation and payment of road supervisors; the consolidation of road districts and the levy and collection of road tax.

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

Section 1. That section one thousand and seventy-five (1075) of the code be and the same is hereby amended by striking out the words "and one road supervisor in each road district," in the fourth line thereof.

Sec. 2. That all that portion of section one thousand one hundred and thirty (1130) of the code, beginning with the word "The" in the third (3d) line and ending with the "period" (.) immediately following the word "resides" in the tenth (10th) line is hereby repealed. And that the words "road supervisor" in the eighteenth (18th) line be and the same are hereby stricken out and repealed.

Sec. 3. That section one thousand five hundred and twenty eight (1528) of the code be and the same is hereby amended by inserting the words "for the succeeding year" after the word "levied" in the first line of division or sub-section one (1), and by striking out and repealing all of division, or sub-section two (2) thereof. And said section is hereby further amended by striking out the following, beginning in the fifth (5th) line and ending in the sixth (6th) line of division, or sub-section three (3): "may divide their respective townships into such number of road districts as may be necessary for the public good, and".

Sec. 4. That section one thousand five hundred and thirty-two (1532) of the code be and the same is hereby repealed, and the following enacted as a substitute therefor:

"Sec. 1532. The board of township trustees of each civil township in this state, at its regular meeting in April, 1903, shall consolidate said township into one road district, and all road funds belonging to the road dis-

tricts of said township shall at once become a general township road fund, out of which all claims for work done or material furnished for road purposes prior to the change, and unsettled, shall be paid."

Sec. 5. That section one thousand five hundred and thirty-three (1533) of the code be and the same is hereby amended by striking out the words "with one or more assistants" in the sixth (6th) line. Also, by striking out the word "may" in the ninth (9th) line and inserting the word "shall" in lieu thereof. And by striking out and repealing the following, beginning in the eighteenth (18th) line and ending in the nineteenth (19th) line of said section: "and credit him therefor on his road tax for that year". And said section is hereby further amended by striking out the words "and an assistant are" beginning in the nineteenth (19th) line and ending in the twentieth (20th) line, and inserting the word "is" in lieu thereof.

Sec. 6. That section one thousand five hundred and forty (1540) of the code is hereby repealed, and the following enacted as a substitute therefor:

"Sec. 1540. He shall within four weeks after the trustees have levied the property road tax for the succeeding year, certify said levy to the county auditor, who shall enter it upon the tax books for collection by the county treasurer as other taxes. And he shall, not later than the fifteenth day of April, make out and deliver to the superintendent of roads a list of all persons required to pay road poll tax under the provisions of this act. To enable him to make out such list, the assessor shall furnish the clerk of said township, before the first day of April of each year, a complete copy of the assessment lists of said township for that year, which shall be the basis of such poll tax list. Provided, that the property road tax for the year 1903 shall be levied as heretofore, and it shall be paid in cash and shall be collected by the superintendent of roads appointed by the trustees or the township clerk, as the board of trustees shall determine and direct. Provided further, that all delinquent road tax for the year 1903, shall be certified to the county auditor by the clerk of each township, for collection as provided by section one thousand five hundred and forty-two (1542) of the code, as amended by this act.

Sec. 7. That section one thousand five hundred and forty-one (1541) of the code be and the same is hereby repealed.

Sec. 8. That section one thousand five hundred and forty-two (1542) of the code is hereby amended by striking out the words "lands, town lots and personal property," beginning in the second (2d) line and ending in the third (3d) line thereof. Also, by striking out the following, beginning in the fourth (4th) line and ending in the fifth (5th) line: "and the amount of tax charged on each parcel of land, town lot or personal property, designating the road district in which the same is situated,". And said section is hereby further amended, by inserting the word "that" after the word "tax" in the third (3d) line.

Sec. 9. That section one thousand five hundred and forty-five (1545) of the code be and the same is hereby amended by striking out and repealing all of said section after the word "law" in the sixth (6th) line thereof. And

by striking out the word "supervisor" in the first (1st) line of said section and inserting the words "superintendent or contractor" in lieu thereof.

Sec. 10. That section one thousand five hundred and forty-six (1546) of the code is hereby repealed.

Sec. 11. That section one thousand five hundred and fifty (1550) of the code is hereby repealed, and the following enacted as a substitute therefor:

Sec. 1550. Every male resident of the state, between the ages of twenty-one and forty-five years, shall, between the first days of April and September of each year, pay to the superintendent of roads or the township clerk of the township in which he resides, a road poll tax of one dollar and fifty cents, or in lieu thereof perform two days' work, of eight hours each, on the public highways of said township under the direction of the superintendent of roads, and at such time and place as said superintendent shall direct.

Sec. 12. That all that portion of section one thousand five hundred and fifty-one (1551) of the code, after the word "year" in the tenth (10th) line, is hereby repealed.

Sec. 13. That section one thousand five hundred and fifty-three (1553) of the code be and the same is hereby repealed.

Sec. 14. That divisions, or sub-sections three (3), four (4), five (5) and six (6), of section one thousand five hundred and fifty-four (1554) of the code be and the same are hereby repealed.

Sec. 15. That section one thousand five hundred and sixty-seven (1567) of the code be and the same is hereby repealed.

Sec. 16. That wherever the term "road supervisor" appears in chapter two (2) of title nine (9) of the code, or in this act, it shall be held to mean the superintendent of the roads or contractor.

Sec. 17. That all acts and parts of acts in conflict with the provisions of this act, are hereby repealed.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 90, a bill for an act to limit and define the jurisdiction of the supreme court of Iowa, and create an appellate court, to define its jurisdiction, and to provide for the compensation of the judges and officers thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 188, a bill for an act to legalize certain instruments in writing which were defectively acknowledged, and the substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

On motion of Mr. Clarke, the report of the committee was adopted and the bill was indefinitely postponed.

Donahue of O'Brien, offered the following resolution which was laid over under rule 34:

*Resolved*, That we, the House of Representatives of the General Assembly of Iowa, do extend our heartfelt sympathy to England in this her sad hour of distress, caused by the courage and the determination of the brave Boers in South Africa whereby a severe defeat has been administered to the British troops.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

Substitute for Senate file No. 125, a bill for an act to amend section 355, chapter 12, title 3 of the code, providing form of bond to be given under the requirements of this section.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 218, a bill for an act to provide for the condemnation of a fishway and for the erection of a fishway in the Bonaparte dam, and making an appropriation for the expenses thereof, and prescribing penalties for injuring or destroying such fishway.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 243, a bill for an act to amend sections 860, 861 and 862 of the code, relating to voting taxes for the purchase of real estate for parks and constructing dams and improvements of parks and rivers, condemning real estate for parks, and jurisdiction of cities of the second class and towns, or parks without their corporate limits.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill, in which the concurrence of the Senate was asked:

House file No. 164, a bill for an act amending section 5814 of the code, relating to the compensation of attorneys.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 272, a bill for an act to legalize the election held in the county of Osceola, and state of Iowa, on the 5th day of November, 1901, and the propositions submitted at said election for the purpose of building a courthouse and jail at Sibley in said county, and borrowing money and issuing bonds therefor, and the manner of payment of said bonds issued for said purposes, and all of the proceedings of the board of supervisors of said county, with reference to said matter.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Barker of Howard, House file No. 53, a bill for an act to strike out the party circle in the official ballot, which had been ordered engrossed for a third reading, was taken up, and considered.

Mr. Barker moved to amend the enacting clause of House file No. 53 by adding after the word "assembly" the words "of the state".

Adopted.

Gilchrist of Pocahontas in the chair.

Mr. Barker moved that the rules be suspended, and that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Barker, Barkley, Bealer, Black, Campbell, Colclo, Cowles, Crouse, Cruikshank, Davenport, Dodds, Donahue, Eiker, Fields, Frudden, Hasselquist, Hertert, Hughes, Jaeger, Keagy, Kerr, Kolthoff, Langan of Clinton, Larrabee, Leech, McNie, Mordhorst, Nagle, Nichols, Patton, Pipher, Robinson, Roome, Sokol, Stratton, Sweeley, Sweet, Utterback, Walden, Walters, Whiting, Wilson of Washington—42.

The nays were:

Messrs. Bailey, Blakemore, Boysen, Buchanan, Calderwood, Carden, Cassel, Cheney, Christianson, Coburn, Cummings, Edwards, English, Flenniken, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hawk, Head, Jones, McClure, McClurkin, Mattes, Meservey, Moore, Payne, Powers, Pritchard, Secor, Springer, Stuckslager, Temple, Townsend, Warren, Willett, Wise, Wright—40.

Absent or not voting:

Messrs. Anderson, Carter, Clarke, Dunham, Freeman, Hilsinger, Hufschmidt, Hurn, Jenks, Kendall, Kling, Koontz, Langan of Crawford, Lyman, Marshall, Teachout, Wilson of Buena Vista, Mr. Speaker—18.

So the bill, having failed to receive a constitutional majority, was declared lost.

The time having arrived for the consideration of special order No. 11, House file No. 168, a bill for an act to enable the owners of land to drain them when the same cannot be done without affecting the lands of others, prescribing the powers and duties of county supervisors and other officers in the premises, and to provide for the repair and enlargement of such drains, and repealing certain acts therein specified and declaring emergency, was taken up, considered and the report of the committee on Agriculture, and the report of the committee on Judiciary were, on motion of Townsend of Calhoun, adopted.

Speaker Eaton in the chair.

Mr. Townsend moved the adoption of the amendments offered by the committees.

Adopted.

Mr. Townsend moved to amend section 22 by striking out the word "duplicate" in the third line, and inserting in lieu thereof the word "list".



Adopted.

Mr. Townsend moved to amend section 23 by striking out the word "duplicate" in the eighth line, and inserting in lieu thereof the word "list".

Adopted.

Also add the letter "s" to the word "trustee" in the twelfth line of said section.

Adopted.

Robinson of Emmet, moved to amend by striking out of line ten in section 16 of the printed bill, all after the word "expend" and inserting the following: "which amount shall be divided into and payable in any number of equal annual installments, not exceeding ten, as said board of supervisors may elect and"; also by inserting in the eleventh line of said section 16, immediately after the word "and" the words "they shall."

Adopted.

Gilchrist of Pocahontas, moved to amend House file No. 168, by adding thereto the following:

Section 36. This act, being deemed of immediate importance, shall be in full force and effect on and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Adopted.

Mr. Townsend moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Edwards, Eiker, English, Fields, Flenniken, Frudden, Furry, Gilchrist, Graff, Greene, Hasselquist, Hawk, Head, Hughes, Jaeger, Jenks, Keagy, Kerr, Kling, Kolthoff, Larrabee, Leech, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson,

Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—79.

The nays were :

None.

Absent or not voting:

Messrs. Carter, Colclo, Dunham, Freeman, Greeley, Hamann, Hertert, Hilsinger, Hufschmidt, Hurn, Jones, Kendall, Koontz, Langan of Clinton, Langan of Crawford, Lyman, Marshall, Stuckslager, Teachout, Temple, Wilson of Buena Vista—21.

So the bill passed and the title was agreed to.

On motion of Fields of Plymouth, House file No. 252, a bill for an act to define and regulate the practice of optometry, and for the creation of a board of examiners in optometry, was taken up, considered, and the report of the committee adopted.

On motion of Mr. Fields the amendments recommended by the committee were adopted.

Mr. Fields moved to amend by inserting after the word "and" in line five of section 3 of the printed bill, the following: "each of whom shall be a graduate of and hold a diploma from a reputable optical college and be."

Adopted.

Mr. Fields moved to amend by substituting the word "first" for the word "third", the word "February" for the word "May", and the word "August" for the word "November", all of line two, section 5 of the printed bill and substituting the word "February" for the word "May" in line one of section 6 of the printed bill.

Adopted.

Mr. Fields moved that that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Bealer, Black, Blakemore, Boysen,

Calderwood, Campbell, Carden, Cassel, Cheney, Christianson, Coburn, Cowles, Crouse, Cruikshank, Cummings, Davenport, Donahue, Edwards, Eiker, Fields, Flenniken, Frudden, Furry, Greene, Hamann, Hasselquist, Hertert, Hughes, Jaeger, Keagy, Kerr, Kling, Kolthoff, Koontz, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Secor, Sokol, Springer, Stratton, Stackslager, Sweeley, Sweet, Temple, Walden, Walters, Warren, Wise, Wright—60.

The nays were:

Mr. Speaker.

Absent or not voting:

Messrs. Barker, Barkley, Buchanan, Carter, Clarke, Colco, Dodds, Dunham, English, Freeman, Gilchrist, Graff, Greeley, Hawk, Head, Hilsinger, Hufschmidt, Hurn, Jenks, Jones, Kendall, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, Marshall, Nagle, Payne, Roome, Teachout, Townsend, Utterback, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington—39.

So the bill passed and the title was agreed to.

Sweet of Bremer moved that Senate joint resolution No. 5 be made a special order for Friday, March 14th, at 2 P. M.

Carried.

Anderson of Warren moved that there be printed 300 extra copies of House file No. 286.

Cummings of Marshall moved that the report of the committee on House file No. 360, recommending indefinite postponement, be adopted.

Adopted, and the bill was indefinitely postponed.

Warren of Marion moved that the House adjourn until 2 P. M.

Carried, and the House adjourned.

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#### AFTERNOON SESSION.

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The House met pursuant to adjournment, Speaker Eaton in the chair.

Journal of Monday, March 10th, was corrected and approved.

Townsend of Calhoun called attention to the fact that on page 391 of the House Journal of February 20th, an error had been

made in the report of the committee on Agriculture on House file No. 168, in that the words "on the second page of the same section" had been omitted from between the words "line" and "and" in the sixth line of the second paragraph of said report, and as such error was simply clerical he asked unanimous consent that the Journal so show, which consent was granted and the Chief Clerk instructed to so correct the report of the committee on Agriculture on page 391 of the Journal when he files his certified copy with the secretary of state.

On motion of Sweeley of Woodbury, leave of absence was granted Carter of Sioux indefinitely on account of sickness.

#### PETITIONS AND MEMORIALS.

Cruikshank of Lee presented petition of citizens of Lee county, relative to fish and game legislation.

Referred to committee on Fish and Game.

Walden of Wayne presented petition of eighty-five citizens of Wayne county, favoring equal suffrage

Referred to committee on Constitutional Amendments.

Davenport of Union presented petition of citizens of Union county, favoring equal suffrage.

Referred to committee on Constitutional Amendments.

Bealer of Linn presented petition of citizens of Linn county, favoring standard fire insurance policy.

Referred to committee on Insurance.

Head of Greene called up House file No. 9, messaged from the Senate with substitute as amendment thereto, and moved that the House concur in the Senate amendment.

Carried, and the House concurred.

#### INTRODUCTION OF BILLS.

By Anderson of Warren, House file No. 392, a bill for an act to amend sections 1062 and 1419 of the code, relating to the publication of the sheriff's proclamation and the delinquent tax list.

Read first and second time and referred to committee on Printing.

On motion of Anderson of Warren, substitute for Senate file No. 87, a bill for an act to amend section 136 and section 1 of chapter 5, laws of the Twenty-eighth General Assembly, relating to the publication of reports of the Iowa Academy of Sciences, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Anderson moved that the amendments recommended by the committee be adopted.

Carried.

Mr. Anderson moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Campbell, Carden, Cassel, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Edwards, Eiker, English, Fields, Freeman, Frudden, Furry, Graff, Greeley, Hamann, Hasselquist, Head, Hertert, Hughes, Jaeger, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Larabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Townsend, Utterback, Walden, Warren, Whiting, Wise, Wright, Mr. Speaker—72.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Carter, Cheney, Christianson, Clarke, Coburn, Dunham, Flenniken, Gilchrist, Greene, Hawk, Hilsinger, Hufschmidt, Hurn, Kendall, Koontz, Langan of Clinton, Langan of Crawford, Marshall, Nagle, Payne, Stuckslager, Teachout, Temple, Walters, Willett, Wilson of Buena Vista, Wilson of Washington—28.

So the bill passed and the title was agreed to.

On motion of Black of Mills, House file No. 1, a bill for an act to amend sections 417 and 418 of the code, relating to supervisor districts and the election of members thereof, with report of committee recommending passage as amended by substitute, was taken up, considered and the report of the committee adopted.

Black of Mills moved that the substitute as amendment, recommended by the committee, be adopted.

Carried.

Hughes of Iowa moved to amend substitute for House file No. 1 by striking out the word "section" and the numeral 1 at the beginning of said substitute.

Carried.

Sweeley of Woodbury moved to amend by striking out the words "of the several supervisor districts in", in the second line of section 1 of the bill as it appears in the Journal.

Wise of Black Hawk moved to amend the amendment by inserting the following for words stricken: "a majority of supervisor districts".

Lost.

Amendment of Sweeley of Woodbury lost.

Gilchrist of Pocahontas moved to amend House file No. 1, offered by the committee, by inserting after the word "county", in the second line of the substitute as printed on page 466 of the House Journal, the following, to-wit: "voting at the last preceding general election".

Carried.

Mr. Black moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden,

Cassel, Christianson, Clarke, Cowles, Crouse, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, Fields, Freeman, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasseltquist, Hawk, Head, Hughes, Jenks, Jones, Keagy, Kerr, Kling, Kolt-hoff, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Payne, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Strat-ton, Temple, Townsend, Utterback, Walden, Warren, Willett, Wil-son of Washington, Wise, Wright, Mr. Speaker—72.

The nays were:

Messrs. Colclo, Cruikshank, Frudden, Hertert, Jaeger, Springer, Sweeley, Sweet, Walters, Whiting—10.

Absent or not voting:

Messrs. Carter, Cheney, Coburn, Dodds, English, Flenniken, Hilsinger, Hufschmidt, Hurn, Kendall, Koontz, Langan of Clin- ton, McClure, Marshall, Mordhorst, Stuckslager, Teachout, Wilson of Buena Vista—18.

So the bill passed.

Cowles of Kossuth moved that the title of the bill be amended to read as follows:

“A bill for an act to amend section four hundred and sixteen (416) of the code, relating to supervisor’s districts and to provide for an election to submit the question of the supervisors being elected by the electors of the whole county.”

Adopted and the title, as amended, was agreed to.

MR. SPEAKER— I move to reconsider the vote by which House file No. 53 was lost on account of its not having received a constitutional majority.

G. F. COBURN.

I second the motion.

M. F. EDWARDS.

On motion of Wise of Black Hawk, House adjourned till tomorrow, Wednesday, March 12th, at 9 A. M.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, Wednesday, March 12, 1902. }

House met pursuant to adjournment, Speaker *pro tem* Kendall, in the chair.

Prayer was offered by Rev. Albert Aston of Atlantic, Iowa.

On motion of Wise of Black Hawk, leave of absence was granted Wright of Guthrie indefinitely on account of sickness.

On motion of Cruikshank of Lee, leave of absence was granted Jaeger of Des Moines until Monday.

On motion of Flenniken of Clayton, leave of absence was granted Hilsinger of Jackson until Thursday.

#### PETITIONS AND MEMORIALS.

Jaeger of Des Moines presented petitions of Cigarmaker, Union No. 72 and the Carpenters and Joiners union of Burlington in reference to free text-books.

Referred to committee on Schools and Text-Books.

McClurkin of Louisa presented petition of citizens of Louisa county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Stratton of Montgomery presented petition of citizens of Montgomery county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Black of Mills presented petition of citizens of Mills county, asking equal suffrage. •

Referred to committee on Constitutional Amendments.



Sokol of Jones presented petition of citizens of Jones county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Head of Greene presented petition of citizens of Greene county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Pritchard of Wright presented petition of citizen of Wright county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

English of Polk presented petition of citizens of Polk county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Davenport of Union presented petition of citizens of Union county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

#### REPORTS OF COMMITTEES.

Anderson of Warren, from the committee on Printing, submitted the following report:

MR. SPEAKER—Your committee on Printing, to whom was referred House file No. 393, a bill for an act to amend sections one thousand and sixty-two (1062) and one thousand four hundred and nineteen (1419) of the code, relating to the publication of the sheriff's proclamation and the delinquent tax list, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. M. ANDERSON,  
*Chairman.*

Ordered passed on file.

Walden of Wayne, from the committee on Building and Loan, submitted the following report:

MR. SPEAKER—Your committee on Building and Loan, to whom was referred House file No. 51, a bill for an an act to amend section one thousand three hundred twenty-six (1326), chapter one (1), title seven (7) of the code of 1897, relating to stock of building and loan associations, beg leave to report that they have had the same under consideration, and have instructed me

to report the same back to the House with the recommendation that the same be indefinitely postponed.

T. P. WALDEN,  
*Chairman.*

Report of committee adopted on motion of Mr. Walden and the bill was indefinitely postponed.

Stratton of Montgomery, from the committee on Suppression of Intemperance, submitted the following report:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House file No. 386, a bill for an act to amend sections 2433 and 2435 of the code, relating to the listing of places where intoxicating liquors are kept for sale or sold, and the assessment of the mulct tax against the property and its owner or owners and the occupant or tenant of such property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. L. STRATTON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House file No. 353, a bill for an act to amend section 2414 of the code, relating to intoxicating liquors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. L. STRATTON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House file No. 333, a bill for an act to amend sections 2448 and 2449 of chapter 6, title 12 of the code, in relation to intoxicating liquors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by inserting after the word "consent," in the third line of section 3, the following words: "and the same has been filed with the county auditor."

And that when so amended the same do pass.

C. L. STRATTON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House file No. 291, a bill for an act to amend section 2481 of the code, concerning the revocation of statements of consent for sale of intoxicating liquors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by a substitute herewith presented and that the same do pass.

SUBSTITUTE FOR HOUSE FILE NO. 291.

A bill for an act to amend section two thousand four hundred fifty-one (2451) of the code, in relation to statements of general consent.

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

Sec. 1. That section two thousand four hundred fifty-one (2451) of the code be and the same is hereby amended by adding thereto the following words: "All statements of general consent shall be void on and after March 1, 1907, or five (5) years from date of filing after this act takes effect, and whenever any statement of consent is found insufficient by the canvass of the board of supervisors, no other statement of consent shall be canvassed, or found sufficient for any city, town, or city acting under special charter, or county for a period of five (5) years thereafter."

Sec. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its passage and publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

C. L. STRATTON,  
*Chairman.*

Ordered passed on file.

Wise of Black Hawk, from the committee on Railroads and Commerce, submitted the following report:

MR. SPEAKER—Your committee on Railroads and Commerce, to whom was re-referred Senate file No. 160, a bill for an act to amend section twenty one hundred sixteen (2116) of the code, relating to the duty of railway corporations to transport, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. A. WISE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Railroads and Commerce, to whom was referred House file No. 199, a bill for an act to amend section two thousand one hundred forty-six (2146) of the code, relating to discrimination

in railway freight rates, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. A. WISE,  
*Chairman.*

Report adopted on motion of Mr. Sokol, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Railroads and Commerce, to whom was re-referred House file No. 258, a bill for an act to amend section twenty-one hundred and fifty (2150) of the code, in relation to common carriers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. A. WISE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Railroads and Commerce, to whom was referred House file No. 292, a bill for an act to amend section two thousand seventy-seven (2077) of the code, relative to compensation for the transportation of passengers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. A. WISE,  
*Chairman.*

Ordered passed on file.

Wilson of Washington, from the Municipal Code committee, submitted the following report:

#### I.

#### REPORT OF MUNICIPAL CODE COMMITTEE—REVISION OF MUNICIPAL LAWS.

##### *To the Twenty-ninth General Assembly:*

The committee appointed under the provisions of chapter 176 of the acts of the Twenty-eighth General Assembly "to revise and codify all the special assessment laws and such other laws in relation to the government of municipal corporations as may be by the committee deemed necessary and expedient, and recommend such changes therein as may be desirable," submits its report as follows:

The principal reason for the appointment of the committee was the unsettled condition of the law in relation to special assessments created by the decision of the supreme court of the United States, in the case of Nor-

wood vs. Baker, 172 U. S., page 269; s. c. 43 Lawyer's Reports, page 443. In this case the court held, "The judgment of the circuit court must be affirmed upon the ground that the assessment against the plaintiff's abutting property was under a rule which excluded any injury as to special benefits, and the necessary operation of which was, to the extent of the excess of the cost of opening the street in question over any special benefits accruing to the abutting property thereon, to take private property for public use, with out compensation."

Although our statute provided for a hearing upon all questions arising under special assessments and an appeal to the courts, there were many who considered the question as to its constitutionality a grave one. So to put this question at rest and to prevent inequalities and injustice in the future, the Twenty-eighth General Assembly enacted chapter twenty-nine, the first section of which reads as follows: "When any city or town council or board of public works levies any special assessment for any public improvement against any lot or tract of land, such special assessment shall be in proportion to the special benefits conferred upon the property thereby and not in excess of such benefits. Such assessment shall not exceed twenty-five per centum of the actual value of the lot or tract at the time of the levy, and the last preceding assessment roll shall be taken as *prima facie* evidence of such value." It was also provided that on appeal the court shall determine all questions including that of benefits to the property assessed.

As we understand it, this statute left all special assessment laws in force, but restricted the powers of the council in the respects set forth. The front-foot method was not declared to be invalid simply as a method of computation and distribution of the taxes, but only when applied without reference to benefits and in excess of twenty-five per centum of the actual value of the lot or tract at the time of levy. Under these modifications the making of public improvements in cities and towns has progressed steadily, and so far as we know, neither difficulty nor litigation has grown out of the enactment.

Many cases were appealed to the supreme court of the United States in which the protection of the rule laid down in the Norwood case was invoked. So, apparently to make a finality of the question, that court took up these cases and disposed of them in April last, the principal one being French vs. Barber Asphalt Paving Co., reported in vol. 21, page 625 of the Supreme Court Reporter. In this case the court holds that "the apportionment of the entire cost of a street pavement upon the abutting lots according to their frontage without preliminary hearing, as to benefits, may be authorized by the legislature and this will not constitute a taking of property without due process of law." So it seems that the power of the legislature to authorize special assessments for public improvements is practically without limit.

Under this state of the law, the question presented to the committee was as to whether it would recommend the repeal of chapter twenty-nine of the acts of the last general assembly.

A committee of the Bar association, composed of Honorables Geo. W. Ball, J. H. Quick, William H. Bailey, C. W. Bingham and Joseph W. Bolinger, and the committee on legislation of the Iowa League of Municipal

ities, have both furnished this committee with numerous valuable suggestions in reference to proposed legislation and both have recommended the retention of this law upon the statute books.

It appears to us that special assessments, according to benefits, ought to become the settled policy of the state, and that while the present law does not interfere with reasonable public improvements, it operates as a salutary restraint in preventing city and town councils from practically confiscating private property under special assessment laws. The special assessment laws might, no doubt, be improved by a thorough revision, but as most of the questions which are likely to arise have been determined by the courts, a change would be likely to produce additional litigation, and in the end would not subserve any good purpose. In fact the details of imposing special assessments are not so important as that the methods followed should be plain and easily understood, so we recommend only a few minor changes.

It is not clear as to the notice required to be given under section 823. We therefore propose a bill curing the ambiguity.

It has been suggested that section 645 and subdivision 5 of section 628, be amended so that the mayor shall not be a member of the council because he is counted a member thereof in determining the number of votes required under sections 683 and 684, and the case of Griffin vs. Messenger, 86 N. W. Rep., page 219 is referred to, but that decision only relates to the suspension of the rules. The language of section 682 is "unless three-fourths of the council" and section 793 is similar, while the language of sections 683 and 684 is "the whole number of members elected to the council." The expression, "elected to the council," is a change from the old law and is intended to obviate the objection raised, as the mayor is not elected to the council. The purpose of providing that the mayor should be a member of the council was that he might be present at all the meetings, whether in committee of the whole or otherwise. On account, however, of the confusion which has arisen, we recommend that section 645 and subdivision 5, section 658, be amended, so that the mayor will not be a member of the council in cities.

We recommend amendments to the law allowing cities owning water-works to issue bonds for "renewals, repairs or extensions and the raising of revenues therefor.

A conflict seems to have arisen between city councils and township trustees in reference to the jurisdiction and control of pesthouses and hospitals, for the treatment of infectious and contagious diseases, located outside of the city limits. In order to provide for a summary method of settling such disputes, we recommend the adoption of a bill providing for a reference thereof to the state board of health.

Difficulties have arisen in the construction of the code and complaints are made that there are not sufficient safeguards to public expenditures in reference to the expenses of caring for persons affected with infectious and contagious diseases. We therefore recommend a bill amending chapter 16, title 12 of the code covering these matters.

These bills have been introduced and are number Senate file 197, Senate file 198, Senate file 199, Senate file 200, Senate file 201, Senate file 202, Sen-

ate file 203, Journal pages 268 and 269. All have passed the Senate and are now pending in the House.

## II.

### ACCOUNTS OF MUNICIPALITIES.

It is the opinion of the committee that a law should be enacted providing for a uniform system of keeping accounting for the receipts and expenditures of cities, and the dissemination of official, authentic and intelligible information in reference thereto among the people. Private business is usually managed more carefully and economically than public affairs, because of the application thereto of better business methods. In many of the cities and towns in the state there is no practical way in which the voter can obtain information in regard to its fiscal affairs. The burden of municipal taxes is heavy. The people furnish the money and should be provided means of knowing what becomes of it.

The American people seldom err in determining public questions when they possess accurate information on which to base their judgment. A thorough system of public accounting will insure a more economical administration of municipal affairs and prevent the misappropriation of funds.

Under the present want of system the council, almost without exception, leaves its successor a legacy of increased indebtedness and confusion. A careful system of accounting is of the greatest importance to cities operating public utilities. Recently the city of Philadelphia, after fifty years of municipal management turned over its gas works to a private company, largely because of the failure of the published accounts to give a correct statement of the financial condition of the enterprise. It is said by Mr. L. S. Rowe, in writing of this subject: "Each year the published reports showed a large surplus which stifled the criticism to which the management would otherwise have been subjected. In fact the deterioration in the quality of the gas was largely due to the brilliant financial reports. When the attack upon the city's works was opened by the companies desiring to obtain the franchise it was found that instead of the gross profit having been applied to the repair and improvement of the works, no account had been taken of depreciation and deterioration."

As the best remedy for the trust evil is believed to be publicity, so also is publicity the best remedy for the over-taxation evil in cities and towns.

The cities of Iowa are still comparatively young and this is the time to lay the foundation for the best government in the future. If the people are furnished the means of information in reference to the conduct of their affairs they then only have themselves to blame for extravagance and mismanagement. As was recently said by Professor C. W. Haskins of the New York university, "City finance as a topic is too often reserved for campaign talk; the harangue itself is hardly more than a string of personalities; figures are impudently juggled; reform is red rag of a sham fight and as soon as the show is over the lights are put out and the people are as much in the dark as ever."

The committee, therefore, recommends the enactment of the bill presented herewith entitled: "A bill for an act requiring the keeping of accounts of cities and requiring that publicity be given thereto."

Respectfully submitted.

J. H. TREWIN,  
THOS. D. HEALY,  
W. A. MCINTYRE,  
GEO. W. DUNHAM,  
C. J. WILSON,  
WM. THEOPHILUS,

*Committee.*

Cruikshank of Lee, from the committee on Fish and Game, submitted the following report:

MR. SPEAKER—Your committee on Fish and Game, to whom was referred House file No. 80, a bill for an act to amend sections two thousand five hundred sixty-one (2561) and two thousand five hundred fifty-one (2551) of the code, relating to the protection of birds and game, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out the word "September", in the twelfth (12) line, and inserting the word "October" in lieu thereof; and by striking out the word "August", in the twelfth (12) line, and inserting the word "September" in lieu thereof, and when so amended that the same do pass.

J. P. CRUIKSHANK,

*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Fish and Game, to whom was referred House file No. 163, a bill for an act to amend section two (2) of chapter sixty-four (64) of the laws of the Twenty-seventh (27) General Assembly, relating to the care and propagation of Fish and Game, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. P. CRUIKSHANK,

*Chairman.*

Ordered passed on file.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 226, a bill for an act providing for paying Mrs. Mary Sullivan and Mrs. Maggie J. Edwards, damages for personal injuries suffered by them at the State College of Agriculture and Mechanic Arts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the following recommendation and statement:



That it is the sense of the Judiciary committee that no legal liability exists, and that no recovery can be had by any procedure, in law or equity, but there may be a moral obligation on the part of the state, and recommend that the bill be referred to the committee on Claims, to hear evidence, and determine whether or not there is a moral obligation, and the extent of the damages, and that when the evidence is so taken and damages ascertained that the bill be re-referred to this committee to determine the legal questions.

G. W. CLARKE,  
*Chairman.*

Report adopted and the bill ordered referred to the committee on Claims, on motion of Mr. Clarke.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 159, a bill for an act providing for the purchase of engravings, plates or cuts for state publications, and fixing the manner of paying the cost of same

Also, Senate file No. 234, a bill for an act to authorize the improvement of the channels of meandered streams dividing the territory within the corporate limits of certain cities, and to authorize the reclaiming of lands between the meandered lines of said streams within said corporate limits, and to create a commission therefor and defining its powers and prescribing its duties.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Report adopted.

#### INTRODUCTION OF BILLS.

By Hughes of Iowa, House file No. 393, a bill for an act to repeal sections 5012, 5013 and 5014 of the code, relating to diseased animals and to enact substitutes therefor.

Read first and second time and referred to committee on Animal Industries.

By Wilson of Washington, House file No. 394, a bill for an act to amend section 5707 of the code, relative to the employment of persons sentenced to imprisonment in the penitentiary, in places or buildings owned or leased by the state, outside of penitentiary enclosures.

Read first and second time and referred to committee on Judiciary.

By Wilson of Washington, by request, House file No. 395, a bill for an act to repeal section 4897 of the code, and to enact a substitute therefor, relating to the escape of persons confined in a penitentiary for any less period than life.

Read first and second time and referred to committee on Judiciary.

By Municipal Code commission, House file No. 396, a bill for an act requiring the keeping of accounts in cities and towns, and requiring that publicity be given thereto.

Read first and second time and referred to committee on Municipal Corporations.

By Hawk of Jasper, House file No. 397, a bill for an act to appoint a commission of land titles, to define its duties and to provide for the publication of its reports.

Read first and second time and referred to committee on Judiciary.

#### SENATE MESSAGES CONSIDERED.

Substitute for Senate file No. 125, a bill for an act providing for condition of bonds to be given by public officers and others.

Read first and second time and referred to committee on Judiciary.

Senate file No. 272, a bill for an act to legalize the election held in the county of Osceola, and state of Iowa, on the 5th day of November, 1901, and the propositions submitted at said election for the purpose of building a courthouse and jail, at Sibley, in said county, and borrowing money and issuing bonds therefor, and the manner of payment of said bonds issued for said purposes, and all of the proceedings of the board of supervisors of said county, with reference to said matter.

Read first and second time and referred to committee on Judiciary.

Senate file No. 243, a bill for an act to amend sections eight hundred and sixty (860), eight hundred sixty-one (861) and eight hundred sixty-two (862) of the code, relating to voting taxes for

the purchase of real estate for parks and constructing dams and improvements of parks and rivers, condemning real estate for parks, and jurisdiction of cities of the second class and towns over parks without their corporate limits.

Read first and second time and referred to committee on Judiciary.

Senate file No. 218, a bill for an act to provide for the condemnation of a fishway and for the erection of a fishway in the Bonaparte dam; also making an appropriation for the expenses thereof and prescribing penalties for injuring or destroying such fishway.

Read first and second time and referred to committee on Fish and Game.

#### BILLS ON THEIR PASSAGE.

On motion of English of Polk, House file No. 266, a bill for an act to amend section 1542 of the code, relating to the certifying delinquent road tax, with report of committee on Ways and Means recommending passage and committee on Roads and Highways recommending amendment and passage, was taken up, considered and the reports of both committees were adopted.

On motion of Mr. English the substitute offered by the committee on Roads and Highways, as an amendment to House file No. 266, was adopted.

Mr. English moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Blake-more, Buchanan, Calderwood, Campbell, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Freeman, Frudden, Furry, Graff, Greene, Hamann, Hasselquist, Hawk, Hertert, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kolthoff, Langan of Clinton, Langan of Crawford, Larabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes

Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Utterback, Walden, Warren, Whiting, Wilson of Washington, Wise—75.

The nays were:

None.

Absent or not voting:

Messrs. Black, Boysen, Carter, Cowles, Cruikshank, Flenniken, Gilchrist, Greeley, Head, Hilsinger, Hurn, Kerr, Kling, Koontz, Marshall, Payne, Pritchard, Stuckslager, Temple, Townsend, Walters, Willett, Wilson of Buena Vista, Wright, Mr. Speaker—25.

So the bill passed.

Jones of Mahaska moved to amend the title to House file No. 266, by striking out the words and figures, "fifteen hundred forty-two (1542) and", and by inserting after the figures "(1544)", the words, "and for the repeal of section fifteen hundred forty-two (1542) and enacting a substitute therefor".

Adopted.

The title, as amended, was agreed to.

On motion of Freeman of Pottawattamie, House file No. 149, a bill for an act to amend sections fourteen hundred eighty-seven (1487) and twenty hundred twenty-three (2023) of the code, relating to the establishment of roads and highways, with report of committee on Roads and Highways recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Freeman moved that the amendments of the committee be adopted.

Carried.

Stratton of Montgomery moved to amend House file No. 149 by inserting after the word "section," in line 1, section 1, the words "fourteen hundred eighty-seven," and by enclosing the figures "1487" in brackets.

Adopted.

Hasselquist of Lucas moved to amend by inserting the words "two thousand and twenty-eight" after the word "section," in section 1 and by enclosing the figures "2087" in brackets.

Adopted.

Mr. Freeman moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Buchanan, Cassel, Cheney, Christianson, Coburn, Cummings, Davenport, Dunham, English, Freeman, Frudden, Furry, Greene, Jenks, Kolthoff, Leech, McClurkin, Mattes, Pipher, Powers, Pritchard, Secor, Sokol, Utterback, Wise—31.

The nays were:

Messrs. Barker, Calderwood, Campbell, Carden, Colclo, Crouse, Cruikshank, Dodds, Donahue, Edwards, Eiker, Fields, Graff, Hamann, Hasselquist, Head, Hufschmidt, Hughes, Jaeger, Jones, Kendall, Kerr, Langan of Clinton, Larrabee, McNie, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Robinson, Roome, Stratton, Sweeley, Sweet, Teachout, Townsend, Walden, Walters, Warren, Whiting, Wilson of Buena Vista, Wise—44.

Absent or not voting:

Messrs. Boysen, Carter, Cowles, Flenniken, Gilchrist, Greeley, Hawk, Hertert, Hilsinger, Hurn, Keagy, Kling, Koontz, Langan of Crawford, Lyman, McClure, Marshall, Payne, Springer, Stuckslager, Temple, Willett, Wilson of Washington, Wright, Mr. Speaker—25.

So the bill was lost.

On motion of Cummings of Marshall, Senate file No. 83, a bill for an act to amend section 508 of the code, relating to sheriff's fees, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Cummings the amendments of the committee were adopted.

Mr. Cummings moved that the rules be suspended, and that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Black, Buchanan, Calderwood, Campbell, Cheney, Christianson, Clarke, Coburn, Crouse, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, Freeman, Frudden, Furry, Gilchrist, Hasselquist, Hawk, Head, Hertert, Hughes, Keagy, Kerr, Koontz, Langan of Crawford, Larrabee, Leech, Lyman, McNie, Mattes, Moore, Nagle, Nichols, Patton, Pipher, Pritchard, Robinson, Secor, Sokol, Springer, Sweeley, Sweet, Teachout, Temple, Townsend, Walden, Walters, Warren Whiting, Willett, Wilson of Washington, Wise—58.

The nays were:

Messrs. Barker, Blakemore, Cowles, Hamann, Jones, Kendall, Kolthoff, Langan of Clinton, Meservey, Mordhorst, Roome, Stratton, Utterback—13.

Absent or not voting:

Messrs. Bealer, Boysen, Carden, Carter, Cassel, Colclo, Cruikshank, Davenport, English, Fields, Flenniken, Graff, Greeley, Greene, Hilsinger, Hufschmidt, Hurn, Jaeger, Jenks, Kling, McClure, McClurkin, Marshall, Payne, Powers, Stuckslager, Wilson of Buena Vista, Wright, Mr. Speaker—29.

So the bill passed and the title was agreed to.

Speaker *pro tem* Kendall announced that he had signed in the presence of the House, Senate files Nos. 159 and 234.

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote by which Senate file No. 188 was indefinitely postponed.

M. L. TEMPLE.

I second the motion.

W. K. BARKER.

Temple of Clarke moved that Senate file No 188 be recalled from the Senate, and that it be referred to the committee on Judiciary on its return.

Carried, and the bill was so referred.

On motion of Eiker of Decatur, Senate file No. 192, a bill for an act to amend section 2572 of the code, relating to the enforcement of rules and regulations of the state board of health, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Eiker moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Cowles, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, Fields, Freeman, Frudden, Gilchrist, Graff, Hasselquist, Hawk, Head, Hufschmidt, Hughes, Jenks, Keagy, Kerr, Kolthoff, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClurkin, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Roome, Secor, Springer, Stratton, Stuckslager, Sweeley, Sweet, Townsend, Walters, Warren, Whiting, Wilson of Buena Vista, Wise—65.

The nays were:

Messrs. Barkley, English, Furry, Jaeger, Jones, Kendall, McNie, Sokol, Teachout, Utterback, Walden, Wilson of Washington—12.

Absent or not voting:

Messrs. Bealer, Blakemore, Carter, Colclo, Davenport, Fleniken, Greeley, Greene, Hamann, Hertert, Hilsinger, Hurn, Kilng, Koontz, Larrabee, McClure, Marshall, Payne, Robinson, Temple, Willett, Wright, Mr. Speaker—23.

So the bill passed and title was agreed to.

The Speaker announced that a pair had been arranged between Donahue of O'Brien and Jaeger of Des Moines on special order for tomorrow, Senate joint resolution No. 3.

English of Polk moved that the House adjourn at 11:30 till 9 A. M., tomorrow, Thursday, March 13th.

Carried.

On motion of Clarke of Dallas, Senate file No. 41, a bill for an act to amend section 1613, chapter 1, title 9 of the code, relative to the publication of notice of incorporation, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Clarke moved that the rules be suspended, and that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Buchanan, Calderwood, Campbell, Carden, Cassel, Cheney, Clarke, Cowles, Crouse, Cruikshank, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Kendall, Kerr, Kolthoff, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Townsend, Utterback, Walden, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise—71.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Bealer, Black, Blakemore, Boysen, Carter, Christianson, Coburn, Colclo, Dodds, Greeley, Hilsinger, Hurn, Keagy, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, McClure, Marshall, Payne, Robinson, Temple, Walters, Warren, Willett, Wright, Mr. Speaker—29.

So the bill passed and the title was agreed to.

On motion of Head of Greene, House file No. 309, a bill for an act authorizing the council in towns and cities having a popu-



lation of 5,000 inhabitants or less to appropriate money from their general funds for the improvement and maintenance of public parks, and providing for the expenditure thereof, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Head the amendments of the committee were adopted.

Kerr of Grundy moved to amend the bill by striking out the words "the mayor," in line four of the original bill and inserting in lieu thereof the words "the council."

Adopted.

Mr. Head moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barkley, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassel, Cheney, Coburn, Cruikshank, Cummings, Davenport, Dodds, Edwards, Eiker, English, Flenniken, Freeman, Frudden, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Jaeger, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Pritchard, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise—67.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Barker, Bealer, Blakemore, Carter, Christianson, Clarke, Colclo, Cowles, Crouse, Donahue, Dunham, Fields, Furry, Greeley, Hilsinger, Hurn, Jenks, Jones, Keagy, McClure, McNie, Marshall, Nagle, Payne, Robinson, Stuckslager, Teachout, Temple, Townsend, Walters, Wright, Mr. Speaker—33.

So the bill passed and the title was agreed to.

On motion of Edwards of Butler, House file No. 331, a bill for an act requiring railroad companies to file plats of all lines owned or operated in the several counties of the state of Iowa with county auditors, amendatory of the provisions of chapter 1, title 7 of the code, relating to the assessment of taxes, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Edwards the amendments of the committee were adopted.

Mr. Edwards moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Boysen, Buchanan, Calderwood, Cassel, Cheney, Christianson, Clarke, Coburn, Crouse, Cummings, Davenport, Dodds, Dunham, Edwards, English, Fields, Flenniken, Freeman, Frudden, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hufschmidt, Hughes, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Sweet, Teachout, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise—74.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Campbell, Carden, Carter, Colclo, Cowles, Cruikshank, Donahue, Eiker, Furry, Greeley, Hertert, Hilsinger, Hurn, Jaeger, McClure, McClurkin, Marshall, Payne, Springer,

Stuckslager, Temple, Townsend, Utterback, Wright, Mr. Speaker—26.

So the bill passed and the title was agreed to.

The hour having arrived for adjournment, the House was declared adjourned till 9 A. M. tomorrow, Thursday, March 13th.

HALL OF THE HOUSE OF REPRESENTATIVES, {  
DES MOINES, Thursday, March 13, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. G. F. Whitfield of Forest City, Iowa.

On motion of Anderson of Warren, leave of absence was granted Greeley of Story until this afternoon.

PETITIONS AND MEMORIALS.

Nichols of Muscatine presented petition of citizens of Muscatine county, asking equal suffrage.

Referred to committee on Constitutional Amendments.

Mordhorst of Clinton presented petition of members of the Clinton County Physicians' Protective association, regarding the pending osteopathic bill.

Referred to committee on Public Health.

Walden of Wayne presented petition of citizens of Wayne county, asking passage of House file No. 355.

Referred to committee on Mines and Mining.

Carden of Henry presented petition of citizens of Henry county, asking a standard fire insurance policy.

Referred to committee on Insurance.

Utterback of Keokuk presented petition of citizens of Keokuk county, asking a standard fire insurance policy.

Referred to committee on Insurance.

Davenport of Union presented petition of citizens of Union county, asking a standard fire insurance policy.

Referred to committee on Insurance.

#### INTRODUCTION OF BILLS.

Hughes of Iowa, by request, House file No. 398, a bill for an act regulating the manufacture and sale of loaves of bread.

Read first and second time and referred to committee on Public Health.

By Kling of Harrison, House file No. 399, a bill for an act to provide for the inspection, recognition and supervision of schools for the instruction and training of teachers for the common schools, and providing for the licensing of the graduates of the same.

Read first and second time and referred to committee on Schools and Text-Books.

#### BILLS ON THEIR PASSAGE.

On motion of Teachout of Polk, House file No. 297, a bill for an act to prevent sales of stocks of merchandise in fraud of creditors, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Teachout the amendments of the committee was adopted.

Mr. Teachout moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings, Dodds, Eiker, English, Fields, Frudden, Furry, Graff, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hughes, Keagy, Langan of Clinton, Leech, Lyman, McNie, Mattes, Meservey, Mordhorst,

Pipher, Powers, Roome, Stuckslager, Sweeley, Walters, Whiting, Wright, Mr. Speaker—48.

The nays were:

Messrs. Black, Carden, Carter, Davenport, Donahue, Dunham, Edwards, Freeman, Greene, Hertert, Hufschmidt, Jenks, Jones, Kendall, Kerr, Kolthoff, Langan of Crawford, Larrabee, McClure, McClurkin, Moore, Nagle, Nichols, Patton, Payne, Pritchard, Robinson, Secor, Sokol, Springer, Stratton, Sweet, Teachout, Utterback, Walden, Warren, Willett, Wilson of Washington—38.

Absent or not voting:

Messrs. Cowles, Cruikshank, Flenniken, Gilchrist, Greeley, Hurn, Jaeger, Kling, Koontz, Marshall, Temple, Townsend, Wilson of Buena Vista, Wise—14.

So the bill, having failed to receive a constitutional majority, was declared lost.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

Senate file No. 296, a bill for an act to provide for the publication of an edition of seven thousand, five hundred (7,500) copies of the code.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 138, a bill for an act to amend section one thousand, six hundred and eleven (1611), title nine (9), chapter one (1) of the code, relating to the authorized indebtedness of certain corporations.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 204, a bill for an act providing that chapter 25 of the acts of the Twenty-eighth General Assembly, relating to waterworks, be made applicable to cities under special charter.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 166, a bill for an act to amend section 1675 of the code, in relation to farmers county institutes.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 294, a bill for an act to legalize the incorporation of the town of Minden, Pottawattamie county, the election of its officers, the passage and record of its ordinances and resolutions, and all acts done by the council of said town.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 188, a bill for an act to repeal section 2727 of the code and chapter 83 of the acts of the Twenty-seventh General Assembly amendatory thereof, and enact a substitute therefor, relating to the support of the Iowa School for the Deaf at Council Bluffs.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 86, a bill for an act relating to the support of the College for the Blind at Vinton.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 290, a bill for an act amending section 1334 of the code, and repealing section 1335 and section 1336 of the code, and enacting substitute therefor, in relation to railway taxation, and providing for the publication of proceedings of said council and directing the payment of expenses provided for by this act.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate file No. 83, a bill for an act to amend section 508 of the code, in relation to sheriffs' fees.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate herewith returns Senate file No. 188.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Substitute for Senate file No. 40, a bill for an act to require railway companies to keep posted in their railway passenger stations, bulletins of the arrival and departure of trains.

GEO. A. NEWMAN,  
*Secretary.*

The following motion to reconsider was filed:

MR. SPEAKER—I move the reconsideration of the vote whereby House file No. 297 was lost.

H. E. TEACHOUT.

I second the motion.

LEE NAGLE.

On motion of Pipher of Cass, House file No. 70, a bill for an act to amend section 2394 of the code, relating to the sale of intoxicating liquors by permit holders, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.



On motion of Mr. Pipher, the amendments of the committee to House file No. 70 were adopted.

Stratton of Montgomery moved that House file No. 70 be referred to the committee on Suppression of Intemperance.

Carried, and the bill was so referred.

On motion of Payne of Appanoose, House file No. 230, a bill for an act requiring the county auditor to compile and prepare a financial report, and providing for the printing and distribution thereof, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

English of Polk moved to amend the bill by striking out the period at the end of the last line in the last section and substituting a semicolon therefor, and by adding to said section the following: "and all of such report, which shall not have been included in the published proceedings of the board of supervisors during the previous year shall be published in the official papers of the county with the proceedings of the January session".

Adopted.

Mr. Payne moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Utterback, Walden, Walters,

Warren, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—92.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Greeley, Hurn, Jaeger, Marshall, Secor, Townsend, Wilson of Washington—8.

So the bill passed and the title was agreed to.

On motion of Langan of Clinton, House file No. 212, a bill for an act to establish a barbers' examining board to regulate the practice of barbering, the licensing of persons to carry on such practice, to insure better education, skill and proficiency of such practitioners, and to provide penalties for the violation thereof, with report of committee on Public Health recommending passage as amended, was recalled from the committee on Appropriations and taken up, considered and the report of the committee adopted.

On motion of Mr. Langan the amendments of the committee were adopted.

Furry of Hardin moved to amend the bill by striking out the words "two years" and the figure "(2)" in the sixth, seventh, ninth and eleventh lines of the printed bill, as amended in section 8, and inserting the words "one (1) year" in lieu thereof.

Lost.

Langan of Clinton moved to amend the bill by striking out the figure "(3)" and inserting in lieu thereof the figure "(2)" in lines 8, 10, 12 and 14, section 8 of the original bill; also, by inserting between the words "tools" and "shaving" at the end of line 16, section 8, the word "for;" also, by striking out the word "of" and inserting the word "for" in line 19, section 8; also, by inserting the word "be" after the word "shall" at the end of line 2, section 14 of the original bill.

Adopted.

Mr. Langan moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon

its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Black, Buchanan, Calderwood, Campbell, Cheney, Christianson, Coburn, Colclo, Cowles, Cruikshank, Cummings, Davenport, Dodds, Edwards, Eiker, English, Fields, Frudden, Gilchrist, Greene, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Jones, Keagy, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Marshall, Meservey, Mordhorst, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stuckslager, Sweet, Teachout, Temple, Walters, Warren, Wilson of Washington, Wise, Wright—61.

The nays were:

Messrs. Bailey, Barker, Barkley, Bealer, Blakemore, Boysen, Carden, Carter, Cassel, Clarke, Donahue, Dunham, Flenniken, Freeman, Graff, Hertert, Kendall, McClure, Mattes, Moore, Nagle, Payne, Pritchard, Stratton, Sweeley, Utterback, Walden, Whiting, Wilson of Buena Vista, Mr. Spcaker—30.

Absent or not voting:

Messrs. Crouse, Furry, Greeley, Hurn, Jaeger, Jenks, Kerr Townsend, Willett—9.

So the bill passed and the title was agreed to.

The hour having arrived, the House took up the special order, being Senate joint resolution No. 3, resolution proposing amendment to the constitution of Iowa, relative to suffrage, and to provide for its reference and publication, with report of committee recommending indefinite postponement.

Mr. Sweet moved the adoption of the report of the committee.

Warren of Marion and Dunham of Delaware demanded the roll on this question, which resulted as follows:

The following pair was announced on yesterday on the consideration of the joint resolution: Donahue of O'Brien with Jaeger of Des Moines.

On the question, Shall the motion prevail?

The yeas were:

Messrs. Barker, Barkley, Bealer, Blakemore, Boysen, Calderwood, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Dodds, Flenniken, Frudden, Gilchrist, Hamann, Hertert, Hilsinger, Hufschmidt, Hughes, Jenks, Jones, Keagy, Kendall, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClure, McNie, Marshall, Mattes, Meservey, Mordhorst, Nagle, Payne, Pipher, Robinson, Roome, Secor, Sokol, Springer, Stuckslager, Sweet, Temple, Utterback, Walters, Whiting, Wilson of Washington, Wise, Wright—56.

The nays were:

Messrs. Anderson, Bailey, Black, Buchanan, Campbell, Carden, Carter, Cowles, Crouse, Cummings, Davenport, Dunham, Edwards, Eiker, English, Freeman, Furry, Graff, Greene, Hasselquist, Hawk, Head, Kerr, Langan of Crawford, McClurkin, Moore, Nichols, Patton, Powers, Pritchard, Stratton, Sweeley, Teachout, Walden, Warren, Willett, Wilson of Buena Vista, Mr. Speaker—38.

Absent or not voting:

Messrs. Donahue, Fields, Greeley, Hurn, Jaeger, Townsend—6.

So the report was adopted and the joint resolution was indefinitely postponed.

Mr. Donahue asked that the Journal show that had he not been paired with Mr. Jaeger on this vote, that he would have voted "no" on this question, as he was opposed to adopting the report of the committee.

On motion of Clarke of Dallas, substitute for Senate file No. 178, a bill for an act to amend section 3386 of the code, relating to property rights of persons who feloniously take the life of another, with the report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Clarke moved that the rules be suspended, and that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Cas-  
 sel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse,  
 Cruikshank, Cummings, Davenport, Donahue, Dunham, Edwards,  
 English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist,  
 Graff, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes,  
 Jenks, Jones, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of  
 Clinton, Langan of Crawford; Leech, Lyman, McClure, McClur-  
 kin, McNie, Marshall, Mattes, Merservey, Moore, Mordhorst,  
 Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robin-  
 son, Roome, Sokol, Springer, Stratton, Stuckslager, Sweeley,  
 Sweet, Teachout, Utterback, Walden, Walters, Warren, Whiting,  
 Wilson of Buena Vista, Wilson of Washington, Wise, Wright,  
 Mr. Speaker—85.

The nays were:

None.

Absent or not voting:

Messrs. Campbell, Dodds, Eiker, Greeley, Greene, Hamann,  
 Hurn, Jaeger, Keagy, Larrabee, Secor, Temple, Townsend,  
 Willett—15.

So the bill passed and the title was agreed to.

Wilson of Washington called up the motion to reconsider  
 House file No. 305, a bill for an act to prohibit and punish the  
 secret or unlawful tapping of water or gas pipes, or electric light  
 or power wires, or the appropriation or use of water or gas or  
 electric currents for light or power purposes without the knowl-  
 edge or consent of the owner, which was lost in passage.

Motion carried and House file No. 305 was taken up and con-  
 sidered.

Wilson of Washinton moved to amend House file No. 305 by  
 inserting before the word "taps", in the first line of section 1, the  
 words "wilfully and knowingly".

Adopted.

Stuckslager of Linn moved to amend the bill by inserting a  
 comma after the word "light" in line 2, section 1 of the printed  
 bill; by striking out the word "or" before the word "power" in  
 line 3, section 1 of the printed bill, and by inserting after the

word "purposes," in said third line and before the comma after said word, these words: "or tap or connect with any telegraph wire", by striking out the word "or" before the word "such," line 4 section 1 of printed bill; by inserting in said line and section after the word "wire", and before the semicolon after said word, the words "or telegraph wire or line"; by striking out the word "or" before the word "electric" and inserting a comma in lieu thereof in line 5 section 1 of said printed bill; and by inserting after the word "power," in line 5 section 1 in the printed bill the words "or any telegraph wire or line".

Adopted.

Dunham of Delaware moved to strike out the words "or connect" in lines 1 and 2 of said bill.

On motion of Carter of Sioux, the bill was recommitted to the committee on Judiciary.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 122, a bill for an act to amend section two (2) of chapter sixty-seven (67) of the laws of the Twenty-eighth General Assembly relating to savings banks.

Also, Senate file No. 281, a bill for an act to repeal section seven hundred forty-seven (747) of the code as amended, relating to the appointment of waterworks trustees in cities of the first class, and to enact a substitute in lieu thereof.

J. P. LYMAN,  
*Chairman House Committee.*

E. K. WINNE,  
*Chairman Senate Committee.*

Report adopted.

On motion of Sweet of Bremer, House file No. 298, a bill for an act to amend section 2522 of the code, relating to reports to the dairy commissioner by milk dealers and operators of creameries and cheese and condensed milk factories, and providing a penalty for violations of the section as amended, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Sweet moved to amend the bill by striking out the word "tenth" in line two of the printed bill and by substituting the word "ninth" therefor.

Adopted.

Sweeley of Woodbury moved to amend the bill by striking out the words "as amended" in line eight of section 1, of the original bill.

Adopted.

Mr. Sweet moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Cassel, Christianson, Clarke, Colclo, Crouse, Cruikshank, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Freeman, Frudden, Furry, Graff, Greene, Hamann, Hasselquist, Hawk, Hertert, Hufschmidt, Hughes, Jenks, Jones, Keagy, Kendall, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Payne, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—79.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Campbell, Cheney, Coburn, Cowles, Cummings, Flenniken, Gilchrist, Greeley, Head, Hilsinger, Hurn, Jaeger, Kerr, Larrabee, Nagle, Pipher, Temple, Townsend, Utterback, Walters—21.

So the bill passed and the title was agreed to.

The Speaker announced that he had signed in the presence of the House, Senate files Nos. 122, 281.

On motion of Mattes of Sac, House adjourned until 2:00 P. M.

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AFTERNOON SESSION.

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House met pursuant to adjournment, Speaker Eaton in the chair.

On motion of Wilson of Washington, the committee on pardons was excused.

The Journal of Wednesday, March 12th, was corrected and approved.

On motion of English of Polk, leave of absence was granted Nagle of Van Buren until Monday.

On motion of Stuckslager of Linn, leave of absence was granted Greeley of Story until tomorrow.

On motion of Hughes of Iowa, leave of absence was granted Buchanan of Wapello until tomorrow.

REPORTS OF COMMITTEE.

Warren of Marion, from the committee on Insurance, submitted the following report:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 354, a bill for an act to amend paragraph five (5) of section seventeen hundred and nine (1709) of the code relating to insurance, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. L. WARREN,  
*Chairman*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 383, a bill for an act to amend section five (5), of chapter forty-three (43) of the acts of the Twenty-eighth General Assembly, relating to insurance, beg leave to report that they have had the same under con-



sideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. L. WARREN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 374, a bill for an act to amend section one thousand seven hundred nine (1709) of the code, relating to insurance, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. L. WARREN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 388, a bill for an act to amend section five (5) of chapter forty-three (43) of the acts Twenty-eighth General Assembly, relating to the taxing of insurance corporations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended and that when so amended the same do pass.

Amend said section by inserting after the word "losses" in the tenth line of said section the following: "amounts of premium received which are paid out on policies re-insured with companies authorized to do business in this state."

J. L. WARREN,  
*Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By Langan of Clinton, House file No. 400, a bill for an act to authorize cities which have voted taxes to aid any corporation organized under the laws of this state for the construction of a highway or combination bridge across navigable boundary river, to vote additional taxes for the purchase of such bridge.

Read first and second time and referred to committee on Municipal Corporations.

#### SENATE MESSAGES CONSIDERED.

Senate file No. 294, a bill for an act to legalize the incorporation of the town of Minden, Pottawattamie county, the election

of its officers, the passage and record of its ordinances and resolutions, and all acts done by the council of said town.

Read first and second time.

On motion of Mr. Jenks by unanimous consent, Senate file No. 294, which was just read first and second time, was taken up and considered.

Mr. Jenks moved that the rules be suspended, and that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Campbell, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Donahue, Dunham, English, Fields, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jenks, Jones, Keagy, Kendall, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Temple, Utterback, Walden, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—73.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Barker, Buchanan, Carter, Davenport, Dodds, Edwards, Eiker, Flenniken, Greeley, Hamann, Hasselquist, Hurn, Jaeger, Kerr, Larrabee, McClure, Nagle, Payne, Pipher, Springer, Sweet, Teachout, Townsend, Walters, Warren, Wilson of Washington—27.

So the bill passed and the title was agreed to.

On motion of Barkley of Boone, House file No. 332, a bill for an act to amend section 722 of the code, as amended by chapters 21 and 22 of the acts of the Twenty-eighth General Assembly, relating to the levying of taxes for library purposes, with report

of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Gilchrist moved to amend by striking out the publication clause.

Adopted.

Jenks of Pottawattamie moved to amend by inserting after the word "code" in line two, the words "as amended by the Twenty-eighth General Assembly."

Adopted.

Mr. Barkley moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Crouse, Cruikshank, Cummings, Donahue, English, Fields, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jenks, Keagy, Kendall, Kling, Kolthoff, Langan of Crawford, Leech, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Payne, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Temple, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—68.

The nays were:

Mr. Jones— 1.

Absent or not voting:

Messrs. Buchanan, Campbell, Colclo, Cowles, Davenport, Dodds, Dunham, Edwards, Eiker, Flenniken, Greeley, Hamann, Hasselquist, Hurn, Jaeger, Kerr, Koontz, Langan of Clinton, Larrabee, Lyman, McClure, Marshall, Nagle, Pipher, Springer, Sweet, Teachout, Townsend, Utterback, Walters, Wilson of Washington—31.

So the bill passed and the title was agreed to.

Greene of Madison moved that House file No. 8 be made a special order for next Wednesday, March 19th, at 10:30 A. M.

Carried.

On motion of Bealer of Linn, the House adjourned till tomorrow morning at 9 A. M., Friday, March 14th.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Friday, March 14, 1902. }

The House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. Harvey Hostetler of Council Bluffs.

Furry of Hardin in the chair.

The Journal of Tuesday, March 11th, was corrected and approved.

On motion of Barker of Howard, leave of absence was granted Roome of Winneshiek indefinitely on account of sickness.

On motion of Furry of Hardin, leave of absence was granted English of Polk until tomorrow.

PETITIONS AND MEMORIALS.

Langan of Clinton presented petition of retail clerks of Clinton, relative to the building of war vessels in the navy yards of this country.

Referred to committee on Federal Relations.

Dodds of Des Moines presented petition of citizens of Burlington, relative to the killing of turtle doves.

Referred to the committee on Fish and Game.

REPORTS OF COMMITTEES.

Boysen of Audubon, from the committee on Industrial Schools, submitted the following report:

MR. SPEAKER—Your committee on Industrial Schools, to whom was referred House file No. 196, a bill for an act to establish an industrial reformatory for females, to make appropriations therefor and to provide

for the transfer of inmates to and from the Industrial school for girls, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

ASMUS BOYSEN,  
*Chairman.*

Report adopted and the bill indefinitely postponed, on motion of Wright of Guthrie.

Barkley of Boone, from the committee on Public Libraries submitted the following report:

MR. SPEAKER—Your committee on Public Libraries, to whom was referred House file No. 383, a bill for an act to amend section 731 of the code, relating to library reports, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. J. BARKLEY,  
*Chairman.*

Ordered passed on file.

Hughes of Iowa, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 155, a bill for an act to provide for the erection of monuments and tablets on the Vicksburg National Military Park, to mark the positions occupied by Iowa brigades, regiments and batteries, to commemorate the valor and services of Iowa soldiers in the campaign and siege of Vicksburg, and to make an appropriation therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out the words, "one-half", in the nineteenth line of section 2 of the original bill, and inserting in lieu thereof the words, "ten thousand dollars", and by inserting the figures "\$10,000" immediately thereafter in brackets, and that when so amended the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 185, a bill for an act making an appropriation for the department of agriculture for the purpose of erecting a permanent fire-proof building for live stock exhibits, beg leave to report that they have had the same under consideration, and have instructed me to report

the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 322, a bill for an act to appropriate money to pay for paving the state's portion of East Walnut street, between Fourteenth and Fifteenth streets, adjoining the state's property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Moore of Davis, from the committee on Military, submitted the following report:

MR. SPEAKER—Your committee on Military, to whom was referred House file No. 324, a bill for an act establishing the rank of commandant and instructor of military science and tactics in state colleges, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

SAMUEL A. MOORE,  
*Chairman.*

Ordered passed on file.

Cruikshank of Lee, from the committee on Fish and Game, submitted the following report:

MR. SPEAKER—Your committee on Fish and Game, to whom was referred Senate file No. 218, a bill for an act to provide for the condemnation of a fishway and for the erection of a fishway in the Bonaparte dam, also making an appropriation for the expense thereof and prescribing penalties for injuring or destroying such fishway, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. P. CRUIKSHANK,  
*Chairman.*

Ordered passed on file.

Eiker of Decatur submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 379, a bill for an act requiring the examination and providing for the licensing of municipal and county engineers, and for the protection of public property and public health, beg leave to report that they have had the same under consideration, and have instructed me to report

the same back to the House with the recommendation that the same be amended, and when so amended that the same do pass.

Amend by inserting after the word "members," in the second line of section one (1) of the original bill, the words "not more than two of whom shall be of the same political party and;" also, by striking out section fifteen (15), the publication clause.

B. L. EIKER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 264 a bill for an act to amend sections 2505 and 2506 of the code of Iowa, relating to the inspection of petroleum products, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended, and when so amended that the same do pass.

Amend the title by inserting the words "twenty-five hundred and five" and "twenty-five hundred and six" before the respective numerals and inclosing the numerals in parentheses.

Amend section one (1) by inserting a comma after the word "supplies," in the fourth line thereof of the original bill.

Amend section three (3) by inserting a comma before the word "duly," in the third line and by inserting a comma after the word "oath," in the fourth line thereof of the original bill.

Amend section four (4) by striking out the word "who," in the fourth line and inserting in lieu thereof the words "and he"; also by inserting a comma after the word "just," in the seventh line thereof of the original bill.

Amend section five (5) by striking out all of that part of the section after the word "be," in the sixteenth line thereof of the original bill and inserting the words "fined in a sum not less than ten dollars (\$10) nor more than one thousand dollars (\$1,000)" in lieu thereof.

Amend section six (6) by striking out the words "Daily Iowa," in the third line thereof of the original bill and inserting the words "Des Moines Daily" in lieu thereof.

B. L. EIKER,  
*Chairman*

Ordered passed on file.

Carter of Sioux submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 400, a bill for an act to authorize cities which have voted taxes to aid any corporation organized under the laws of this state for the construction of a highway or combination bridge across any navigable boundary river, to vote additional taxes for the purchase of such bridges, beg leave to report that they have had the same under considera-



tion, and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate file No. 201, a bill for an act to amend section six hundred forty-five (645) and section six hundred fifty-eight (658) of the code, relating to the powers and duties of mayors of cities, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom referred Senate file No. 202, a bill for an act to amend section seven hundred twenty-four (724) of the code, as amended, relating to certain powers of cities and towns, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 250, a bill for an act creating a board of police and fire commissioners in cities of the first class, having a population of more than sixty thousand, and defining the powers and duties of such board, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. W. CARTER,  
*Chairman.*

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 396, a bill for an act requiring the keeping of accounts in cities and towns, and requiring that publicity be given thereto, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended, and when so amended that the same do pass.

Amend by striking out the period at the end of section three (3) and inserting a comma and add thereto the following: "provided that two such newspapers are published in such city or town, and in the event that no such newspapers or only one such newspaper is published in such city or town, then such publication need only be made in one newspaper".

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate file No. 217, a bill for an act relating to the powers of boards of health and officers, and the erection and maintenance of pest-houses and hospitals in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate file No. 203, a bill for an act to amend section eight hundred twenty-three (823) of the code, relating to notice of the levy of special assessments, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate file No. 199, a bill for an act to amend section seven hundred and forty-five (745) of the code of Iowa, as amended by the acts of the Twenty-seventh General Assembly, relating to the purchase and construction of waterworks, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate file No. 70, a bill for an act to repeal section nine hundred and fifty-three (953) of the code, and section two (2) of chapter twenty-eight (28) of the acts of the Twenty-seventh General Assembly and amend subdivision six (6) of section one thousand and five (1005) of the

code, relating to the subject of assessment of taxes for library purposes in cities acting under special charters, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Lyman of Poweshiek, from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 9, a bill for an act legalizing the organization of the Independent school district of Ralston, located in Greene and Carroll counties.

J. P. LYMAN,  
*Chairman.*

Report adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 9, a bill for an act legalizing the organization of the Independent school district of Ralston, located in Greene and Carroll counties.

Also, Senate file No. 215, a bill for an act to legalize the action of the town council of the town of Orleans, in Dickinson county.

Also, Senate file No. 21, a bill for an act to amend section fourteen hundred (1400) of the code, making taxes levied on buildings as personal property a lien thereon.

Also, Senate file No. 83, a bill for an act to amend section five hundred eight (508) of the code, relating to sheriffs' fees.

Also, Senate file No. 41, a bill for an act to amend section one thousand six hundred thirteen (1613) of the code, relative to the publication of notice of incorporation.

Also, Senate file No. 26, a bill for an act to authorize library boards to condemn grounds for location of libraries and for additional library grounds.

Also, Senate file No. 196, a bill for an act to amend section two thousand two hundred sixty-seven (2267) of the code, relating to appeals from the findings of commissioners of insanity.

Also, Senate file No. 192, a bill for an act amending section two thousand five hundred seventy-two (2572) of the code, relating to the enforcement of the rules and regulations of the state board of health.

J. P. LYMAN,

*Chairman House Committee.*

E. K. WINNE,

*Chairman Senate Committee.*

Report adopted.

Dunham of Delaware submitted the following communication from the superintendent of public instruction:

DES MOINES, IOWA, March 14, 1902.

*To the Members of the Twenty-ninth General Assembly:*

Public school education costs the citizens of Iowa, \$8,500,000 a year. If the reasonable demands were granted the state institutions of higher learning and the institutions under the management of the board of control, less than \$2,000,000 would be required. The total amount estimated to operate the affairs of state in all departments, including the educational, penal and charitable institutions, is about \$2,200,000 a year. Thus we find that the cost of public education in common schools is, from the financial point of view, alone relatively of far greater importance than any other branch of state work.

Six thousand untrained and poorly prepared, if not wholly incompetent teachers are annually certificated for the sole purpose of keeping the schools open the statutory time. More than \$1,000,000 is paid annually to this large body of teachers, and more than one hundred thousand children are committed to the care of this immature and inexperienced class.

The boards governing the three educational institutions, and the board of control governing the penal, charitable and industrial institutions will, in such manner as to them seems necessary and wise, present for your consideration the needs of the institutions under their control. If the finances of the state would warrant it, you could justly grant the askings of all with credit to yourselves and the best welfare of the institutions. Could this be done, the total amount appropriated would not equal one-fourth of the total sum that will be expended in supporting the common schools during the year 1902.

As a member ex-officio of the three boards governing the educational institutions, I sincerely hope that the needs of these institutions will be met. The fire losses at the State university and the State College of Agriculture and Mechanic Arts make the needs of these institutions imperative. But, while my interest in these schools is great, the longings of my heart go out most strongly to the common schools. In them the vast majority of the children will receive their education. No excursions are ever run nor banquets served in their interest. No lobby ever appears to urge upon you the great needs of these schools wherein is spent annually four hundred per cent more of the people's money than is ever appropriated or voted annually for higher education. The earnest, thoughtful, careful attention your honorable body gives to measures which affect annually less than six thousand

students prompts and encourages me to urge that the same attention be given to proposed legislation which affects more than seven hundred thousand children.

There is now pending before your honorable body a measure providing for the compulsory attendance of children of the ages of seven to fourteen upon some public, private or parochial school. This department urges the passage of this bill. The state has the right to demand of parents that their children shall be given at least the elements of an education. Granted that this be true, have not the parents the right to demand that the state shall provide competent teachers for their children? In this state no minimum requirement has ever been fixed by law for those desiring to teach. That it should now do so is my firm conviction. If such minimum requirement be fixed, it must be reasonable. The standard should not at present be fixed so high that the public schools of the commonwealth would to any extent be closed for lack of teachers. The general assembly can I think now safely require that after some certain future date no person shall be certificated to teach who has not previously taught or pursued a scholastic course equivalent to that given in an accredited high school. The last section of House file No. 390, by Gilchrist, embodies this idea. The passage of such a law at this time would entail no additional expense upon the state, but would stimulate educational zeal, raise the standard of admission to the teachers' profession, and in the very near future give to our schools better prepared teachers, with a broader knowledge of the general subject of education and of the importance and value of the right education of children.

House file No. 399, by Kling, if passed, would make it possible for the state board of educational examiners to recognize efficient work done in the preparation of teachers in accredited high schools, private normal schools, seminaries, academies and denominational colleges. The measure carries an appropriation so small that when compared with those needed for higher institutions it appears insignificant, though believed to be sufficiently large to at least encourage the classes of schools named to meet the requirements fixed by the board of examiners. The bill further provides that the graduates of the approval schools may, upon passing the required examination, receive from the board of examiners certificates to teach in public schools for two years. Without further explanatory statements, I ask your consideration of this measure, believing that its passage would make possible the better preparation of the teachers for the common schools of Iowa. While \$25,000 is asked by way of slight remuneration for work done by not to exceed twenty-five approved schools in any one year, so desirous are interested friends of the bill in the general welfare of our schools that they have expressed the hope that the bill would pass, even though the very small appropriation be omitted from the bill. This loyal exhibition of the spirit of helpfulness upon the part of the friends of better schools will, I trust, prompt your honorable body to give earnest heed to this measure, which I think so vitally affects all of the common school interests of the commonwealth.

Closely connected with the question of supplying of better teachers for the schools of Iowa is Senate file No. 133, by Crossley. This measure

relates to the granting of certificates and life diplomas to teach upon the diplomas issued by certain institutions, when professional pedagogical preparation shall have been included in the course of study. Since, as stated above, several thousand unprepared teachers are certificated annually that schools may be "kept," it is my opinion that young men and young women who have given from two to six years of time to the pursuit of knowledge should be licensed to teach upon their college diplomas.

Since it is always through the children that the very best work is to be done in the uplifting of the citizenship of any community, it is important that something in line with the above be passed at the present session of your honorable body.

The people of Iowa have for several years displayed an interest in the consolidation of school districts. There has already passed the House of Representatives a substitute for House file No. 29, by Campbell, which provides that rural independent districts and subdistricts adjacent to the same, or contiguous independent districts, may unite and form one and the same corporation. The measure as a whole is looked upon with great favor by this department, and from a large amount of correspondence had with boards of directors in nearly all parts of the state, we believe that the passage of this bill would give very general satisfaction.

Charged with the general supervision of all common schools, I have the great honor to submit this communication for the attention of your honorable body.

Respectfully submitted,

R. C. BARRETT,  
*Superintendent Public Instruction.*

Passed on file and ordered printed in the Journal.

#### INTRODUCTION OF BILLS.

By Temple of Clarke, House file No. 401, a bill for an act to amend section fifty hundred ninety-six (5096) of the code, relating to bail after conviction of certain crimes.

Read first and second time and referred to committee on Judiciary.

By Head of Greene, House file No. 402, a bill for an act requiring administrators, executors and guardians to file certificate of clerk of the district court of the county of their appointment in any county where any judgment, mortgage or deed of trust released by them as such officers is executed.

Read first and second time and referred to committee on Judiciary.

By Larrabee of Fayette, joint resolution No. 4, joint resolution to amend the constitution of the state of Iowa by striking out a portion of section 8 of article 11.

## JOINT RESOLUTION NO. 4.

Proposing to amend the constitution of the state of Iowa, by striking out a portion of section eight (8) of article eleven (11).

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

That the following amendment to the constitution of the state of Iowa be and the same is hereby proposed:

Strike out of section eight (8) of article eleven (11) of the constitution, the following words, "and the State university at Iowa City, in the county of Johnson".

*Resolved,* Further, that the proposed amendment to the constitution of the state of Iowa be and the same is hereby referred to the legislature to be chosen at the next election for members of the general assembly, and that the secretary of state cause the same to be published for three months previous to the day of such election as provided by law.

Read first and second time and referred to committee on Constitutional Amendments.

Speaker Eaton in the chair.

## SENATE MESSAGES CONSIDERED.

Senate file No. 140, a bill for an act to require railroad companies operating passenger trains in the state of Iowa to keep posted in their stations bulletins or time-cards giving the time of departure of trains.

Read first and second time and referred to committee on Railroads and Commerce.

Senate file No. 290, a bill for an act amending section 1334 of the code, and repealing section 1335 and section 1336 of the code, and enacting substitutes therefor, in relation to railway taxation, and providing for the publication of proceedings of said council and directing the payment of expenses provided for by this act.

Read first and second time and referred to committee on Ways and Means.

Senate file No. 296, a bill for an act to provide for the publication of an edition of seven thousand five hundred (7,500) copies of the code.

Read first and second time and referred to committee on Judiciary.

Senate file No. 166, a bill for an act to amend section one thousand, six hundred and seventy-five (1675), title nine (9), chapter three (3) of the code, in relation to farmers county institutes.

Read first and second time and referred to committee on Agriculture.

Senate file No. 138, a bill for an act to amend section one thousand, six hundred and eleven (1611), title nine (9), chapter one (1) of the code, relating to the authorized indebtedness of certain corporations.

Read first and second time and referred to committee on Judiciary.

Senate file No. 204, a bill for an act providing that chapter twenty-five (25) of the acts of the Twenty-eighth General Assembly, relating to waterworks, be made applicable to cities under special charters.

Read first and second time.

On motion of Keagy of Dubuque, Senate file No. 204, just read first and second time, was, by unanimous consent, taken up and considered.

Mr. Keagy moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed by a two-thirds vote of those present, and the bill was read a third time.

☞ On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Calderwood, Campbell, Carden, Carter, Cassel, Christianson, Coburn, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, Fields, Freeman, Frudden, Furry, Gilchrist, Greeley, Greene, Hamann, Hawk, Hertert, Hufschmidt, Hughes, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Larrabee, Leech, Lyman, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Utterback,



Walden, Warren, Whiting, Willett, Wise, Wright, Mr. Speaker  
—74.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Buchanan, Cheney, Clarke, Cowles, English, Flenniken, Graff, Hasselquist, Head, Hilsinger, Hurn, Jæger, Koontz, Langan of Crawford, McClure, Nagle, Payne, Roome, Stuckslager, Teachout, Temple, Townsend, Walters, Wilson of Buena Vista, Wilson of Washington—26.

So the bill passed and the title was agreed to.

On motion of Hurn of Cerro Gordo, House file No. 272, a bill for an act requiring the clerk and treasurer of cities and towns to keep books showing the funds of municipal corporations, and to provide for a publication of a financial statement annually, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Gilchrist of Pocahontas in the chair.

Mr. Hurn moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Cadlerwood, Campbell, Carden, Carter, Cassel, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Edwards, Fields, Flenniken, Freeman, Frudden Furry, Gilchrist, Graff, Greeley, Greene, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Hurn, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright—82.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Cheney, Dunham, Eiker, English, Hamann, Hilsinger, Jaeger, Langan of Crawford, Marshall, Nagle, Payne, Roome, Secor, Stuckslager, Temple, Walters, Mr. Speaker—18.

So the bill passed and the title was agreed to.

On motion of Warren of Marion, House file No. 345, a bill for an act to amend chapter 8, title 13 of the code, granting to the governor of the state the power to parole inmates of the industrial school in certain cases, with report of committee recommending passage, was taken up, considered and the report of committee adopted.

Furry of Hardin moved to strike out all after the enacting clause and insert the following in lieu thereof:

Section 1. That section twenty-seven hundred eleven (2711) of the code, be and it is hereby amended by inserting therein at the end of the fourth line thereof, the following: "And the board may, in exceptional cases, discharge or parole inmates without regard to the length of their service or conduct, when satisfied that the reasons therefor are urgent and sufficient.

Adopted.

Mr. Warren moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boyesen, Calderwood, Campbell, Carden, Carter, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Edwards, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple, Townsend,

Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright—78.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Buchanan, Cassel, Cheney, Dunham, Eiker, English, Greene, Hurn, Jaeger, Jenks, Kendall, Langan of Clinton, Langan of Crawford, Marshall, Nagle, Payne, Roome, Secor, Stuckslager, Walters, Mr. Speaker—22.

So the bill passed.

Mr. Furry moved to amend the title by substituting for the title as it now is, the following:

A bill for an act to amend section twenty-seven hundred eleven (2711) of the code, in regard to the discharge or parole of inmates of the industrial schools.

Adopted, and the title as amended was agreed to.

On motion of Black of Mills, House file No. 242, a bill for an act for the relief of James T. Ward, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Speaker Eaton in the chair.

Mr. Black moved that the rules be suspended, that the bill be considered engrossed and read a third time now, and placed upon its passage.

The roll was demanded on this question.

On the question, Shall the motion prevail?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Boyseu, Campbell, Carden, Cassel, Christianson, Clarke, Coburn, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Edwards, Eiker, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Larrabee, Leech, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Pipher, Powers,

Pritchard, Robinson, Sokol, Springer, Stratton, Sweeley, Sweet, Townsend, Utterback, Walden, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—71.

The nays were:

Mr. Calderwood.

Absent or not voting:

Messrs. Barker, Blakemore, Buchanan, Carter, Cheney, Cowles, Donahue, Dunham, English, Hamann, Hurn, Jaeger, Kendall, Langan of Clinton, Langan of Crawford, Lyman, Marshall, Nagle, Patton, Payne, Roome, Secor, Stuckslager, Teachout, Temple, Walters, Warren, Wilson of Washington—28.

So the motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Bealer, Boysen, Calderwood, Campbell, Carden, Cassel, Christianson, Crouse, Cummings, Davenport, Edwards, Fields, Freeman, Graff, Greene, Hasselquist, Hawk, Hertert, Hufschmidt, Jenks, Jones, Kling, Langan of Clinton, Leech, McClurkin, McNie, Mattes, Meservey, Mordhorst, Patton, Powers, Sokol, Stratton, Stuckslager, Sweet, Townsend, Utterback, Whiting, Willett, Wright, Mr. Speaker—43.

The nays were:

Messrs. Barkley, Black, Clarke, Eiker, Flenniken, Hamann, Head, Hilsinger, Hughes, Keagy, Kerr, Larrabee, Lyman, McClure, Moore, Nichols, Pipher, Pritchard, Robinson, Springer, Warren, Wilson of Buena Vista, Wilson of Washington—23.

Absent or not voting:

Messrs. Blakemore, Buchanan, Carter, Cheney, Coburn Colclo, Cowles, Cruikshank, Dodds, Donahue, Dunham, English, Frudden, Furry, Gilchrist, Greeley, Hurn, Jaeger, Kendall, Kolthoff, Koontz, Langan of Crawford, Marshall, Nagle, Payne, Roome, Secor, Sweeley, Teachout, Temple, Walden, Walters, Wise—34.

So the bill, having failed to receive a two-thirds vote, was declared lost.

On motion of Bealer of Linn, House file No. 317, a bill for an act to amend section 1305 of the code, relating to the assessment of property for taxes and the valuation thereof by making the said section applicable to cities acting under special charters that now have a population of over 25,000 and under 30,000, according to the United States census of 1900, with report of committee recommending passage, with amendments, was taken up, considered and the report of the committee adopted.

On motion of Mr. Bealer the amendments of the committee were adopted.

On motion of Kerr of Grundy the bill was recommitted to the committee on Municipal Corporations.

Sweet of Bremer in the chair.

On motion of Furry of Hardin, House file No. 337, a bill for an act to amend section 3410 of the code, relating to sale of intoxicating liquors and abatement of nuisance, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

On motion of Dunham of Delaware the bill was referred to the committee on Judiciary.

Speaker Eaton in the chair.

Meservy of Webster moved that House file No. 112 be re-referred to the committee on Judiciary and retain its place on the calendar.

Carried, and the bill was so referred.

The following motion to reconsider was filed:

**MR. SPEAKER**—I move to reconsider the vote by which the amendments of the committee to House file No. 317 were adopted.

**ALBERT W. HAMANN.**

I second the motion.

**E. L. McCLURKIN.**

On motion of Barkley of Boone, House file No. 383, a bill for an act to amend section 731 of the code, relating to library reports, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Barkley moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon

its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Boysen, Campbell, Carden, Cassel, Christianson, Clarke, Coburn, Crouse, Cruikshank, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, Fields, Flenniken, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Kerr, Kolthoff, Larrabee, Leech, McClure, McClurkin, Marshall, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Townsend, Utterback, Warren, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—66.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Buchanan, Calderwood, Carter, Colclo, Cowles, Cummings, English, Freeman, Frudden, Furry, Hawk, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kling, Koontz, Langan of Clinton, Langan of Crawford, Lyman, McNie, Nagle, Payne, Roome, Teachout, Temple, Walden, Walters, Whiting, Wilson of Washington—34.

So the bill passed and the title was agreed to.

House file No. 258, a bill for an act to amend section 2150 of the code, in relation to common carriers, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Teachout of Polk, the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Hamann of Scott, House file No. 248, a bill for an act relating to defining, regulating and conferring rights and powers upon interurban street railways, and amending section 2026 of the code, relating to such railways, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Hamann offered the following amendments to the bill and moved that further consideration of these amendments on the bill be deferred until the amendments can be printed in the Journal:

I move to amend House file No. 248, by striking out all of said bill after the enacting clause, and inserting the following in lieu thereof:

Section 1. Any railway operated upon the streets of a city or town by electric or other power than steam, which extends beyond the corporate limits of such city or town to another city, town or village, or any railway operated by electric or other power than steam, extending from one city, town or village to another city, town or village, shall be known as an interurban railway, and shall be a work of internal improvement.

Sec. 2. The words, railway, railway company, railway corporation, railroad, railroad company, and railroad corporation, as used in the code, and acts of the general assembly, now in force or hereafter enacted, are hereby declared to apply to and include all interurban railways, and all companies or corporations constructing, owning or operating such interurban street railways, and all provisions of the code and acts of the general assembly now in force or hereafter enacted, affecting railways, railway companies, railway corporations, railroads, railroad companies and railroad corporations, are hereby declared to affect and apply in full force and effect to all interurban railways, and to all interurban railway companies or railway corporations constructing, owning or operating such interurban railways.

Sec. 3. Any interurban street railway shall within the corporate limits of any city or town, or of any city acting under special charter, be deemed a street railway and be subject to the laws governing street railways.

Sec. 4. Cities and towns, and cities acting under special charters, shall have power to authorize or forbid the construction of such railways upon, or over, or along the streets, alleys and public grounds within their limits and to prescribe the conditions and regulations under which said railways shall be constructed and operated within said limits, but no such right shall be given any railway for a period exceeding fifty (50) years. But nothing herein shall impair the obligation of contracts of such city or town heretofore made. This act shall not in any manner affect section seven hundred and seventy-five (775) and seven hundred and seventy-six (776) of the code, which shall be applicable to interurban railways.

Sec. 5. That section two thousand and twenty-six (2026) of the code be and the same is hereby amended by adding thereto the following: When an interurban street railway desires to operate its lines along or upon a public highway, and in the opinion of the board of supervisors of the county in which such highway is located, it is impracticable or inexpedient to increase the width thereof to one hundred (100) feet, such board of supervisors may permit such interurban street railway company to construct and operate its railway along and upon such highway, under such restrictions and regulations as the board may deem advisable; but no such railway shall construct or operate its line along or upon such highway until a written statement of consent of two-thirds of the residents owning property

abutting upon such highway shall have been obtained and filed with the auditor of the county in which the highway is located. And in all cases the location, construction and operation of such interurban street railway shall be subject to the provisions of section two thousand and twenty-seven. (2027) of the code.

Sec. 6. Wherever the tracks of an interurban railway cross the tracks of any steam railway at grade the steam railway shall have the right of way and not be compelled to stop its trains and the interurban railway company operating said line shall cause their cars to come to a full stop not nearer than ten (10) feet nor further than fifty (50) feet from such crossing, and before proceeding to cross said steam railway tracks shall cause some person in their employ first to cross said track ahead of said car or cars and ascertain if the way is clear and free from danger for the passage of said interurban cars, and said interurban cars shall not proceed to cross until signalled to do so by such person employed as aforesaid, or said way is clear for such passage over said tracks. Every person in charge of any interurban car or cars, who wilfully fails to comply with the provisions hereof and fails to bring the car or cars which he has in charge to stop, or causes the same to cross said steam railway tracks before the way is clear or he is signalled to do so, shall be subject to a fine of not less than one hundred dollars (\$100) nor more than two hundred dollars (\$200) or imprisonment in the county jail not to exceed twelve (12) months in the discretion of the court. No steam railway shall obstruct the free passage of the cars of an intersecting interurban railway at such crossing.

Sec. 7. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa.

Motion prevailed and further action on this bill was deferred.

On motion of Hawk of Jasper, leave of absence was granted Head of Greene until Monday noon.

On motion of Langan of Clinton, leave of absence was granted Cheney of Clay until Tuesday next.

On motion of Wilson of Buena Vista, leave of absence was granted Graff of Page indefinitely.

On motion of Coburn of Cherokee, House file No. 286 was made a special order for 10:30 A. M., Tuesday March 18th.

Journal of Thursday, March 13th, was corrected and approved.

On motion House files Nos. 17, 240 and 237 were passed on the calendar, but allowed to retain their places.

The following motion to reconsider was filed:



MR. SPEAKER—I move to reconsider the vote by which House file No 242 was lost, also the vote by which it was passed to its third reading.

C. W. BLACK.

I second the motion.

A. F. CASSEL.

On motion of Carter of Sioux the House adjourned till 2 P. M.

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### AFTERNOON SESSION.

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House met pursuant to adjournment, Speaker Eaton in the chair.

On motion of Sweet of Bremer, the consideration of joint resolution No. 5, which was set for consideration at 2 P. M., was deferred until after the consideration of special order No. 13, being House file No. 45.

On motion of Jenks of Pottawattamie, leave of absence was granted Freeman of Pottawattamie until Tuesday noon.

On motion of Wilson of Washington, leave of absence was granted Teachout of Polk, Townsend of Calhoun, Eiker of Decatur, Dodds of Des Moines and Anderson of Warren until Monday.

On motion of Wilson of Washington, leave of absence was granted Sweeley of Woodbury until tomorrow.

On motion of Marshall of Lee, leave of absence was granted Cruikshank of Lee until Tuesday.

On motion of Springer of Buchanan, leave of absence was granted Dunham of Delaware and Frudden of Dubuque until Tuesday.

On motion of Pipher of Cass, leave of absence was granted Kling of Harrison until Tuesday.

### INTRODUCTION OF BILLS.

By Head of Greene, House file No. 403, a bill for an act to regulate corporations organized under the laws of any state, territory or county, other than the state of Iowa.

Read first and second time and referred to committee on Judiciary.

By Calderwood of Scott, House file No. 404, a bill for an act to amend section 1370 of the code, relating to local boards of review, and making said section apply to cities acting under special charter.

Read first and second time and referred to committee on Municipal Corporations.

By Calderwood of Scott, House file No. 405, a bill for an act to make section 1350 of the code applicable to cities acting under special charters.

Read first and second time and referred to committee on Municipal Corporations.

By Calderwood of Scott, House file No. 406, a bill for an act to amend section 565 of the code, relating to township, assessors where cities are included in the township and making said section applicable to cities acting under special charter.

Read first and second time and referred to committee on Municipal Corporations.

On motion of Calderwood of Scott, House file No. 348, a bill for an act to prohibit the keeping of children in poorhouses, and to provide for their removal therefrom to, and support in, state institutions, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Calderwood moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Christianson, Clarke, Coburn, Cummings, Davenport, Donahue, Edwards, Fields, Furry, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jenks, Kling, Kolthoff, Koontz, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Pritchard, Robinson,

Secor, Sokol, Springer, Stratton, Stuckslager, Sweet, Teachout, Townsend, Warren, Whiting, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—61.

The nays were:

Messrs. Cowles, Crouse, Gilchrist, Greene, Jones, Kerr, Utterback, Walden, Willett, Wilson of Washington—10.

Absent or not voting:

Messrs. Anderson, Blakemore, Carter, Cassel, Cheney, Colclo, Cruikshank, Dodds, Dunham, Eiker, English, Flenniken, Freeman, Frudden, Graff, Greeley, Jaeger, Keagy, Kendall, Langan of Clinton, Langan of Crawford, Larrabee, Marshall, Nagle, Payne, Roome, Sweeley, Temple, Walters—29.

So the bill passed and the title was agreed to.

House file No. 315, a bill for an act appropriating \$625 to compensate Charles Alexander for eight horses killed by J. I. Gibson state veterinary surgeon, as glandered, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Lyman of Poweshiek, the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 316, a bill for an act appropriating \$175 to compensate Charles Rowdabush for two horses killed by J. I. Gibson, state veterinary surgeon, as glandered, with report of committee recommending that it be indefinitely postponed, was taken up, considered and, on motion of Lyman of Poweshiek, the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Wise of Black Hawk, Senate file No. 160, a bill for an act to amend section twenty-one hundred sixteen (2116) of the code, relating to duties of railway corporations to transport, with report of committee recommending indefinite postponement, was taken up and considered.

Mr. Wise moved that the report of the committee be adopted, and that the bill be indefinitely postponed.

Boysen of Audubon moved the previous question.

Carried.

On the motion of Mr. Wise the roll call was demanded, which resulted as follows:

On this vote the following pair was announced, Head of Greene with Mattes of Sac.

On the question, Shall the motion prevail?

The yeas were:

Messrs. Bailey, Barker, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Christianson, Clarke, Coburn, Crouse, Davenport, Donahue, Edwards, Fields, Gilchrist, Greeley, Greene, Hamann, Hasselquist, Hertert, Hufschmidt, Hurn, Kerr, Kolthoff, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Meservey, Moore, Mordhorst, Nichols, Patton, Pane, Pipher, Powers, Pritchard, Robinson, Secor, Sokol, Stratton, Stuckslager, Sweet, Temple, Walden, Warren, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—56.

The nays were:

Messrs. Campbell, Carter, Cassel, Colclo, Cowles, Cummings, Furry, Hawk, Hilsinger, Hughes, Jenks, Jones, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Springer, Utterback, Whiting, Willett—22.

Absent or not voting:

Messrs. Anderson, Cheney, Cruishank, Dodds, Dunham, Eiker, English, Flenniken, Freeman, Frudden, Graff, Head, Jaeger, Keagy, Kling, Mattes, Nagle, Roome, Sweeley, Teachout, Townsend, Walters—22.

So the bill was indefinitely postponed.

On motion of Wise of Black Hawk, House file No. 282, a bill for an act to amend section 2077 of the code, relative to compensation for the transportation of passengers, with report of committee recommending indefinite postponement, was taken up and considered.

Mr. Wise moved that the report of the committee be adopted, and the bill be indefinitely postponed.

On this motion the roll call was demanded, with the following result:

On the question, Shall the motion prevail?

The yeas were:

Messrs, Bailey, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Christianson, Clarke, Coburn, Crouse, Cummings, Davenport, Donahue, Edwards, Fields, Flenniken, Furry, Gilchrist, Greeley, Greene, Hamann, Hasselquist, Hawk, Hertert, Kolthoff, Leech, Lyman, McClure, McClurkin, McNie, Meservey, Moore, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Secor, Sokol, Springer, Stratton, Stuckslager, Sweet, Temple, Utterback, Warren, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—53.

The nays were:

Messrs. Barker, Carter, Cassel, Colclo, Cowles, Hilsinger, Hughes Hurn, Jenks, Jones, Kendall, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Mattes, Mordhorst, Payne, Walden, Whiting, Wilson of Buena Vista—21.

Absent or not voting:

Messrs. Anderson, Blakemore, Campbell, Carden, Cheney, Cruikshank, Dodds, Dunham, Eiker, English, Freeman, Frudden, Graff, Head, Hufschmidt, Jaeger, Keagy, Kerr, Kling, Marshall, Nagle, Roome, Sweeley, Teachout, Townsend, Walters—26.

So the motion prevailed and the bill was indefinitely postponed.

The hour having arrived for the special order, the House took up House file No. 45, a bill for an act providing for the transportation of children and giving state aid to rural schools, with report of committee recommending passage, as amended, was taken up, considered, and the report of the committee adopted.

On motion of Powers of Floyd the amendments of the committee were adopted.

Mr. Powers moved to amend the bill as follows: Amend House file No. 45 by adding the following as section 2:

Section 2. Be it further enacted, That any school township, sub-district or rural independent district, employing in any rural school as aforesaid, a teacher possessed of a two-year certificate or a state certificate, and maintaining a school for eight (8) months each year, and having an average daily attendance for said time of twenty persons between the ages of five (5) and

twenty-one (21) years, shall receive from the treasurer of the state fifty dollars (\$50.00) per annum, and the auditor of the state is hereby authorized to issue warrants for the above amount, whenever a sworn statement is presented to him from the county superintendent of any county that there has been a compliance with the provisions of this act. The sum of fifty dollars (\$50.00) thus appropriated shall be paid to the treasurer of the school corporation for the benefit of the teachers' fund, and in school townships it shall be used by the board of directors for the maintenance of the school in the particular sub-district having conformed to the provisions of this act.

Lost.

Edwards of Butler moved to amend as follows:

Amend Substitute for House file No. 45, as printed on page 598 of the Journal of March 7th, by striking out of said substitute all the words, beginning with the word "during", following the word "days", in line ten of said substitute, up to and including the word "disease", in the eleventh line of said substitute.

Lost.

Robinson of Emmet moved to amend the bill as printed on page 598 of the Journal, by striking out the word "four" and figure "(4)" in line 9 of said substitute, and by inserting in lieu thereof the word "six" and figure "(6)".

Lost.

Stratton of Montgomery moved to amend by inserting after the word "transport", in line five, the following words, "in a suitable covered conveyance".

Lost.

Stratton of Montgomery moved to amend by inserting after the comma following the word "superintendent", in line four of the substitute, page 598 of the House Journal of March 7th, the words, "and two-thirds of the patrons interested".

Carried.

Mr. Powers moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Barker, Barkley, Black, Buchanan, Campbell, Carter, Clarke, Cowles, Crouse, Donahue, Edwards, Fields, Flenniken, Furry, Greene, Hawk, Hughes, Hurn, Jenks, Kendall, Kolthoff, Larrabee, Lyman, McNie, Mattes, Meservey, Powers, Robinson, Secor, Sokol, Temple, Walden, Warren, Willett, Wilson of Buena Vista, Mr. Speaker—36.

The nays were:

Messrs. Bailey, Bealer, Blakemore, Boysen, Calderwood, Christianson, Colclo, Davenport, Gilchrist, Hasselquist, Hertert, Hilsinger, Jones, Koontz, Langan of Clinton, Leech, McClure, Moore, Patton, Pritchard, Springer, Stratton, Stuckslager, Sweet, Whiting, Wilson of Washington, Wright—27.

Absent or not voting:

Messrs. Anderson, Carden, Cassel, Cheney, Coburn, Cruikshank, Cummings, Dodds, Dunham, Eiker, English, Freeman, Frudden, Graff, Greeley, Hamann, Head, Hufschmidt, Jaeger, Keagy, Kerr, Kling, Langan of Crawford, McClurkin, Marshall, Mordhorst, Nagle, Nichols, Payne, Pipher, Roome, Sweeley, Teachout, Townsend, Utterback, Walters, Wise—37.

So the bill, having failed to receive a constitutional majority, was declared to have failed of passage.

The Speaker announced that he had signed, in the presence of the House, the following bills: House file No. 9 and Senate files Nos. 215, 21, 83, 41, 26, 196, 192.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 86, a bill for an act to repeal section twenty-seven hundred eighteen (2718) of the code, and chapter eighty-two (82), laws of the Twenty-seventh General Assembly amendatory thereto, and to enact a substitute therefor, relating to the support of the College for the Blind at Vinton, Iowa.

Also, House file No. 188, a bill for an act to repeal section twenty-seven hundred twenty-seven (2727) of the code, and chapter eighty-three (83) of the acts of the Twenty-seventh General Assembly amendatory thereto, and

to enact a substitute therefor, relating to the support of the Iowa School for the Deaf at Council Bluffs.

J. P. LYMAN,  
*Chairman.*

Report adopted.

Also:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval, House file No. 9, a bill for an act legalizing the organization of the Independent school district of Ralston, located in Greene and Carroll counties.

J. P. LYMAN,  
*Chairman.*

March 14, 1902.

Report adopted.

The following motion to reconsider was filed.

MR. SPEAKER—I move to reconsider the vote by which the substitute for House file No. 45 was lost on passage and also the vote by which said bill was passed to its third reading.

F. C. GILCHRIST.

I second the motion.

C. S. STRATTON.

Sweet of Bremer moved that joint resolution No. 5 be made a special order for Wednesday, March 19th, at 11 A. M.

Carried.

On motion of Hughes of Iowa, House adjourned until 9 A. M., tomorrow, Saturday, March 15th.



HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Saturday, March 15, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. J. R. Beard of Oto, Iowa.

On motion, the following excuses were granted: Stratton of Montgomery until Wednesday; Kolthoff of Chickasaw, Hamann of Scott, Graff of Page, Nichols of Muscatine, Patton of Franklin, Crouse of Adams, McNie of Benton, Wilson of Buena Vista, Calderwood of Scott, Blakemore of Taylor, Wise of Black Hawk, Jones of Mahaska, until Tuesday; Jenks of Pottawattamie until Monday.

PETITIONS AND MEMORIALS.

Mordhorst of Clinton presented petition of Clinton Typographical union of Clinton, asking a resolution favoring the construction of war vessels in this country.

Referred to committee on Federal Relations.

Walden of Wayne presented petition of citizens of Seymour, asking the passage of House file No. 355.

Referred to committee on Mines and Mining.

Willett of Woodbury presented remonstrance of citizens of Danbury against the passage of House files Nos. 108 and 134, or any similar bills.

Referred to committee on Schools and Text-Books.

REPORTS OF COMMITTEES.

Hughes of Iowa, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 221, a bill for an act to amend sections twenty-two

hundred four (2204) and twenty-two hundred fourteen (2214) of the code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 71, a bill for an act to amend sections 1672 and 1673, chapter 3, title 9 of the code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Cummings of Marshall, from the special committee on House file No. 59, submitted the following report:

MR. SPEAKER—Your committee, to whom was referred House file No. 59, a bill for an act to authorize the registration of land titles and to simplify the transfer of real estate, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the enactment of the principles of the Torrens system, as embodied in House file No. 59, meet the approval of the committee, but we believe that it is not practicable at this time for any committee to consider the bill in time for presentation to the legislature at this session.

Your committee further recommends that said bill be submitted to a special commission to be provided by this session of the general assembly to be acted upon and reported to the Thirtieth General Assembly for enactment.

B. F. CUMMINGS,  
M. F. EDWARDS,  
L. F. SPRINGER,  
*Committee.*

Ordered passed on file.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 112, a bill for an act relating to the time in which actions or proceedings may be brought for recovery of taxes alleged to be due on personal property omitted, not listed or withheld, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by the adoption of the following substitute therefor:

## SUBSTITUTE FOR HOUSE FILE NO. 112.

A bill for an act to repeal section one thousand three hundred and seventy-four (1374) of the code, and enact a substitute therefor, and to amend chapter forty-seven (47) and chapter fifty (50) of the acts of the Twenty-eighth (28) General Assembly, relating to the correction, assessment and collection of taxes.

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

Section 1. That section one thousand three hundred and seventy-four (1374) of the code be repealed, and that the following be enacted in lieu thereof:

When property subject to taxation is withheld, overlooked, or from any other cause is not assessed, the county treasurer shall, when apprised thereof, at any time within three years from the date when such assessment should have been made, demand of such person, firm, corporation or other party to whom the same should have been assessed, or of the administrator of such person, or the proper officer or legal representative of such person, firm, corporation or other party, the amount of taxes which would have been due had said property been assessed at its fair value, for each year in which there was a failure to assess the same, together with six per centum per annum from the time such taxes would have become delinquent had the proper assessment been made, and shall give such person, firm, corporation, or other party at least twenty days' notice, by registered letter, of the time and place such demand is to be complied with or the hearing relating thereto is to be had. If the person, firm, corporation or other party thus notified does not appear, or if, upon such hearing, it appears to the treasurer that the taxes referred to in such notice, or any part thereof, should be assessed, the treasurer shall list and assess said property and enter the amount of the tax thereon, with interest, on the tax list for the current year and proceed to collect the same as other taxes.

Appeals may be taken from the final act of the treasurer to the district court of such county within twenty (20) days after the same is made, by a written notice served on said county treasurer, and the court shall hear and determine the matter in the same manner as now prescribed in appeals from boards of review.

The taxes thus recovered shall be apportioned ratably by the treasurer as to the time they should have been entered on the tax lists and paid according to law.

Sec. 2. That section two (2) of chapter forty-seven (47) of the acts of the Twenty-eighth (28) General Assembly be amended by adding after the word "property" in the third (3d) line of said section the following, "within three years from the time such assessment should have been made."

Sec. 3. That section one (1), of chapter fifty (50) of the acts of the Twenty-eighth (28th) General Assembly be amended by adding after the word "person", in the second (2) line of said section the following, "who is, and has been a bona fide resident of the county for eighteen (18) months last past."

Sec. 4. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

And when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 296, a bill for an act to provide for the publication of an edition of 7,500 copies of the code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 195, a bill for an act to amend section thirty-two hundred twenty-five (3225) of the code, relating to the support of families of persons adjudged to be insane, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 377, a bill for an act to amend section 860 of the code, entitled "When guarantee company may be accepted as surety", beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Report adopted on motion of Mr. Clarke, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 370, a bill for an act to amend sections 5049, 5050 and 5051 of the code, relating to label, trade-mark or form of advertisement, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommenda-

tion that the same be amended by striking out section 6, being the publication clause, and when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 305, a bill for an act to prohibit and punish the secret and unlawful tapping of water or gas pipes, or electric light or power wires, or the appropriation or use of water or gas or electric currents for light or power purposes, without the knowledge or consent of the owner. And the amendments to said bill passed by the House, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out all amendments thereto.

And amended by striking out section one of said bill, and inserting in lieu thereof the following:

Section 1. That it is hereby made unlawful for any person or corporation willfully and knowingly to tap any water or gas pipe or main, or connect with any wire carrying a current for electric light or power purposes, without the knowledge or consent of the corporation or person owning or operating such water or gas pipe or main, or such electric wire; and it is hereby further made unlawful to appropriate or use water, gas, electric light or power, obtained or appropriated as aforesaid, without the knowledge or consent of the corporation or person owning or operating the said pipes or wires as aforesaid.

Sec. 2. Any person or corporation violating the provisions of section one (1) of this act, shall, on conviction thereof, be punished by a fine of not exceeding one hundred dollars, and shall also be liable in a civil action for any and all damages or loss caused thereby.

And when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 366, a bill for an act providing for the organization of trust companies and loan and trust companies, defining their powers, and providing for their examination and control, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

That sections 3, 4, 5, and 7 be amended, where referring to sections of the code by the word "section" and the number of said section represented in

figures, that said figures be enclosed in brackets and the words which properly represent each and every of said numbers respectively inserted before said figures so enclosed in brackets.

And when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Temple of Clarke, from the committee on Ways and Means, submitted the following report:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 359, a bill for an act providing for the levy of a special tax of one-tenth of a mill on the dollar upon assessed valuation of taxable property of the state for the erection, repair, improvement and equipment of buildings for the State Normal School at Cedar Falls, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred Senate file No. 153, a bill for an act to repeal chapter ninety-nine (99) of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor, providing for the levy of a special tax of one-fifth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the Iowa College of Agriculture and Mechanic Arts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred Senate file No. 10, a bill for an act to repeal chapter ninety-seven (97) of the acts of the Twenty-eighth (28) General Assembly, and to enact a substitute therefor, providing for the levy of a special tax of one-fifth (1-5) of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for State University of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Barkley of Boone, from the committee on Public Libraries submitted the following report:

MR. SPEAKER—Your committee on Public Libraries, to whom was referred House file No. 384, a bill for an act to protect the property of public libraries and reading rooms, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. J. BARKLEY,  
*Chairman.*

Ordered passed on file.

Stuckslager of Linn, from the committee on Claims, submitted the following report:

MR. SPEAKER—Your committee on Claims, to whom was referred House file No. 308, a bill for an act appropriating money to reimburse Samuel Purcell for losses in the Sioux Indian insurrection in Cherokee county upon the fifth day of August, 1861, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. C. STUCKSLAGER,  
*Chairman.*

Ordered passed on file.

#### REPORT OF CONFERENCE COMMITTEE.

Representatives Cummings, Coburn and Wilson, from the joint committee of conference, submitted the following report:

MR. SPEAKER—Your committee of conference, to whom was referred the concurrent resolution relating to the bill now pending in congress defining conspiracy, introduced in the senate by Senator Hoar of Massachusetts, and in the house by Representative Grosvenor of Ohio, and known as Senate file 1118, and House Roll 11060, beg leave to report that they have had the same under consideration and would recommend that in lieu thereof the concurrent resolution hereto attached and returned be adopted.

E. H. HUBBARD,  
THOS. D. HEALY,  
J. L. WILSON,

*Conferees on part of Senate.*

B. F. CUMMINGS,  
GEO. F. COBURN,  
C. J. WILSON,

*Conferees on part of House.*

WHEREAS, There is now pending in congress a bill introduced in the Senate by Senator Hoar of Massachusetts, and favorably reported by the judiciary committee of the senate, and introduced into the house of representatives by General Grosvenor of Ohio, said bill being known as Senate file 1118 and House Roll 11060, and

WHEREAS, The said bill concerns the welfare of a large number of wage reaners of the United States; therefore, be it

*Resolved*, That it is the opinion of the Twenty-ninth General Assembly of the state of Iowa, that the said bill is a just measure and should become a law, it is further

*Resolved*, That the General Assembly of Iowa, having the utmost confidence in the senators and representatives in congress from Iowa, and expecting them to exercise their individual judgments upon all matters, it submits this resolution for their favorable consideration.

Ordered passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Lyman of Poweshiek, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 86, a bill for an act to repeal section twenty-seven hundred eighteen (2718) of the code, and chapter eighty-two (82) laws of the Twenty-seventh General Assembly amendatory thereto, and to enact a substitute therefor, relating to the support of the College for the Blind at Vinton.

Also, House file No. 188, a bill for an act to repeal section twenty-seven hundred twenty-seven (2727) of the code, and chapter eighty-three (83) of the acts of the Twenty-seventh General Assembly amendatory thereto, and to enact a substitute therefor, relating to the support of the Iowa School for the Deaf at Council Bluffs.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Robinson of Emmet, House file No. 407, a bill for an act to legalize the contract made by the incorporated town of Spirit Lake, for the construction of a sewer therein, and for a levy of a tax of 5 mills made by said town in payment therefor.

Read first and second time and referred to committee on Judiciary.

Bealer of Linn moved that House file No. 155 be made a special order for 2:30 P. M., Tuesday, March 18th.

Carried.



## BILLS ON THEIR PASSAGE.

On motion of Campbell of Fremont, House file No. 386, a bill for an act to amend sections 2433 and 2435 of the code, relating to the listing of places where intoxicating liquors are kept for sale or sold, and the assessment of the mulct tax against property and its owner or owners and the occupant or tenant of such property, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Edwards of Butler in the chair.

Mr. Campbell moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were :

Messrs. Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Campbell, Carden, Carter, Cassel, Christianson, Clarke, Crouse, Cummings, Edwards, English, Fields, Flenniken, Furry, Gilchrist, Greeley, Greene, Hasselquist, Hawk, Hilsinger, Hughes, Kendall, Kerr, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, Mattes, Meservey, Moore, Payne, Pipher, Powers, Pritchard, Robinson, Secor, Sokol, Stuckslager, Sweeley, Temple, Walden, Willett, Wilson of Washington, Wright—52.

The nays were:

Mr. Donahue.

Absent or not voting :

Messrs. Anderson, Blakemore, Calderwood, Cheney, Coburn, Colclo, Cowles, Cruikshank, Davenport, Dodds, Dunham, Eiker, Freeman, Frudden, Graff, Hamann, Head, Hertert, Hufschmidt, Hurn, Jaeger, Jenks, Jones, Keagy, Kling, Kolthoff, Koontz, Langan of Clinton, McNie, Marshall, Mordhorst, Nagle, Nichols, Patton, Roome, Springer, Stratton, Sweet, Teachout, Townsend, Utterback, Walters, Warren, Whiting, Wilson of Buena Vista, Wise, Mr. Speaker—47.

So the bill passed and the title was agreed to.

Speaker Eaton in the chair.

Temple of Clarke offered the following amendments to House file No. 389, to be printed in the Journal, and to be taken up when said bill is under consideration:

Amend section nine (9) of House file No 389, by inserting in the ninth line of section 9, after the words "exist as such," the words "except as hereinafter provided."

By striking out section sixteen (16) of said bill and by inserting as section 16 thereof, the following:

Section 16. The said board shall have power;

*First.* To manage and control the property of the said several institutions, whether the same be real or personal, and to direct the investment of permanent funds belonging thereto, and to collect the revenues thereof.

*Second.* To grant diplomas upon the recommendation of the several faculties, to any student who may have completed any course of study prescribed in said institutions or the equivalent thereof.

*Third.* To direct the expenditures of all appropriations which the general assembly shall from time to time make to each of said state educational institutions, and the departments thereof, and of the income arising from congressional grants, permanent and irreducible fund, and all other source accruing to the said several state educational institutions.

*Fourth.* To keep a full and complete record of all its proceedings and to do all other acts necessary to carry out the provisions of this chapter.

*Fifth.* To institute and prosecute to final judgment, any action found necessary for the protection of the property entrusted to its care, as belonging to any of the said several state educational institutions.

*Sixth.* To manage and control any and all endowment funds, permanent funds, lands, buildings and other property belonging to either or any of said state educational institutions.

*Seventh.* To carry out any and all provisions of chapter three (3), four (4), five (5) of title thirteen (13) of the code, which are hereby repealed or are in conflict with.

By inserting as section seventeen (17) the following:

Section 17. The said board, together with the governor and superintendent acting jointly, shall have power to elect a president for each of the said state educational institutions and shall, on the nomination of the president, so elected, elect a secretary, professors, tutors, teachers and such heads of departments as now exist or may be hereafter created in each of the several state educational institutions.

*Second.* To fix the salaries of each of said officers and employes, prescribe their duties and appoint substitutes who shall discharge the duties of such officers in their absence.

*Third.* To arrange courses of study and practice, and to establish professorships as may seem best to carry into effect the provisions and law governing said institutions, and to prescribe conditions and terms of admission into the several said institutions, and into the several departments thereof.

*Fourth.* To remove, by a majority vote, any officer, professor, teacher, tutor or other employe.

By numbering section 17 as 18, 18 as 19, 19 as 20, 20 as 21 and 21 as 22.

Stuckslager of Linn moved that House file No. 389 be referred to a special committee of seven to be appointed by the Chair.

Carter of Sioux moved to amend by recommitting the bill to the committee on Judiciary, allowing it to retain its place on the calendar.

Adopted.

Motion of Stuckslager, as amended, adopted.

The Speaker announced that he had signed in the presence of the House, House files Nos. 86 and 188.

The following communication was received from the governor:

EXECUTIVE OFFICE,  
DES MOINES, IOWA, March 15, 1902. }

*To the Senate and House of Representatives of the Twenty-ninth General Assembly:*

I beg to call your attention to the fact that there are now pending in congress, several bills looking toward the erection of public buildings by the government of the United States in the State of Iowa, and it is believed that within the next two years some or all these measures may become laws.

Section 355 of the revised statutes of the United States provides, among other things that "No money shall be expended upon any site or land purchased by the United States, for the purpose of erecting thereon any \* \* \* public buildings of any kind whatever, \* \* \* until the consent of the legislature of the state in which the land or site may be, to such purchase, has been given."

The only general provisions of our code relating to the subject are contained in section 4, chapter 1, and it has been held by the attorney-general of the United States that this does not satisfactorily comply with the above mentioned section of the revised statutes of the United States, in that the state reserves to its courts the jurisdiction of crimes committed on property belonging to the United States, and the enforcement thereon of quarantine and health regulations. As I understand it, this objection has been overcome in the cases of the federal buildings at Clinton, Creston and Oskaloosa by the enactment of special statutes which did not contain the reservations to which the attorney-general objects. If, therefore, a federal build-

ing were ordered in the state of Iowa during the next two years it would be impossible for the government to either acquire a site for it or begin its construction, and we would be compelled to await the meeting of the next general assembly in order to make our laws comply with those of the United States.

In view of these conditions I respectfully recommend the passage of a general act which will be in harmony with the construction placed upon the revised statutes of the United States by the attorney-general, and which, being passed, would enable the government to go forward with the acquisition of sites that may be purchased and the erection of any buildings that may be ordered during the ensuing two years.

I have been furnished with a draft of a statute which meets the approval of the department of justice in such case, and as a suggestion, merely, I submit it to you, trusting that it may facilitate your work in the preparation of a proper law.

Respectfully submitted,

ALBERT B. CUMMINS.

A BILL.

For an act ceding to the United States exclusive jurisdiction over certain lands or lots acquired by the United States for public purposes within this state, and authorizing the acquisition thereof.

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

Section 1. That the consent of the state of Iowa is hereby given, in accordance with the seventeenth clause, eighth section, of the first article of the constitution of the United States, to the acquisition by the United States, by purchase, condemnation, or otherwise, of any land in this state required for sites for custom houses, courthouses, postoffices, arsenals, or other public buildings whatever, or for any other purposes of the government.

Sec. 2. The exclusive jurisdiction in and over any land so acquired by the United States shall be, and the same is hereby ceded to the United States, for all purposes except the service upon such sites of all civil and criminal process of the courts of this state; but the jurisdiction so ceded shall continue no longer than the said United States shall own such lands.

Sec. 3. The jurisdiction ceded shall not vest until the United States shall have acquired the title to the said lands by purchase, condemnation or otherwise; and so long as the said lands shall remain the property of the United States when acquired as aforesaid, and no longer, the same shall be and continue exempt and exonerated from all state, county and municipal taxation, assessment or other charges which may be levied or imposed under the authority of this state.

Sec. 4. This act, being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in the city of Des Moines, county of Polk, state of Iowa.

## MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 368, a bill for an act to legalize the ordinances and resolutions passed by the incorporated town of Cresco, Howard county, Iowa, and also of the city of Cresco, in said county and state.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

Substitute for House file No. 41, a bill for an act to amend section three (3) of chapter thirty (30) of the acts of the Twenty-eighth General Assembly, relating to the levy of taxes for park purposes in certain cities.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 130, a bill for an act to amend section 2547 of the code and to prohibit the taking of fish from certain waters of the state, except with hook and line.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 139, a bill for an act to amend section twenty-five hundred seventy-one (2571) of the code, relating to time of meetings for local boards of health.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 156, a bill for an act concerning and defining kidnaping for the purpose of ransom, and prescribing the punishment therefor.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 261, a bill for an act establishing the rank of commandant and instructor of military science and tactics in state educational institutions.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 31, a bill for an act relating to the sale of cocaine and providing punishment for the illegal sale thereof.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 55, an act to amend sections 2708, 2709, 2711, title 13, chapter 8 of the code, to repeal sections 12, 13 and 14, chapter 100, laws of the Twenty-eighth General Assembly, in relation to the discharge of boys and girls from Industrial schools.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has failed to pass the following bill, in which the concurrence of the Senate was asked:

House file No. 244, relative to amending section 2692 of the code and section 5 of chapter 78 of the acts of the Twenty-seventh General Assembly, relating to the support of children in the Iowa Soldiers' Orphans' Home.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Carter of Sioux, House file No. 281, a bill for an act to provide for the manner of paying the salary or compen-

sation of deputy state officers and deputy county officers, prohibiting their principals receiving or retaining any part thereof, and punishing the violation thereof, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Fields of Plymouth moved to amend the bill by inserting after the word "use", in line four, section 2 of the printed bill, "except when necessary to pay for extra clerk hire, and that no greater amount be retained than is absolutely used for such purpose."

Carter of Sioux moved to amend the amendment of Mr. Fields by adding thereto the words, "and the board of supervisors may make provision for such clerk hire".

Adopted.

Amendment as amended lost.

Greene of Madison moved to amend as follows: Insert after the word "officer", in the third line of section 1, of the printed bill, the following words: "or clerks and assistants of such officer"; also insert between the words "deputy" and "and", the words, "and clerks", in line 3, section 1 of the printed bill.

Adopted.

Mr. Fields moved to amend by inserting after the word "deputy", in line 5, section 1 of the printed bill, the words "clerk or assistants"; also in line 2 of section 2, after the word "officer", insert the words "clerks or assistants"; also in line 3, section 2, after the word "deputy", insert the words "clerk or assistants."

Carter of Sioux moved that the bill be referred to the committee on Compensation of Public Officers.

Carried.

On motion of Donahue of O'Brien, the House adjourned until 2 o'clock P. M., Monday, March 17, 1902.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Monday, March 17, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by Rev. G. O. Paulsrud of Randall, Iowa,

The Journal of Friday, March 14th, was corrected and approved.

The Journal of Saturday, March 15th, was corrected and approved.

On motion of Freeman of Pottawattamie, leave of absence was granted Jenks of Pottawattamie until tomorrow.

On motion of Leech of Cedar, leave of absence was granted Bailey of Ringgold until tomorrow.

On motion of Dodds of Des Moines, leave of absence was granted Jaeger of Des Moines until Wednesday.

On motion of Buchanan of Wapello, leave of absence was granted Mattes of Sac until tomorrow morning.

On motion of English of Polk, leave of absence was granted Nagle of Van Buren until tomorrow.

On motion of Furry of Hardin, leave of absence was granted Campbell of Fremont indefinitely.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:



House file No. 227, a bill for an act to legalize the ordinances and the official acts of the town of Schaller, Sac county.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill, in which the concurrence of the Senate was asked:

House file No. 38, a bill for an act to amend section 2764 of the code, relating to taking of school census.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

Substitute for House file No. 47, a bill for an act to amend section 3499 of the code, relating to the limitations of actions on judgments.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 214, a bill for an act to amend section 3016 of the code, relating to bushel weight.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 268, a bill for an act to amend section 586 of the code, relating to the care and maintenance of cemeteries by boards of township trustees.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 228, a bill for an act to amend Section 1082 of the code, relating to registration on election day.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No 253, a bill for an act to amend sections 1946, 1948 and 1951 of the code, relating to levees, drains and water courses.

GEO. A. NEWMAN,  
*Secretary.*

#### REPORTS OF COMMITTEES.

Hughes of Iowa, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 137, a bill for an act to legalize the Iowa State Poultry association, to define certain duties of said association, to make an annual appropriation therefor, and to fix a penalty for the misappropriation of any money hereby granted, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 292, a bill for an act to provide for the encouragement and development of the dairy interests of the state and to appropriate money therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 153, a bill for an act making appropriation for the erection of a state arsenal and adjutant general's building, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out all after the enacting clause and substituting in lieu thereof the following:

Section 1. There is hereby appropriated out of the money due the state of Iowa from the United States upon war claims the sum of sixty thousand dollars (\$60,000), or so much thereof as may be necessary, to be expended by the executive council in the erection, furnishing and equipment of a building, to be occupied and used by the adjutant general's department for offices and the storage of ordinance and quartermaster stores, war records and flags.

Sec. 2. The appropriation provided for in section one (1) of this act, shall be available only upon the receipt of and out of the money collected from the war claims of the state of Iowa against the United States.

Sec. 3. The executive council is hereby authorized, after procuring plans, detailed drawings and specifications, to construct a fireproof building for said purpose upon lots one (1) and two (2), in block seven (7), Scott's addition to the city of Des Moines, Iowa, now owned by the state of Iowa for the adjutant general's department, and to let contract for the erection of said building.

Sec. 4. After the completion of the building provided for in this act and the removal of the adjutant general's office thereto, the rooms in the capitol building, now occupied by the adjutant general, numbers 18 and 19 on the first floor, shall thereafter be restored to and occupied by the State Horticultural society.

And that when so amended the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Wright of Guthrie, from the committee on Agriculture, submitted the following report:

MR. SPEAKER—Your committee on Agriculture, to whom was referred Senate file No. 166, a bill for an act to amend section one thousand six hundred seventy-five (1675), title nine (9), chapter three (3) of the code, in relation to farmers' county institutes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be referred to the committee on Appropriations, without recommendation.

NATE WRIGHT,  
*Chairman.*

Report adopted, and the bill was so referred.

Also:

MR. SPEAKER—Your committee on Agriculture, to whom was referred Senate file No. 217, a bill for an act to amend section eight (8) of chapter fifty-eight (58) of the acts of the Twenty-eighth General Assembly relating to the construction of street railways upon the state fair grounds, beg leave to report that they have had the same under consideration, and have instructed

me to report the same back to the House with the recommendation that the same do pass.

NATE WRIGHT,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House file No. 385, a bill for an act to amend chapter eighty-five (85) of the acts of the Twenty-eighth General Assembly, relating to the appointment by the dairy commissioner of a deputy and assistants, and fixing their compensation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

NATE WRIGHT,  
*Chairman.*

Report adopted, and the bill was indefinitely postponed.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Lyman of Poweshiek, from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, House file No. 86, a bill for an act to repeal section twenty-seven hundred and eighteen (2718) of the code, and chapter eighty-two (82) laws of the Twenty-seventh General Assembly amendatory thereto, and to enact a substitute therefor, relating to the support of the College for the Blind at Vinton.

Also, House file No. 188, a bill for an act to repeal section twenty-seven hundred and twenty-seven (2727) of the code and chapter eighty-three (83) of the acts of the Twenty-seventh General Assembly amendatory thereto, and to enact a substitute therefor, relating to the support of the Iowa School for the Deaf at Council Bluffs.

J. P. LYMAN,  
*Chairman.*

March 17, 1902.

Report adopted.

#### INTRODUCTION OF BILLS.

By Gilchrist of Pocahontas, House file No. 408, a bill for an act to legalize the extension of the corporate limits of the town of Laurens, and its ordinances and resolutions, and the acts of officers and persons had in pursuance thereof, and to fix the limits of said town.

Read first and second time and referred to committee on Judiciary.

SENATE MESSAGES CONSIDERED.

Senate file No. 253, a bill for an act to amend sections 1946, 1948 and 1951 of the code, relating to levees, drains and water courses.

Read first and second time and referred to committee on Judiciary.

Senate file No. 228, a bill for an act to amend section 1082 of the code, relating to registration on election day.

Read first and second time and referred to committee on Elections.

Senate file No. 268, a bill for an act to amend section 586 of the code, relating to the care and maintenance of cemeteries by boards of township trustees.

Read first and second time and referred to committee on Judiciary.

Senate file No. 139, a bill for an act to amend section twenty-five hundred seventy-one (2571) of the code, relating as to time of meetings for local boards of health.

Read first and second time and referred to committee on Public Health.

Senate file No. 261, a bill for an act establishing the rank of commandant and instructor of military science and tactics in state educational institutions.

Read first and second time and referred to committee on Military.

The message from the governor was taken up and read.

Warren of Marion moved that the communication from the governor be referred to the committee on Judiciary.

Carried.

Buchanan of Wapello offered the following resolution, which was laid over under rule 34:

*Resolved*, by the House, the Senate concurring, that the Twenty-ninth

General Assembly adjourn sine die on Thursday, April 3, 1902, at 12 o'clock noon.

Black of Mills called up the motion to reconsider the vote by which Senate file No. 304 was passed; also the vote whereby the rules were suspended and the bill was passed to a third reading. By unanimous consent the matter was taken up and the motion to reconsider was carried.

Mr. Black moved that Senate file No. 304, be referred to the committee on Judiciary.

Carried.

On motion of Hamann of Scott, House file No. 248, a bill for an act relating to defining, regulating and conferring rights and powers upon interurban street railways and amending section 2026 of the code, relating to such railways, action on which had been deferred until amendments offered by Mr. Hamann could be printed in the Journal, was again taken up and, on his own motion, the amendments offered by Mr. Hamann were adopted.

Greene of Madison moved to amend House file No. 248, as amended by Mr. Hamann, by striking out all of section 5 and changing the number of section 6 to section 5.

Lost.

Langan of Clinton moved to amend the bill, as amended by Mr. Hamann, by striking out the word and figures "fifty (50)" in line 6 of section 4 thereof and inserting in lieu thereof the word and figures "twenty-five (25)".

Adopted.

Buchanan of Wapello moved to amend House file No. 248, as amended by Mr. Hamann, by striking out the words "two-thirds", in the eleventh line of section 5 and inserting in lieu thereof "three-fourths".

Carried.

Hughes of Iowa moved to amend the bill, as amended, by inserting after the word, "inexpedient", the words, "because of permanent improvements, bluffs or rivers".

Lost.

Hamann of Scott moved to amend the bill, as amended, by striking out the word "their", in line 4 of section 6; also, the

same word in line 7 of section 6 and substituting for each of them the word, "its".

Carried.

Mr. Hamann moved that the rule be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Carden, Carter, Clarke, Colclo, Cowles, Cummings, Davenport, Dodds, Edwards, Eiker, English, Fields, Fleniken, Freeman, Furry, Gilchrist, Greeley, Hamann, Hasselquist, Head, Hughes, Hurn, Jones, Kling, Koontz, Langan of Clinton, Larrabee, Leech, McClure, McClurkin, Marshall, Moore, Patton, Pipher, Powers, Pritchard, Robinson, Secor, Sokol, Springer, Sweeley, Sweet, Teachout, Temple, Townsend, Walden, Walters, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—62.

The nays were:

Mr. Greene.

Absent or not voting:

Messrs. Bailey, Calderwood, Campbell, Cassel, Cheney, Christianson, Coburn, Crouse, Cruikshank, Donahue, Dunham, Frudden, Graff, Hawk, Hertert, Hilsinger, Hufschmidt, Jaeger, Jenks, Keagy, Kendall, Kerr, Kolthoff, Langan of Crawford, Lyman, McNie, Mattes, Meservey, Mordhorst, Nagle, Nichols, Payne, Roome, Stratton, Stuckslager, Utterback, Wilson of Buena Vista—37.

So the bill passed and the title was agreed to.

On motion of Teachout of Polk, House file No. 273, a bill for an act to amend section 661 and section 674 of title 5, chapter 2 of the code of 1897, relating to assessors in cities and towns, with report of committee recommending passage as amended by substitute, was taken up, considered and the report of the committee adopted.

Mr. Teachout moved the adoption of the substitute recommended by the committee.

Adopted.

Mr. Teachout moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Carden, Carter, Cassel, Christianson, Clarke, Colclo, Cowles, Cummings, Davenport, Dodds, Edwards, Eiker, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Greeley, Greene, Hamann, Hasselquist, Head, Hufschmidt, Hughes, Hurn, Jones, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, Moore, Patton, Pipher, Powers, Pritchard, Robinson, Secor, Sokol, Springer, Sweeley, Sweet, Teachout, Temple, Townsend, Walden, Walters, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—66.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Barker, Calderwood, Campbell, Cheney, Coburn, Crouse, Cruikshank, Donahue, Dunham, Frudden, Graff, Hawk, Hertert, Hilsinger, Jaeger, Jenks, Keagy, Kendall, Kerr, Kolthoff, McNie, Marshall, Mattes, Meservey, Mordhorst, Nagle, Nichols, Payne, Roome, Stratton, Stuckslager, Utterback, Wilson of Buena Vista—34.

So the bill passed and the title was agreed to.

On motion of Anderson of Warren, House file No. 392, a bill for an act to amend sections 1062 and 1419 of the code, relating to the publication of the sheriff's proclamation and the delinquent tax list, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Anderson moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.



On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Carden, Cassel, Colclo, Cummings, Davenport, Donahue, Eiker, English, Flenniken, Freeman, Greeley, Greene, Hamann, Head, Hufschmidt, Hughes, Hurn, Jones, Kling, Leech, Lyman, McClure, McClurkin, Moore, Patton, Pipher, Sokol, Springer, Sweeley, Townsend, Walden, Warren, Willett, Wise, Wright, Mr. Speaker—43.

The nays were:

Messrs. Barker, Carter, Christianson, Clarke, Edwards, Fields, Furry, Gilchrist, Hurn, Koontz, Langan of Clinton, Powers, Pritchard, Robinson, Sweet, Walters, Whiting—17.

Absent or not voting:

Messrs. Bailey, Campbell, Cheney, Coburn, Cowles, Crouse, Cruikshank, Dodds, Dunham, Frudden, Graff, Hasselquist, Hawk, Hertert, Hilsinger, Jaeger, Jenks, Keagy, Kendall, Kerr, Kolthoff, Langan of Crawford, Larrabee, McNie, Marshall, Mattes, Meservey, Mordhorst, Nagle, Nichols, Payne, Roome, Secor, Stratton, Stuckslager, Teachout, Temple, Utterback, Wilson of Buena Vista, Wilson of Washington—40.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Mr. Wise, House file No. 247, was recalled from the committee on Railroads and Commerce and the bill was indefinitely postponed, by consent of the author of the bill.

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote by which House file No. 392 failed to pass the House, and the vote by which it was passed to the third reading.

M. F. EDWARD<sup>2</sup>

I second the motion.

BURTON E. SWEET.

On motion of Hughes of Iowa, the House adjourned till 9 A. M., Tuesday, March 18th.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, Tuesday, March 18, 1902. }

The House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. Geo. E. Platt, of Le Mars, Iowa.

On motion of Mordhorst of Clinton, leave of absence was granted Hertert of Shelby until this afternoon.

On motion of English of Polk, leave of absence was granted Gilchrist of Pocahontas until tomorrow.

On motion of Freeman of Pottawattamie, leave of absence was granted Jenks of Pottawattamie until tomorrow.

#### PETITIONS AND MEMORIALS.

Dodds of Des Moines presented petition of citizens of Des Moines county, favoring the passage of House file No. 80.

Referred to committee on Fish and Game.

#### REPORTS OF COMMITTEES.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 367, a bill for an act to legalize the ordinances of the town of Swan, Marion county, and the official acts of the mayor and recorder thereof, in the publication of said ordinances, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by adopting the following substitute therefor:

#### SUBSTITUTE FOR HOUSE FILE NO. 367.

A bill for an act to legalize the ordinances of the town of Swan, Marion county, Iowa, and the official acts of the mayor and recorder thereof, in the publication of said ordinances:

WHEREAS, Doubts have arisen as to the legality of the ordinances of the town of Swan, in Marion county, Iowa, and the official acts of the mayor and recorder thereof, in the publication of said ordinances, and the acts of the town council thereunder; therefore,

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

Section 1. That the ordinances of the town of Swan, in Marion county, Iowa, are hereby legalized and the same are declared valid and binding, and all acts of the mayor and recorder of said incorporation in the publication of said ordinances are hereby legalized and the same are declared valid, binding, and in full force and effect, the same as though the law had been fully complied with in all respects in the passage of the ordinances thereof, and by said mayor and recorder in publishing the ordinances of the said town of Swan. But nothing in this act shall in any manner affect pending litigation.

Sec. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Des Moines Leader, a newspaper published in Des Moines, Polk county, Iowa, and in the Knoxville Journal, a newspaper published in the town of Knoxville Marion county, Iowa, both publications to be without expense to the state.

And when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 385, a bill for an act to repeal section 4220 of the code, relating to appeals in actions of forcible entry and detainer, and to enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Report adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 192, a bill for an act to provide that any fiduciary required by law to give a bond may include the expense thereof as part of the lawful expense of executing his trust, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Report adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 177, a bill for an act to authorize the payment of the cost of corporate suretyship upon official bonds, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by adopting the following substitute:

A BILL

For an act to authorize the payment of the cost of corporate sureties upon official bonds.

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

Section 1. That the state, or any county or municipality, may pay out of the funds of said state, county, or municipality, the cost of any official bond furnished by the treasurer or auditor of state, or the treasurer, auditor or clerk of any county or municipality required by the laws, rules and regulations thereof to execute the same in case said officer shall furnish the same with the surety company or companies authorized to do business in this state under the laws thereof, said cost not to exceed, however, one-half of one per cent per annum of the amount of said bond or obligation by said surety executed.

Sec. 2. This act, being deemed of immediate importance, shall be in force and effect after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

And when so amended the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Report adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 394, a bill for an act to amend section fifty-seven hundred and seven (5707) of the code, relative to the employment of persons sentenced to imprisonment in the penitentiary, in places or buildings owned or leased by the state outside of penitentiary enclosures, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 395, a bill for an act to repeal section 4897 of the code, and

to enact a substitute therefor, relating to the escape of persons confined in a penitentiary for any less period than for life, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 408, a bill for an act to legalize the extension of the corporate limits of the town of Laurens, Iowa, and its ordinances and resolutions and the acts of officers and persons had in pursuance thereof; and to fix the limits of said town, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 407, a bill for an act to legalize the contract made by the incorporated town of Spirit Lake, for the construction of a sewer therein and for the levy of a tax of five mills made by said town in payment therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 272, a bill for an act to legalize the election held in the county of Osceola, and state of Iowa, on the fifth day of November, 1901, and the proposition submitted at said election for the purpose of building a courthouse and jail at Sibley, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 138, a bill for an act to amend section 1611 title 9, chapter 1,

of the code, relating to the authorized indebtedness of certain corporations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 125, a bill for an act to amend section 355 of the code, providing form of bond to be given under the requirements of this section, and the substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred message of Gov. Albert B. Cummins, *in re*, the ceding to the United States exclusive jurisdiction over certain lands or lots acquired by the United States for public purposes, and authorizing the acquisition thereof; also copy of bill transmitted therewith, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the bill be considered and treated as a committee bill, and that the same do pass.

G. W. CLARKE,  
*Chairman.*

#### INTRODUCTION OF BILLS.

By committee on Judiciary, House file No. 409, a bill for an act ceding to the United States exclusive jurisdiction over certain lands or lots acquired by the United States for public purposes within this state, and authorizing the acquisition thereof.

Read first and second time and passed on file.

#### REPORT OF COMMITTEE.

Hughes of Iowa, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 268, a bill for an act to amend the law relating to public health, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House

with the recommendation that the same, as amended by committee on Public Health, do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 378, a bill for an act legalizing acts of the county auditor and of the board of supervisors of Lyon county.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate herewith returns Senate file No. 304, a bill for an act authorizing the granting to the Chicago, Burlington & Quincy Railroad company, its successors or assigns, a right-of-way through lands owned by the state and used by the Institution for Feeble-Minded Children at Glenwood.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 271, a bill for an act to legalize the publication of notice and vote for the incorporated town of Gravity.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 291, a bill for an act to amend chapter ninety-three (93) of the acts of the Twenty-eighth General Assembly, relating to the practice of veterinary medicine, surgery and dentistry.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate file No. 9, in which the concurrence of the Senate was asked:

Senate file No. 9, a bill for an act making taxes on property in the hands of receivers a preferred claim.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file 267, a bill for an act to amend section twenty-six hundred and four (2604) of the code, relating to the appointment of officers for the Soldiers' home.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file, No. 12, a bill for an act to amend section nine (9), title twelve (12) of the code, in relation to mines and mining.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 266, a bill for an act to amend section fifteen hundred thirty-three (1533) of the code, relating to duties of township trustees.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has failed to pass the following bill, in which the concurrence of the Senate was asked:

House file No. 98, a bill for an act to amend chapter five (5), sections seven hundred forty-five (745), seven hundred forty-six (746), seven hundred forty-seven (747) and seven hundred forty-eight (748) of the code of 1897, relating to letting contracts for the purchase or erection of waterworks in cities of first class.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:



House file No. 148, a bill for an act to amend section four hundred twenty-three (423) of the code, relative to power of supervisors.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

House file No. 13, a bill for an act to amend section twenty-four hundred eighty-two (2482) of the code, relating to mines and mining.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Coburn of Cherokee, House file No. 308 was referred to the committee on Appropriations and allowed to retain its place on the calendar.

Edwards of Butler called up his motion to reconsider the vote by which the concurrent resolution, relative to adjournment on March 20th, passed the House.

The motion prevailed.

Buchanan of Wapello moved to amend by striking out the words "March 20th" and substituting in lieu thereof the words "April 3rd".

Adopted.

The resolution as amended was adopted.

Koontz of Johnson asked unanimous consent to recall Senate file No. 261 from the committee on Military, which consent was granted.

On motion of Koontz of Johnson, by unanimous consent, Senate file No. 261, a bill for an act establishing the rank of commandant and instructor of military science and tactics in state educational institutions, was taken up and considered.

Mr. Koontz moved that the rules be suspended, and that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Boysen, Buchanan, Calderwood, Carter, Cassel, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Dodds, Donahue, Edwards, English, Fields, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Hurn, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Sweeley, Teachout, Utterback, Walden, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—78.

The nays were:

None.

Absent or not voting:

Messrs. Black, Blakemore, Campbell, Carden, Cheney, Cowles, Cruikshank, Dunham, Eiker, Flenniken, Gilchrist, Hertert, Jaeger, Jenks, McClure, Stratton, Stuckslager, Sweet, Temple, Townsend, Walters, Wilson of Buena Vista—22.

So the bill passed and the title was agreed to.

The committee appointed to draft resolutions on the death of Hon. S. P. McNeill, offered the following:

**MR. SPEAKER**—Your committee appointed to draft resolutions of condolence relative to the death of Hon. S. P. McNeill, beg leave to report the following:

**WHEREAS**, The Hon. S. P. McNeill, an honored member of the Fifteenth General Assembly of Iowa, departed this life in February, 1902, and,

**WHEREAS**, The life and character of the deceased are worthy of recognition; therefore,

*Be it Resolved:* That in the death of Hon. S. P. McNeill the state has lost an upright, conscientious citizen, and a man who had rendered conspicuous service to his country in time of war; and, be it further

*Resolved:* That these resolutions be entered on the Journal of the House and that the Chief Clerk be instructed to send a copy of the same to the family of the deceased.

B. L. EIKER,  
R. A. HASSELQUIST,  
T. P. WALDEN,  
*Committee.*

On motion of Walden of Wayne, the resolutions were adopted, after remarks by Eiker of Decatur.

Warren of Marion, moved that the remarks made by Eiker of Decatur, on the adoption of the resolution of respect to Hon. S. P. McNeill, be printed in the Journal.

Carried.

Mr. Eiker spoke as follows:

MR. SPEAKER—It is appropriate for us to pause in the midst of our labors and pay tribute to the memory of those who have occupied our places as servants of the people in times that have now passed into history. And for this reason I ask the indulgence of the House while I speak briefly of the life of one of my predecessors and one of Iowa's distinguished pioneer lawmakers.

Sanford P. McNeill was born in the state of Kentucky, February 14, 1827. His early life was spent in acquiring the rudiments of an education and in the struggles incident to those pioneer days; days which, filled with hardships as they were, taught the youths of America that valuable lesson of true patriotism—that patriotism which guards with jealous care the flag of freedom and the rights of men. Imbued with this spirit he entered the Mexican war and whether in the heat of battle or the quietude of the camp, he demonstrated the teachings of his early Kentucky life, namely, uncompromising with his enemies, faithful to his friends, loyal to his country.

In 1873 he was elected to the office of representative and served in the Fifteenth General Assembly of Iowa, and it may be truthfully said of him that a more conscientious man never served the people of this great commonwealth in that capacity.

It was my privilege to know him personally during his last few years on earth, and while the hand of time had touched the aged brow, and the white locks told that his days must necessarily be few, yet the elastic step and genial smile of former years still remained. He felt not the weight of years nor was he filled with lamentation as to a wasted past. But with that unwavering confidence in the future, he grasped the present opportunities and followed with unfaltering step the paths of duty until the day of his death.

The radiance of his life will leave its light to illuminate the pathway of time as the shooting meteors illuminate the heavens. That lamp of light which grows brighter as it nears the shores of eternity and when lost to earthly view beyond the shores of that silent river, will shine with radiant splendor as one of the brightest gems in that New Jerusalem where the melody of heavenly music shall fill the earth-weary soul with eternal bliss.

On motion of Larrabee of Fayette, House file No. 111, a bill for an act to amend section two hundred fifty-five of the code, relating to superior courts, with report of committee recommend-

ing passage, was taken up, considered and the report of the committee adopted.

Mr. Larrabee moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Bealer, Boysen, Buchanan, Calderwood, Carden, Carter, Cassel, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Dodds, Donahue, Edwards, Eiker, English, Fields, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hasselquist, Hawk, Hilsinger, Hufschmidt, Hughes, Hurn, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stuckslager, Sweeley, Teachout, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—81.

The nays were:

Mr. Barkley.

Absent or not voting:

Messrs. Barker, Black, Blakemore, Campbell, Cheney, Cowles, Cruikshank, Dunham, Flenniken, Gilchrist, Hamann, Head, Hertert, Jaeger, Jenks, Stratton, Sweet, Temple, Walters, Wilson of Buena Vista—18.

So the bill passed and the title was agreed to.

On motion of Carter of Sioux, House file No. 281, a bill for an act to provide for the manner of paying the salary or compensation of deputy state officers and deputy county officers, prohibiting their principals receiving or retaining any part thereof, and punishing the violation thereof, was recalled from the committee on Compensation of Public Officers, and by unanimous consent, was taken up and considered.

The amendment offered by Fiddles of Plymouth, which was pending on March 15th, when the bill was referred to the committee, was withdrawn by unanimous consent.

Mr. Carter moved to amend by striking out all after the enacting clause and inserting in lieu thereof, the following:

Section 1. That when any monthly or annual salary or other compensation is allowed by law or fixed by any officer or officers authorized by law so to do, for any deputy state officer or any deputy county officer or any clerk or assistant, such salary or compensation shall be paid direct to such deputy clerk or assistant, and unless otherwise provided by law shall be paid at the same time and in the same manner as salary or compensation of the principal officer under whom such deputy, clerk or assistant acts.

Sec. 2. It shall be unlawful for the principal officer under whom any such deputy state officer or deputy county officer, clerk or assistant acts to have, receive or retain any part of the salary or compensation so allowed or fixed for any such deputy, clerk or assistant with intent to convert the same to his own use. A violation of this section shall be deemed a misdemeanor and punished accordingly.

Adopted.

Mr. Carter moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Carden, Carter, Cassel, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Dodds, Donahue, Edwards, Eiker, Fields, Freeman, Frudden, Furry, Greeley, Greene, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Hurn, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol Stuckslager, Sweeley, Teachout, Temple, Townsend, Utterback Waldnø, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—82.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Campbell, Cheney, Cowles, Cruikshank, Dunham, English, Flenniken, Gilchrist, Graff, Hamann, Hertert, Jaeger, Jenks, Marshall, Springer, Stratton, Sweet—18.

So the bill passed.

Mr. Carter moved to amend the title by inserting the words "clerk or assistant" after the word "officers", at the end of the second line.

Adopted, and the title, as amended, was agreed to.

On motion of Wilson of Washington, House file No. 372, a bill for an act to amend section 4872 of the code, relating to the punishment of the crime of perjury, and providing for commitment to the grand jury therefor by the trial judge, with report of committee recommending passage, as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Wilson the amendments of the committee were adopted.

Mr. Wilson moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Cassel, Christian-son, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Dodds, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hufschmidt, Hughes, Hurn, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stuckslager, Sweeley, Sweet, Teachout, Temple, Utterback, Walden, Walters, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—83.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Campbell, Cheney, Cowles, Cruikshank, Dunham, Gilchrist, Graff, Greeley, Head, Hertert, Jaeger, Jenks, Langan of Clinton, Marshall, Stratton, Townsend, Warren—17.

So the bill passed and the title was agreed to.

On motion of Freeman of Pottawattamie, House file No. 287, a bill for an act to amend section 496 of the code, relating to the employment of additional help by county recorders, with report of committee recommending passage, as amended, was taken up, considered and the report of the committee adopted.

Mr. Freeman moved to adopt the amendments recommended by the committee.

Adopted.

Mr. Freeman moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Cassel, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Dodds, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Hurn, Jones, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Roome, Secor, Sokol, Springer, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—87.

The nays were:

None.

Absent or not voting:

Messrs. Campbell, Cheney, Cowles, Cruikshank, Dunham, Gilchrist, Hertert, Jaeger, Jenks, Keagy, Larrabee, Robinson, Stratton—13.

So the bill passed and title was agreed to.

On motion of Payne of Appanoose, Senate file No. 296, a bill for an act to provide for the publication of an edition of 7,500 copies of the code, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Payne moved that the rules be suspended, and that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Cassel, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cummings, Davenport, Dodds, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Hurn, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Roome, Secor, Sokol, Springer, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Mr. Speaker—88.

The nays were:

None.

Absent or not voting:

Messrs. Campbell, Cheney, Cruikshank, Dunham, Gilchrist, Hertert, Jaeger, Jenks, Larrabee, Robinson, Stratton, Wright—12.

So the bill passed and the title was agreed to.



On motion of Crouse of Adams, House file No. 352, a bill for an act making an appropriation to Charles Gray for publishing original notice in the case of Bertanner vs. Caille, with report of committee on claims recommending passage, was taken up, considered, and the report of the committee adopted.

Mr. Crouse moved that the rule requiring all bills carrying appropriations to be referred to the committee on Appropriations, be suspended and that the bill be taken up and acted upon now.

Carried by a two-thirds vote.

Lyman of Poweshiek moved to amend by striking out all of section 2.

Carried.

Mr. Crouse moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Cassel, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cummings, Davenport, Dodds, Edwards, English, Fields, Fleniken, Freeman, Frudden, Graff, Greeley, Greene, Hasselquist, Hawk, Hilsinger, Hufschmidt, Hurn, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Roome, Secor, Sokol, Springer, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—80.

The nays were:

Messrs. Head, Hughes—2.

Absent or not voting:

Messrs. Campbell, Cheney, Cruikshank, Donahue, Dunham, Eiker, Furry, Gilchrist, Hamann, Hertert, Jaeger, Jenks, Langan of Crawford, Larrabee, Marshall, Robinson, Stratton, Walters—18.

So the bill passed and the title was agreed to.

SPECIAL ORDER.

The hour having arrived, the House took up the special order, being House file No. 286, a bill for an act to repeal section 1532 and to amend section 1533 of the code, relating to public roads, with report of the committee recommending passage.

The report of the committee was adopted.

Coburn of Cherokee moved to adopt the report of committee recommending substitute.

Adopted.

Jones of Mahaska moved that the bill be taken up and considered section by section.

Carried.

Willett of Woodbury moved to amend substitute for House file No. 286 by adding the word "and" to the words "road supervisor" in the fourth line of section 2, and this word also be stricken out of the eighteenth line of section 1130.

Adopted.

Cowles of Kossuth moved that section 11 be amended by striking out all after the word "cents" in the sixth line of said section.

Lost.

Sweeley of Woodbury moved to amend section 3 of the bill, by adding thereto the following:

That said sub-section 3 be amended by renumbering the same, and that the same be numbered 2.

And that section 14 of the substitute be amended by adding thereto the following:

And that the sub-sections 7, 8, 9 and 10, of said section 1554, be numbered, respectively, 4, 5, 6 and 7.

Adopted.

Jones of Mahaska moved to amend section 14 by striking out the word "three" and the figure "3."

Adopted.

Dodds of Des Moines moved to amend the bill by adding the following:

Section 16. That section 4808 be amended by striking out the words "proper road supervisor," and inserting in lieu thereof the words "board of trustees."

Also, by renumbering sections 16 and 17 to be sections 17 and 18.

Adopted.

Mr. Coburn moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Blakemore, Boysen, Buchanan, Carden, Carter, Cassel, Clarke, Coburn, Cowles, Crouse, Cummings, Davenport, Dodds, Donahue, Edwards, Eiker, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hasselquist, Head, Hilsinger, Hufschmidt, Hughes, Hurn, Jones, Keagy, Kendall, Kerr, Kolthoff, Koontz, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—78.

The nays were:

Messrs. Calderwood, Christianson, Hamann, Hawk, Mattes, Payne, Warren—7.

Absent or not voting:

Messrs. Black, Campbell, Cheney, Colclo, Cruikshank, Dunham, English, Gilchrist, Hertert, Jaeger, Jenks, Kling, Langan of Clinton, Langan of Crawford, Stratton—15.

So the bill passed.

Jones of Mahaska moved to amend the title to substitute for House file No. 286 by inserting the words "forty-eight hundred and eight" and the figures "4808" after the figures "1554" in the seventh line of the title.

Adopted, and the title as amended was agreed to.

On motion of Carden of Henry, House file No. 280, a bill for an act making an appropriation for the purchase of land, tombstone and the erection thereof for the proper marking of the grave of one Charles Shepherd, a soldier who served in the war of the Revolution, died in 1845, and who lies in an unmarked grave near Millspaugh's mills, Henry county, Iowa, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Carden moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Bealer, Black, Blakemore, Boysen, Calderwood, Carden, Carter, Cassel, Christianson, Clarke, Coburn, Cowles, Crouse, Cummings, Davenport, Donahue, Edwards, Eiker, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Hurn, Kendall, Kerr, Kling, Kolt-hoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stuck-slager, Sweeley, Sweet, Teachout, Temple, Townsend, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Messrs. Barkley, Buchanan, Campbell, Cheney, Colclo, Cruik-shank, Dodds, Dunham, English, Gilchrist, Hertert, Jaeger, Jenks, Jones, Keagy, Lyman, Stratton, Utterback, Walters—19.

So the bill passed and the title was agreed.

On motion of Teachout of Polk, Senate file No. 250, relative to creating a board of police and fire commissioners in cities of the

first class having a population of more than 60,000, and defining the powers and duties of such board, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Payne of Appanoose moved to strike out all of section 11, the publication clause.

Carried.

On motion of Donahue of O'Brien, House adjourned till 2 P. M.

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### AFTERNOON SESSION.

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House met pursuant to adjournment, Speaker Eaton in the chair.

Consideration of Senate file No. 250, which was pending at the noon adjournment, was resumed.

Mr. Teachout moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Blake-more, Calderwood, Carter, Cassel, Cheney, Clarke, Coburn, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Freeman, Frudden, Furry, Gilchrist, Greeley, Greene, Hamann, Hasselquist, Head, Hertert, Hilsinger, Hughes, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Moore, Nagle, Nichols Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stuckslager, Sweeley, Sweet, Teachout, Townsend, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—74.

The nays were:

Messrs. Colclo, Langan or Clinton, Marshall, Walters, Whit-  
ing—5.

Absent or not voting:

Messrs. Black, Boysen, Buchanan, Campbell, Carden, Christianson, Cowles, Cruikshank, Flenniken, Graff, Hawk, Hufschmidt, Hurn, Jaeger, Koontz, Meservey, Mordhorst, Springer, Stratton, Temple, Utterback—21.

So the bill passed and the title was agreed to.

On motion of McClurkin of Louisa, House file No. 330, a bill for an act to amend chapter 2 of title 10 of the code, relating to levees, drains and water courses, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Hasselquist of Lucas moved to amend by striking out the words "of Iowa" in the second line of original bill.

Carried.

Mr. McClurkin moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Buchanan, Calderwood, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jenks, Jones, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stuckslager, Sweeley, Sweet, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—90.

The nays were:

None.

Absent or not voting:

Messrs. Boysen, Campbell, Cowles, Cruikshank, Hurn, Jaeger, Keagy, Meservey, Stratton, Teachout—10.

So the bill passed.

On motion of Hasselquist of Lucas, the title was amended by striking out the words "of Iowa", and as amended was agreed to.

On motion of Bealer of Linn, special order No. 17, House file No. 155, a bill for an act providing for the erection of monuments and tablets on the Vicksburg National Military Park to mark the positions occupied by Iowa brigades, regiments and batteries to commemorate the valor and services of Iowa soldiers in the campaign and siege of Vicksburg, and to make an appropriation therefor, with report of committee recommending passage, as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Bealer the amendments of the committee were adopted.

Mr. Bealer moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend Utterback, Walden, Walters, War-

ren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—96.

The nays were:

None.

Absent or not voting:

Messrs. Campbell, Cruikshank, Jaeger, Stratton—4.

So the bill passed and the title was agreed to.

#### INTRODUCTION OF BILLS.

By Head of Greene, House file No. 410, a bill for an act to provide for the recording of a certified copy of any domestic will admitted to probate in this state, together with the record of the admission to probate thereof, and the appointment and qualification of executors or administrators thereunder, in any county where lands affected by such will are situated.

Read first and second time and referred to committee on Judiciary.

Anderson of Warren asked unanimous consent to withdraw from committee on Roads and Highways, House file No. 222, and from any further consideration before the House.

Granted.

Carter of Sioux moved that speeches made by Moore of Davis, Kendall of Monroe, Blakemore of Taylor, Head of Greene, Kerr of Grundy, Bealer of Linn, Hughes of Iowa, on the passage of House file No. 155, be ordered printed in the Journal.

Carried.

#### SPEECHES MADE ON THE PASSAGE OF HOUSE FILE NO. 155

Mr. Bealer said:

*Mr. Speaker and Gentlemen of the House of Representatives:*

My hope is that the measure under consideration will not be permitted to suffer by reason of my inability to properly present its merits, and my only apology is that when I should have been preparing myself for oratory, I was busily engaged in the Siege of Vicksburg, side by side with the gallant boys whose lives were sacrificed on that southern battlefield, and whose deeds of valor we now seek to commemorate with the appropriation provided for in this bill. It will be my aim to relate a few unvarnished facts regarding that memorable siege.



I need not say that, as a survivor of the Vicksburg campaign, as a citizen of Iowa, as a taxpayer and a member of this legislature, this bill commands my most sincere and hearty support. All Iowa should support the measure, for Iowa was most conspicuous in all of the battles which were fought during that great campaign of the war; during the siege and capture of that most impregnable position in the Southern Confederacy, strong by nature and strengthened artificially by the shrewdest military engineers of modern times.

Iowa is justly proud of its generous contribution of troops for the nation's defense in the civil war, and 70 per cent of her gallant soldiers were at the siege of Vicksburg. The total Union loss of the campaign, as reported by General Grant, was 10,014 killed and wounded. That of the Confederates, 10,467, or 453 in excess of ours. This may be taken as proof conclusive that the Union soldiers of that siege, including the men from Iowa, were keeping the enemy extremely busy, although during the entire campaign the Confederate forces were occupying ground selected by themselves, and which, as General Pemberton said in his official reports, could not be taken but by flank movements. Such were his thoughts when he selected the Black river battlefield, but he had underestimated the courage and patriotism of these Union men engaged in that awful siege. I wish it were possible for me to picture to you the scenes of those trying days, as they still burn brightly before my mind. I could then impress you with the courage and bravery which distinguished those Iowa regiments and the awful sacrifices of life which they offered on that fatal field.

The Second brigade, Fourteenth division, commanded by General Lawler, made a frontal charge on those same works which the Confederate commander considered beyond all assault, and captured 1,751 men and eighteen cannon, the prisoners numbering 500 more than the entire strength of our brigade.

The flower of liberty was nourished that day with the blood of some of the best and bravest men that ever went forth from the soil of our beloved Iowa. This is but one illustration of the valor of the Iowa soldiers engaged in the siege of Vicksburg, and whose memory and patriotism the friends of this bill seek to commemorate.

I trust you will be patient while I give you a few more figures as proof of the debt the state owes to these men and their memory, and yet I realize figures can give you no adequate picture of those southern hillsides, strewn with the dead and dying soldiers, who left their Iowa homes and firesides in defense of the flag.

The loss of the Second brigade alone at the charge of Vicksburg, in one day, was 375 killed, wounded and missing. Among the killed were Lieutenant-colonel Dunlap of the Twenty-first Iowa, Captain Robinson, Lieutenant Robb, and privates Arthur, Alvin Drummond, Hezekiah Drummond, Anderson and Lloyd of the Twenty-second, those of the Twenty-second having been killed within the fort. Serg. Joseph E. Griffith of the Twenty-second particularly distinguished himself and the Iowa troops in the charge on Fort Beauregard, and before nightfall was the only survivor, but seven,

of all the men who took the fort in the morning. For his daring feats and signal bravery he was promoted and afterwards sent to West Point to represent the captured district of Mississippi.

The loss of the Twenty-first Iowa alone in that siege was 113 and of the Twenty-second Iowa, 164, or a total for two regiments of 277. The largest percentage of loss sustained by any one regiment during that memorable campaign was suffered by the Twenty-second Iowa at the charge of Vicksburg. Colonel Graham reports the strength of the regiment on the day of the charge at 200, and the loss is given at 164, or 82 per cent. Eighty-one of these were killed or mortally wounded.

The above losses were only equalled by two regiments during the war. The First Minnesota at Gettysburg lost 82½ per cent, the First Texas, Confederate, at Antietam lost 82.3 per cent. The glory of a regiment is counted by its losses.

THE WATERLOO OF THE IOWA REGIMENTS MAY BE SUMMARIZED AS FOLLOWS:

Twenty-fourth Iowa at Champion Hill, killed.....	75
Seventh Iowa at Belmont, killed.....	74
Ninth Iowa at Pea Ridge, killed.....	74
Nineteenth Iowa at Pine Grove, killed.....	72
Eighth Iowa at Shiloh, killed.....	68
Sixth Iowa at Shiloh, killed.....	63
Fifth Iowa at Iuka, killed.....	62
Tenth Iowa at Champion Hill, killed.....	61
Twenty-second Iowa at Vicksburg, killed.....	81
Second Iowa at Ft. Donaldson, killed.....	54

The United States losses during the civil war were:

Killed in battle.....	67,058
Died of wounds.....	43,012
Died of disease.....	199,720
All other causes, such as accident and Confederate prisons.....	40,154
Total.....	349,944

This was the cost of life for the preservation of the Union. Sixteen thousand, six hundred of these are buried at Vicksburg National cemetery, which will be within the park that our appropriation is intended to adorn.

The Vicksburg National Military park will be the greatest the world has ever seen for the reason that it is proposed to reproduce the Confederate and Federal works as they were during the siege, and mount the guns identically as they were during the war.

The state of Mississippi has ceded jurisdiction to the United States over the land included within the park limits, and to public highways within its borders, in all over 1,200 acres. There will be constructed more than twenty-five miles of costly avenues and drives, precipitous hills will be graded and deep ravines spanned by costly masonry and modern steel bridges; thus affording easy access to all parts of the park.

Nothing of this kind has ever before been attempted. When completed

posterity may drive behind the works and receive an object lesson, as it were, of the struggles which led to the preservation of the Union.

All other states whose soldiers were in the siege of Vicksburg will do what this bill contemplates Iowa shall do. Iowa and one other state are the only ones not properly represented in the building of monuments at Chickamauga. Let it not be said Iowa has not done her duty at Vicksburg.

Ought not this great state of Iowa, with its broad fertile acres, its manufacturing establishments, its enormous wealth, its culture and refinement, pay a fit tribute of respect and love to the memory of her fallen heroes on the southern field of carnage? Ought she not to give liberally, that enduring monuments may mark deeds of valor and heroism; monuments which in all time to come will foster in the hearts and minds of rising generations a proper measure of patriotism and fidelity to the sacred principle of the republic; monuments which will speak more eloquently than mortal tongue of the patriotism, appreciation and gratitude of Iowa citizenship?

Iowa was first to land on Mississippi soil in the Vicksburg campaign; she was first in the throes of battle, and hers were the only troops that succeeded in breaking the Confederate line entering the works.

Iowa has always held a proud position in national affairs and has occupied an unique position in point of education and morals. Ought she not to add new laurels to her past and present greatness by showing to the world, in this unique and substantial manner, her gratitude to those brave boys, who left behind them all that was near and dear on earth, to suffer for the country and the country's cause, the pangs and agonies of cruel war, and who, amidst the boom of cannon and the roar of musketry, laid their lives upon their country's altar?

My friends, as representatives of the magnanimous citizenship of our great state, we will be but doing our duty when we pass this measure by a unanimous vote.

Mr. Moore said:

I know something of the spirit of patriotism that prompted the young men of Iowa to enlist in the service of their country. The young men and boys from the farm and workshops, from the busy marts of trade and traffic, the students and teachers, the men of every profession and calling brought their offerings and laid them down at the altar. The country had come to the "parting of ways." The birthright and inheritance of future generations were threatened with destruction. The sons of Iowa, true to the lessons of patriotism taught to them in the schools, in history, in song and story, having a common interest with others in the preservation and perpetuity of the union of the states, rallied on the color line and presented an unparalleled devotion to home and country. They were stimulated by the lessons of patriotism taught in all the schools and around the fireside of every home in Iowa. Many of them were familiar with the heated and prolonged controversy that had so long agitated the country; the question of public policy that threatened the dissolution of the Union and the establishment of another nation based on the fragments of a broken, dissevered and discordant republic. Many of them could repeat the eloquent and sublime

words of Webster, America's gifted orator and one of the world's intellectual giants, who said, when speaking on a memorable occasion, of the inestimable value of the union of the states and the possibility of its dissolution: "Other misfortunes might be borne or their effects overcome. If disastrous war should sweep our commerce from the ocean another generation might renew it. If it should exhaust our treasury, further industry would replenish it. If it should desolate and lay waste our fields, under a new cultivation they would grow green again and ripen to a future harvest. It were but a trifle if the walls of our capitol were to fall and crumble and be covered by the dust of the valley—all these might be rebuilt. But who can reconstruct the fabric of a demolished government? Who shall frame together that skilful architecture that unites national sovereignty with state rights, individual security and public prosperity?"

"If these columns fall they will be raised not again. Bitterer tears will flow over them than were ever shed over the monuments of Roman or Grecian art, for they will be the remnants of a more glorious edifice than Greece or Rome ever saw—the remnants of constitutional American liberty."

Stimulated by the sublime and heroic words of our orators and statesmen, and the patriotic devotion to the union manifested by their fathers, the young men of Iowa rallied to the defense of the nation, and on the fields of grief and carnage and glory, that marked the struggle for the supremacy of law and order—stood with their feet on the iron line, between our loved homes and the war's desolation, that the home and fireside might be secure, and that this government of the people, by the people and for the people might not perish from the earth. They endured hunger and thirst, defied sleeting rains and piercing winds, bore the summer's sultry heat, felt the biting touch of frost, languished in prison pens, in hospitals of pain, with wounds that had torn the quivering flesh into shreds as with hooks of burning steel, until with the life blood leaping madly from shattered veins and arteries, they had fallen on the field amid shot and shell and sabre stroke.

But history, song and story will fail to note many of the incidents of love and heroism that linger and abide with us as the years wear on and move our hearts with tenderness as we recall them. Recall that incident that clings to the memory of a touching tenderness that moves the surviving comrade to tears.

When the battle was over and night, in mercy, had fallen on the scene of carnage, a soldier whose comrade was missing at roll call was permitted, with the aid of a lantern, to search the field for his messmate; his bosom friend who had so often touched elbows with him, shared his haversack and blanket, and drank from the same canteen. He found him mortally wounded, helpless and dying, but struggling in the last touch of life that remained in him, with that emotion which I have so often failed for want of words to describe. I have felt, I hope, without egotism, that as an old man of eighty years, the same thoughts, emotions and hopes have thrilled my own heart, when wounded and helpless in the field, My mind remains faithful as a vine in the conception of thought, but I cannot describe the emotion that thrills the wounded and helpless soldier when sustained by that sublime confidence and unfaltering trust, that, if his life-blood shall flow out until all is dark, there will burst upon his enraptured

vision a more beautiful land; beyond the march of squadrons and the tramp of armies.

The dying soldier recognized his friend and comrade, and for one blissful moment felt the tide of life coming back to him, and that he was not to die alone in darkness and his last resting place on earth be blotted out forever, but that standing over him was one who loved him, and to whom he could say, "John, I am mortally wounded and dying. I would not be forgotten. Bury on the field my poor, frail body, and plant there a shrub, a flower or vine; something that lives in winter, and will be an offering to my memory and can call it mine."

"And then bear love's last message, that I give you, to Mary and the child. I will leave here on this field my poor mangled body; but my spirit—the real man—will journey on through the strife and carnage and smoke of battles to the summer land where the long roll beats never more."

There is something within the hearts of men that makes them yearn for love and tenderness, and makes them shrink from thought of neglect and forgetfulness. The Great Master manifests this trait which we esteem as commendable and lovable in man.

In His last meeting with His disciples, in the guest chamber that had been prepared for their reception, there, alone with them, he told them of His earnest desire to eat the passover with them before he should suffer. "And he took bread and gave thanks, and broke it and gave unto them saying: This is my body which is given for you; this do in remembrance of me." There was a touch of pathos and tenderness to his desire to be remembered, that has found lodging in every heart and in every tribe and tongue and kindred of the earth—the desire to be remembered by our friends, will be as enduring as "the river of life." And I trust that the younger members of this honorable body will pardon an old soldier for his earnest desire to pay his tribute of love to his comrade in arms, whose dust is sleeping in the trenches at Vicksburg. I urge upon you the justice of this appropriation.

Mr. Speaker—I am not pleading for any special recognition of the services of my comrades and myself, who are still living and will abide with you yet a little while, and share with you the blessings of a nation reunited, and strong in the hearts of the people. When the time for our departure shall have come, loving hands, with the tender touch of an infant's kiss, will close down our weary eyelids and whisper good-bye; and keep the grass green and verdant over the mounds where our dust is sleeping. But I am sure that I voice the sentiment of every citizen of loyal Iowa when I ask you to do honor to the memory of her sons who for forty-seven days stood like a wall of adamant, and bid defiance to the "king of terrors," who, seated upon his throne of skulls, marshalled day and night, his insatiate hosts of destruction to consume our army.

Let us, as a free, prosperous and happy people, fittingly honor the memory of the brave men who fell at the siege of Vicksburg, and contributed so much to make it possible for us to enjoy the blessings that have fallen like a benediction upon the nation; ever bearing in mind that their "bodies were broken" for us.

Mr. Kendall said:

MR. SPEAKER—I belong to a generation born since the surrender of Lee at Appomattox, but it may not be improper for me to say that I am profoundly interested in the passage of this bill exactly as it has been reported to the House. The opportunity is now offered us to rise superior to paltry pecuniary considerations and to discharge an exalted public duty in a generous and noble spirit.

A little more than two-score years ago at this hour this splendid nation of ours, now so peaceful and contented and prosperous in every section of its territory, entered upon a tremendous contest to determine whether any government deriving its just powers from the consent of the governed, and dedicated to the proposition that all men are created equal, possessed intrinsic authority to suppress domestic insurrection and to preserve unimpaired its own prestige among the nations of the earth; a conflict so unparalleled in the history of civilization that the imagination of man is incompetent to conceive its magnitude. It affords us infinite satisfaction to remember, Mr. Speaker, that in that supreme crisis our own peerless Iowa sustained no inconspicuous part and achieved no inconspicuous renown. Her brave boys in blue were on every weary march, in every sweltering trench, on every bloody battlefield—always the first to the front and the last to the rear. It is not possible to refer to the veterans of the war except in the language of extravagant eulogy. Nothing, it seems to me, could be so gratifying to all the soldiers living, and to all the soldiers dead, could they know it, than the reflection that their exploits are recounted with solemn exultation upon every public occasion. So long as we entertain the slightest sentiment of gratitude, so long as we appreciate liberty, so long as we extol loyalty, just so long will we preserve the splendid history of the most gigantic civil struggle in the annals of humanity. The soldiery of a country represents the physical sovereignty of that country, and no nation can organize an army so imposing or so powerful as were those invincible battalions who mustered under the stars and stripes from 1861 to 1865. No soldiery ever entered a field with more noble purpose, and none ever emerged with a record of more glorious accomplishment. When our beloved flag was insulted, when our territorial integrity was threatened, when our national life was assailed, they promptly responded to the appeal of President Lincoln and cheerfully embraced self-immolation to secure the perpetuity of this government of the people, by the people and for the people, and to make forever positive the certainty that that government, after having been baptized in the sacred blood of the Revolutionary fathers, should not perish from the earth, but that it, under God, should have everlasting life. And I tell you here today, Mr. Speaker, that every man who volunteered to rescue the grandest flag in all the skies from dishonor, is entitled to most generous recognition at the hands of his grateful government; every man that surrendered his life that we may live, must be enrolled with the Redeemed Host on high; and every man who starved to death in a rebel prison pen must be admitted to the most transcendent ecstasies of the New Jerusalem.

No imagination, however vigorous and resourceful, can delineate the awful enormity of that unprecedented conflict. Reflect but a moment. Think of the national travail, and wretchedness and misery. Think of the

individual suffering and sacrifice and death. Think of the faithful husband as he reluctantly renounces his home; think of his fairwell to his devoted wife and his cherished children, and then think of him on the bloody field of battle, slowly dying of a mortal wound; and all for liberty, all for principle, all to maintain an united government of indestructible states; one and undivisible, then and forever. Think of the dutiful son, the silent joy of an affectionate and solicitous mother, the stalwart support of an aged and declining father; think of his goodbye to these sorrow-stricken parents—goodbye not until tomorrow, not until next week, not until after awhile, but goodbye until they shall stand at the last day in the presence of each other before the judgment bar of God. Mr. Speaker, you may suggest that in the painting of these pictures I have employed only the darkest and most somber colors, but I insist that they are typical of an hundred thousand similar tragedies. We try to measure all the heroism and the achievement and the sorrows and the sacrifice, but we are transported with pride and transfixed with horror. The eyes are dim, the lips are silent, the heart is still. Oh, how superb, how magnificent, how glorious, how cruel, how terrible, how remorseless was that war to the victorious and to the vanquished.

But a new era has come; an era of general good will, of universal patriotism throughout the length and breadth of our common country. From Maine to California, from the Great Lakes to the Gulf of Mexico, the veterans in blue and the veterans in gray are unanimously committed to the proposition that this is a single commonwealth, with a single flag and a single destiny. And thus in harmony of spirit the comrades of Grant and the comrades of Lee are journeying down to the twilight of life together with malice toward none, with charity for all. The old anger, the old acrimony, all unkindly feeling is rapidly vanishing; aye, it has completely vanished from the recollections of men. Over the graves of the fallen dead the spring has cast its tender violets, the summer its gorgeous field of flowers, the autumn its golden withered leaves and the winter its blanket of crystal snow. All is forgiven, all is forgotten, except the glorious results of the combat in which our patriots were engaged, the reminiscences of it in which they alone have the right to indulge, and the obligation which devolves upon us to establish appropriate monuments to commemorate their glory. Mr. Speaker, in my own heart there is but one sentiment respecting the volunteer soldiers of the civil war: "Cheers for the living, and tears for the dead."

Mr. Blakemore said:

MR. SPEAKER—I am heartily in favor of this bill, but had no thought of making a speech upon the same. After listening to the eloquence of my old friend from Davis and the splendid effort of the gentleman from Monroe, it needs an apology from me that I should undertake to follow them with any remarks, which must of necessity suffer by comparison. I was not among the gallant soldiers of the civil war who served for Iowa, but I have always taken a strong interest in the record of these brave men, and I have been also interested in the glorious record which the state has made since the time of the war.

On that memorable day when the Iowa regiments fought at Vicksburg I was among those who were struggling on the field of Gettysburg. Both

campaigns and battles were alike memorable, and upon both the Union soldiers won enduring glory. The achievements of the troops at both places gave the first ray of hope for the Union cause, gave the first promise that the Union would be preserved and the nation live undivided. These battles made it possible for our illustrious and lamented president, Abraham Lincoln, to issue that famous proclamation by which four million of bondsmen were made free men, and the United States of America became, indeed, the land of the free.

My mind is recalled to the incident of an American who visited one of the great expositions held in Paris. While wandering among the great displays and exhibits he passed into an immense hall of the nations. Upon its walls were placed the flags and standards of all the kingdoms and powers of the earth. All about him floated or were entwined the proud emblems of national strength and royal pride. But he missed the stars and stripes from among them all. Hurt by this omission, the American sought out the director who had charge of the building and asked him why it was that while all other nations were represented by the colors and designs which stood for sovereignty the United States alone was not honored.

“ You are an American, are you not?” queried the official.

“ I am,” replied his questioner, with emphasis and pride in the admission.

“ Then,” replied the director, “ let me explain. When your country freed a generation of slaves, and made the whole broad land what it had before been only in name, ‘ the home of the free,’ it deserved the highest place among the nations and kingdoms of the earth. So we placed the standard of your country upon the dome of this building, that when men’s eyes sought that to which we assigned highest honor they must look upward, and the American who longed for a sight of his beloved flag must gaze toward heaven.”

And the American looked upward, and there, upon the central dome of the building, high placed beyond all others, was painted the azure field, the white stars and the broad stripes of Old Glory.

My own native state of Ohio set the pace in this noble work of marking the places on southern battlefields where her soldiers had stood the shock of armed men or charged into the ranks of valorous foes, and I am glad to see my adopted state of Iowa following its precedent.

Nothing that we say or do here can in any way affect the sleep of those who rest beneath the southern soil. We cannot add to their glory or place their names higher on the rolls of history. But we can show that we are not forgetful; that we honor the dead and the living soldiers for their deeds. We can consecrate anew the earth which has been watered with tears and enriched with the blood of our bravest and best. And as we place these monuments as endearing tokens of heroism and devotion, we can again dedicate ourselves to the sacred cause of the country for which the soldiers of Iowa and her sister states fought and died.



Mr. Head said:

MR. SPEAKER—I am glad the gentleman from Monroe spoke on this question. I have always refrained from speaking in public of what I done in the war of the Rebellion, but as I was one of the commissioners appointed by the governor to go to Vicksburg and locate the position of the Iowa troops during the siege, permit me to say that when Vicksburg, the Gibraltar of the South, was captured, we secured the possession and use of the Mississippi river from its source to the gulf. We severed the Confederacy in twain. We captured all their military stores for the south and southwest. We practically destroyed an army of from sixty to seventy thousand men, as only 6,000 of Pemberton's army ever returned to service in the field. I was in the campaign and siege of Vicksburg. Our gunboats, mortar fleet and our land batteries kept up a constant fire night and day, and we rained iron and lead on Vicksburg practically all the time during the siege. Every other night we were in the rifle pits and when off duty there we had to sleep the other alternate night with the artillery thundering and the musketry rattling immediately in front of us, so that we were all the time during the siege under fire, and when Pemberton surrendered on the fourth of July we did not celebrate the day or the victory by firing cannon. On the contrary, not a gun was fired; everything was as still as a Sabbath day in time of peace. I feel that I have been repaid for all the service I rendered my country in being permitted to live and enjoy the fruits of my labors so long. We who survived have lived longer since the war than the average of human life. I hope when the members of this House come to vote on this question, that they will bear in mind those who made possible the splendid conditions we now enjoy. I feel that before I close my eyes for the last time, that I would like to see a beautiful monument erected by Iowa in the Vicksburg National park. The gentleman from Monroe spoke of the friendly feeling existing between the blue and the gray. I always respected those men who had the courage to back up their convictions and stood in front of us and contended in honorable warfare to maintain their position. While down south I heard of those in the north who sympathized with the South, declaring the war to be a failure and demanding the return of our troops. It made me mad then, that cowardly fire in the rear, and I cannot now refrain from expressing my supreme contempt for them.

Mr. Hughes said:

GENTLEMEN—During the last week as a member of this House I have considered the offering of an amendment reducing the amount of this appropriation. Then I was a member of the House of Representatives of the state of Iowa, but today, after listening to these speeches, I have been transported to another scene and I am once more an humble member of Company G, Twenty-eighth Iowa infantry, on the firing line at Vicksburg. And as such member I have decided to vote for this bill as it now stands without amendment of any kind.

Mr. Bealer, in closing, said:

MR. SPEAKER AND GENTLEMEN—Before renewing my motion to suspend the rules and put this bill on its passage, I would like to make a few remarks and draw another picture of the horrors of war. The Twenty-

second Iowa, at the charge of Vicksburg, May 22, 1863, lost in one battle fourteen more men than now compose this legislative body, both House and Senate. This may give you some adequate idea of why we should pass the bill unanimously. I am now ready to proceed to a vote.

Teachout of Polk, moved that the House adjourn until tomorrow morning at 9 o'clock.

Carried, and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Wednesday, March 19, 1902. }

The House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. Chas. F. Waldron of Chariton, Iowa.

The Journal of Monday, March 17th, was corrected and approved.

#### PETITIONS AND MEMORIALS.

Walters of Tama presented petition of citizens of Tama, relative to fixing a standard fire insurance policy.

Referred to committee on Insurance.

#### REPORTS OF COMMITTEES.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 401, a bill for an act to amend section 5096 of the code, relating to bail after conviction of certain crime, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 304, a bill for an act to authorize the granting the Chicago,

Burlington & Quincy Railroad company, its successors and assigns, a right-of-way through lands owned by the state, and used by the Institution for Feeble-Minded Children at Glenwood, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out all of section 2, and inserting in lieu thereof the following:

Section 2. The said railroad company, its successors and assigns, shall furnish to the executive council a plat showing its proposed line of road through said premises, and upon the approval of such location by said council it shall issue a certificate to that effect, which certificate shall confer upon said railroad company the right to acquire the said right-of-way as provided in chapter four (4), title ten (10) of the code, but no such right-of-way shall be acquired without the approval of said council. In event of approval of location as aforesaid the council is authorized to negotiate for, and agree upon, the damages sustained by the state by reason of taking said right-of-way.

And when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No 402, a bill for an act to require administrators, executors and guardians to file certificate of clerk of the district court of the county of their appointment in any county where any judgment, mortgage or deed of trust released by them as such officers, is recorded, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 243, a bill for an act to amend sections 860, 861 and 862 of the code, relating to voting taxes for the purchase of real estate for parks, and constructing dams and improvements of parks and rivers, condemning real estate for parks and jurisdictions of cities of the second class and towns, or parks without their corporate limits, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 397, a bill for an act to appoint a commission of land titles to define its duties, and to provide for the publication of its report, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by inserting between the word “and” and the word “accompany” in the third line of section 3, the following: “may, if it deem it advisable,”; and by inserting after the word “bill” in the fourth line, the following: “if one is submitted,”; and when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 258, a bill for an act to amend sections 1946, 1948 and 1951 of the code, relating to levees, drains and water courses, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 268, a bill for an act to amend section 586 of the code, relating to the care and maintenance of cemeteries by boards of township trustees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Wright of Guthrie, from the committee on Agriculture, submitted the following report:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House file No. 213, a bill for an act to amend chapter forty-three (43) of the acts of the Twenty-seventh General Assembly, relative to the distribution of money to county or agricultural societies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

NATE WRIGHT,  
*Chairman.*

Ordered passed on file.

Dunham of Delaware, from the committee on Schools and Text-Books, submitted the following report:

MR. SPEAKER—Your committee on Schools and Text-Books, to whom was referred House file No. 373, a bill for an act to repeal section 2812 of the code, section 1 of chapter 95 of the acts of the Twenty-seventh General Assembly and to enact a substitute therefor, providing for the issuance of school bonds, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by inserting after the word "uncollected" and before the word "school," both appearing in the fourth line of section 2, the word "lawful," and by changing the word "to," appearing in the sixth line of section 2 to the word "shall."

And that the same, when so amended, do pass.

GEO. W. DUNHAM,  
*Chairman.*

Ordered passed on file.

Kendall of Monroe, from the committee on Mines and Mining, submitted the following report:

MR. SPEAKER—Your committee on Mines and Mining, to whom was referred House file No. 64, a bill for an act to add to and amend chapter eighty-two, acts of the Twenty-eighth General Assembly, relating to mines and mining, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking therefrom section two (2) and numbering section three (3) as section two (2), and that when so amended the same do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 294, a bill for an act to legalize the incorporation of the town of Minden, Pottawattamie county, the election of its officers, the passage and record of its ordinances and resolutions, and all acts done by the council of said town.

Also, Substitute for Senate file No. 178, a bill for an act to amend section three thousand three hundred and eighty-six (3386) of the code, relating to the property rights of persons who feloniously take the life of another.

Also, Senate file No. 9, a bill for an act to amend section thirty-eight hundred and twenty-five (3825) of the code, making taxes on property in the hands of receivers a preferred claim.

Also, Senate file No. 204, a bill for an act providing that chapter twenty-five (25) of the act of the Twenty-eighth (28) General Assembly, relating to waterworks, be made applicable to cities under special charters.

J. P. LYMAN,  
*Chairman House Committee.*

E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Sweeley of Woodbury, House file No. 411, a bill for an act to amend section 2161 of the code, relating to connecting telegraph and telephone lines.

Read first and second time and referred to committee on Telegraph, Telephone and Express.

By Mattes of Sac, House file No. 412, a bill for an act to enable incorporated towns to vote a special tax for one year for the purpose of erecting a town hall, public assembly room and library building in incorporated towns.

Read first and second time and referred to committee on Ways and Means.

By Utterback of Keokuk, House file No. 413, a bill for an act to provide for the election of a mayor *pro tem* in cities or incorporated towns.

Read first and second time and referred to committee on Judiciary.

By McClurkin of Louisa, House file No. 414, a bill for an act to amend chapter 4, title 24, section 4821 of the code, relating to malicious mischief and trespass.

Read first and second time and referred to committee on Fish and Game.

By Fields of Plymouth, House file No. 415, a bill for an act to amend section 491 of the code, relating to clerk hire in county treasurers' office.

Read first and second time and referred to committee on Compensation of Public Officers.

By Teachout of Polk, House file No. 416, a bill for an act to amend sections 771, 773 and 774 of chapter 6, title 5 of the code, relating to the construction of viaducts over or under railroads on public streets and highways, and to the compensation of owners of property abutting on such streets and highways.

Read first and second time and referred to committee on Municipal Corporations.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has adopted the conference report and the substitute for concurrent resolution relative to the Hoar bill in congress.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 111, a bill for an act to amend section 255 of the code, relating to superior courts.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 318, a bill for an act appropriating money to pay certain expenses in the case of the State of Iowa v. McFarland and others.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Substitute for Senate file No. 127, a bill for an act to amend section 2581 of the code, in relation to revoking of certificates and distribution of fees from itinerant licenses.

GEO. A. NEWMAN,  
*Secretary.*

Also:



MR. SPEAKER—I am directed to inform your honorable body that the Senate asks to recall House file No. 98.

GEO. A. NEWMAN,  
*Secretary.*

On motion, the request was granted.

Also:

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

Senate file No. 3, a bill for an act regulating the employment of children at labor or service and to provide punishment for the violation thereof.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 37, a bill for an act to amend section twelve hundred and seventy-two (1272) of the code, in relation to filling the vacancies in elective city offices.

GEO. A. NEWMAN,  
*Secretary.*

Willett of Woodbury offered the following concurrent resolution, which was laid over under rule 34:

*Resolved*, By the House, the Senate concurring: That the secretary of state be directed to furnish each member of the Twenty-ninth General Assembly with a copy of the code supplement of 1902, as soon as the same shall have been published.

#### SENATE MESSAGES CONSIDERED.

Senate file No. 291, a bill for an act to amend chapter 93 of the acts of the Twenty-eighth General Assembly, relating to the practice of veterinary medicine, surgery and dentistry.

Read first and second time and referred to committee on Public Health.

Senate file No. 267, a bill for an act to amend section 2604 of the code, relating to the appointment of officers of the Soldiers' home.

Read first and second time and referred to committee on Soldiers' and Orphans' Home.

Senate file No. 271, a bill for an act to legalize the publication of notice and vote for the incorporation of the town of Gravity.

Read first and second time and referred to the committee on Judiciary.

The House took up House file No. 13, with Senate amendments thereto.

Kendall of Monroe moved that the House concur in the Senate amendments.

Carried.

#### BILLS ON THEIR PASSAGE.

On motion of Frudden of Dubuque, House file No. 7, a bill for an act for the better protection of life and property against injury or damage resulting from the operation of steam engines and boilers by incompetent engineers and others, with report of committee recommending passage as amended by substitute, was taken up, considered and the report of the committee adopted.

Mr. Frudden moved that the substitute recommended by the committee as an amendment be adopted.

Carried.

Dodds of Des Moines moved to amend the substitute for House file No. 7 by inserting after the word "inch", in the sixth line of section 1, the words "and engines and boilers of less than fifteen-horse power."

Cummings of Marshall moved to amend the amendment by changing the word "fifteen" to the word "twenty."

Adopted.

Amendment of Mr. Dodds, as amended, adopted.

Barker of Howard moved to recommit House file No. 7 to committee on Police Regulations.

Carried, and the bill was so committed.

On motion of Black of Mills, Senate file No. 304, a bill for an act to authorize the granting of the Chicago, Burlington & Quincy Railroad company, its successors or assigns, a right-of-way through lands owned by the state and used by the Institution for Feeble-Minded Children at Glenwood, with report of

committee recommending passage, as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Black the amendments of the committee were adopted.

Mr. Black moved that the rules be suspended, and that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Dunham, Edwards, Eiker, English, Fields, Fienniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Springer, Stratton, Stucklager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wright, Mr. Speaker—91.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Blakemore, Boysen, Buchanan, Donahue, Gilchrist, Payne, Sokol, Wise—9.

So the bill passed and the title was agreed to.

On motion of Head of Greene, House file No. 185, a bill for an act making an appropriation for the department of agriculture for the purpose of erecting a permanent fireproof building for live stock, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Head moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its

passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Clarke, Coburn, Cowles, Crouse, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—90.

The nays were:

None.

Absent or not voting:

Messrs. Boysen, Buchanan, Christianson, Colclo, Cruikshank, Davenport, Frudden, Furry, Warren, Willett—10.

So the bill passed and the title was agreed to.

The Speaker announced that he had signed in the presence of the House, Senate files Nos. 178, 204, 294, 9.

On motion of Greene of Madison, House file No. 8, a bill for an act providing for the nomination of officers and the election of delegates to conventions of political parties or organizations by a primary election, with report of committee recommending passage as amended by substitute, was taken up, considered and the report of the committee adopted.

On motion of Cowles of Kossuth the amendments of the committee were adopted.

English of Polk moved to amend by adding to the committee substitute, as section five and one-half (5½), the following:

Section 5½. In order that none but those affiliating with and being members of any political party shall participate in any primary election held by such political party, a system for the registration of such persons is hereby provided, and such registration shall be conducted in form and manner, as follows, to-wit: In all cities of the first class, in which a registration law is in force under the provisions of the general law governing regular state elections, there shall be set aside, on the regular registration books used for the purpose of registering persons who are qualified to vote, at the next regular state election, space for the registration of all persons who may desire to take part in any primary election held by any political party. Such space shall be provided on the regular state registration books, immediately following the last perpendicular ruled column in such books, and shall be headed as follows: "Party affiliation." It shall be the duty of the judges of such regular state election to ask each person who votes, the question, "What political party do you desire to affiliate with?" and the name of the political party given by such person shall be recorded in the column provided on the books of registration for that purpose. In case any person does not desire to state his party affiliations, he shall not be required so to do, nor shall his failure so to do act as a bar to his registration for the purpose of voting at any election held under the provisions of the general election law.

Adopted.

Greene of Madison moved to amend by inserting between the words "convention" and "shall" in the first line of section 10, the words "and member of county central committee;" also by inserting a comma after the word convention; also by inserting after the end of section 10, the words "the county central committee shall be composed of one committeeman from each precinct elected for one year."

Adopted.

Cassel of Jefferson moved to amend by inserting after the word "election," in the third line of section 1 in the Journal, page 602, the words "except that each locality may decide to adopt or not to adopt such primary election."

Jones of Mahaska moved to amend the amendment offered by Cassell of Jefferson, as follows:

Amend substitute for House file No. 8, by striking out the words "that in" in the first line of section 1 and by inserting in lieu thereof, the following: "When a majority of the voters at the preceding general election of any county decide to adopt the primary election system." Also, by insert-

ing the word "of" after the word "offices" in the second line thereof, and by striking out the words "comply with" in said line and inserting the following in lieu thereof: "be made under."

Teachout of Polk moved the previous question.

Carried.

On the amendment of Mr. Jones, Cowles of Kossuth and Hughes of Iowa demanded a roll call.

On the question, Shall the amendment prevail?

The yeas were:

Messrs. Bealer, Blakemore, Buchanan, Calderwood, Carden, Carter, Cassel, Cheney, Christianson, Coburn, Colclo, Crouse, Cruikshank, Edwards, Flenniken, Freeman, Frudden, Gilchrist, Graff, Hamann, Hertert, Hilsinger, Hufschmidt, Hurn, Jaeger, Jenks, Jones, Keagy, Kolthoff, Langan of Clinton, Langan of Crawford, Larrabee, Leech, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Powers, Robinson, Roome, Sokol, Springer, Stratton, Stuckslager, Sweet, Temple, Walden, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—60.

The nays were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Boysen, Campbell, Clarke, Cowles, Cummings, Davenport, Dodds, Dunham, Eiker, English, Fields, Furry, Greeley, Greene, Hasselquist, Hawk, Head, Hughes, Kendall, Kerr, Kling, Lyman, McClure, Pipher, Pritchard, Secor, Sweeley, Teachout, Townsend, Utterback, Warren—36.

Absent or not voting:

Messrs. Donahue, Koontz, Marshall, Walters—4.

So the amendment was adopted.

Amendment of Mr. Cassel, as amended by Mr. Jones, was adopted.

On motion of Dunham of Delaware, House adjourned till 2 P. M.

AFTERNOON SESSION.

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House met pursuant to adjournment, Speaker Eaton in the chair.

The House took up further consideration of House file No. 8, which was pending at the noon adjournment.

Robinson of Emmet moved to amend section 5, as printed on page 600 of the House Journal, by striking out of said section commencing with the word "that", in the sixth line, and ending with the word "party", in the eighth line.

Lost.

Kerr of Grundy moved to strike out all after the word "ballot", in the fourth line from the last line in section 6 of the bill, as printed in the Journal, and placing a period after the word "ballot".

Lost.

Jones of Mahaska moved to amend by striking out the words "means of a brass clip or may use", in the seventh line of section 8.

Carried.

Mr. Greene moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage.

Cowles of Kossuth moved to amend the bill by adding to section 17 the words "at the rate of compensation provided for the publication of the proceedings of the board of supervisors."

Adopted.

Greene of Madison moved to amend by inserting after section 1 to be numbered section 1½, the following:

Section 1½. The proposition as to whether a primary election shall be adopted by any county shall be submitted to the electors of the county by the board of supervisors at the general election held in November, 1902, and thereafter it shall be submitted at any general election for adoption or rejection, whenever twenty-five per cent of the legal voters shall so petition the said board of supervisors.

Adopted.

Cowles of Kossuth moved to amend section 1 by striking out of the first line the words "the preceding" and insert the word "a".

Adopted.

Sweeley of Woodbury moved to amend the substitute for House file No. 8, by adding thereto the following:

Section 17. In all cities having a population exceeding five thousand, nominations of candidates for elective offices by political parties shall be by primary election, and all the provisions of this act shall apply to the nomination of candidates for elective offices by political parties for municipal election in such cities so far as is applicable.

Section 18. The primary election in such cities for the nomination of candidates for municipal offices shall be held on the fourth Tuesday, preceding the day of general municipal election, and the returns thereof shall be made to the city clerk. The persons receiving the highest number of votes shall be the candidates of the several political parties for the respective offices.

Section 19. In each ward of the city there shall be chosen by ballot in the same manner as the candidates are selected, a member of the central committee for each political party.

That section 17 of the substitute be numbered section 20.

Adopted.

Cassel of Jefferson moved to amend the amendment of Mr. Sweeley by changing the words "five thousand" to "ten thousand" in section 17, line 1.

Adopted.

Hurn of Cerro Gordo moved to amend section 13, by inserting after the word "offices" in the first line, the words "except members of the general assembly."

Adopted.

Eiker of Decatur moved the previous question.

Carried.

The motion that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, prevailed and the bill was read a third time.

On the question, Shall the bill pass?



The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Boysen, Campbell, Carter, Christianson, Clarke, Cowles, Crouse, Cummings, Donahue, Dunham, Edwards, Eiker, English, Fields, Freeman, Furry, Graff, Greeley, Greene, Hasselquist, Hawk, Head, Hughes, Jenks, Kendall, Kerr, Kling, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, Nichols, Pipher, Pritchard, Robinson, Secor, Sweeley, Teachout, Townsend, Walden, Warren—48.

The nays were:

Messrs. Bealer, Blakemore, Buchanan, Calderwood, Carden, Cassel, Cheney, Coburn, Colclo, Cruikshank, Davenport, Dodds, Flenniken, Frudden, Gilchrist, Hamann, Hertert, Hilsinger, Hufschmidt, Hurn, Jaeger, Jones, Keagy, Kolthoff, Koontz, Langan of Clinton, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst Nagle, Patton, Payne, Powers, Roome, Sokol, Springer, Stratton, Stuckslager, Sweet, Temple, Utterback, Walters, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—51.

Absent or not voting:

None.

So the bill was declared lost.

The following motion to reconsider was filed:

MR SPEAKER—I move to reconsider the vote whereby House file No. 8 was lost; also the vote by which the same was passed to its third reading; and by which the previous question was ordered; also the vote by which section 1½ was adopted, and the vote by which the amendment to section 1, offered by Jones of Mahaska, was adopted; also the vote by which the amendment to section 13, offered by Hurn of Cerro Gordo, was adopted.

D. W. HURN.

I second the motion.

FRANK S. PAYNE.

SPECIAL ORDER NO. 14.

On motion of Sweet of Bremer, Senate joint resolution No. 5, proposing to amend the constitution of the state of Iowa, so as to provide for biennial elections, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Sweet moved that the rules be suspended, that the joint resolution be read a third time now and placed upon its

passage, which motion prevailed, and the bill was read a third time.

The following is the joint resolution, as read the third time:

JOINT RESOLUTION NO. 5.

Proposing to amend the constitution of the state of Iowa, so as to provide for biennial elections.

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

That the following amendment to the constitution of the state of Iowa be and the same is hereby proposed:

Add as section 16, to article 12 of the constitution, the following:

Section 16. The first general election after the adoption of this amendment shall be held on the Tuesday next after the first Monday in November in the year one thousand nine hundred six, and general elections shall be held biennially thereafter. In the year one thousand nine hundred and six there shall be elected a governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, attorney-general, two judges of the supreme court, the successors of the judges of the district court whose terms of office expire on December 31, one thousand nine hundred and six, state senators who would otherwise be chosen in the year one thousand nine hundred and five, and members of the house of representatives. The terms of office of the judges of the supreme court which would otherwise expire on December 31, in odd numbered years, and all other elective state, county and township officers, whose terms of office would otherwise expire in January in the year one thousand nine hundred and six, and members of the general assembly whose successors would otherwise be chosen at the general election in the year one thousand nine hundred and five, are hereby extended one year and until their successors are elected and qualified. The terms of office of senators whose successors would otherwise be chosen in the year one thousand nine hundred and seven are hereby extended one year and until their successors are elected and qualified. The general assembly shall make such changes in the law governing the time of election and terms of office of all other elective officers as shall be necessary to make the time of their election and terms of office conform to this amendment, and shall provide which of the judges of the supreme court shall serve as chief justice. The general assembly shall meet in regular session on the second Monday in January, in the year one thousand nine hundred and six, and also on the second Monday in January, in the year one thousand nine hundred and seven, and biennially thereafter.

*Resolved,* Further, that the foregoing proposed amendment to the constitution of the state of Iowa be and the same is hereby referred to the legislature, to be chosen at the next general election for members of the general assembly, and that the secretary of state cause the same to be published for three months previous to the day of such election, as provided by law.

On the question, Shall the joint resolution be adopted?

The yeas were:

Messrs. Bailey, Barkley, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Clarke, Coburn, Colclo, Cowles, Crouse, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, Fields, Flenniken, Freeman, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hughes, Hurn, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Moore, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweet, Temple, Townsend, Walden, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—74

The nays were:

Messrs. Anderson, Barker, Christianson, English, Greeley, Hertert, Jaeger, Koontz, McClure, Marshall, Meservey, Mordhorst, Nagle, Springer, Utterback, Whiting—16.

Absent or not voting:

Messrs. Bealer, Cruikshank, Davenport, Frudden, Hufschmidt, Langan of Clinton, Sweeley, Teachout, Walters, Warren—10.

So the joint resolution was adopted.

Sweet of Bremer moved that Senate joint resolution No. 5 be printed in the House Journal in full as it passed the House, immediately preceding the recording the yeas and nays on said resolution.

Carried.

Clarke of Dallas moved that House file No. 351 be made a special order for tomorrow at 10.30 A. M., Thursday, March 20th.

Carried.

#### MESSAGES FROM THE SENATE.

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill, in which the concurrence of the Senate was asked:

House file No. 123, a bill for an act to amend section 1441 of the code, relating to service of notice of expiration of rights of exemption from tax sales.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill, in which the concurrence of the Senate was asked:

House file No. 28, a bill for an act to amend section 1272 of the code, relative to the appointment of city officers to fill vacancies.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 11, a bill for an act to amend section seven hundred twenty-one (721) of the code, relating to the publication of notice of questions submitted to the voters of cities and towns.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has reconsidered and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 98, a bill for an act to amend chapter five (5), sections seven hundred forty-five (745), seven hundred forty six (746), seven hundred forty seven (747) and seven hundred forty-eight of the code of 1897, relating to letting contracts for the purchase or erection of waterworks in cities of first class.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in the House amendments to Senate file No. 304, a bill for an act to authorize the granting to the Chicago, Burlington & Quincy Railway company, its successors, or assigns, a right-of-way through lands owned by the state and used by the Institution for Feeble-Minded Children at Glenwood.

GEO. A. NEWMAN,  
*Secretary.*

#### REPORT OF COMMITTEE.

Stuckslager of Linn, from the committee on Claims submitted the following report:

MR. SPEAKER—Your committee on Claims, to whom was referred House file No. 285, a bill for an act to pay sundry persons named in this bill for material and labor furnished by them in the erection of the medical hospital of the Iowa State university, erected in eighteen hundred and ninety-seven, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out the whole of section 1, and inserting in lieu thereof the following:

“Section 1. That there be and is hereby appropriated, out of any funds in the state treasury, not otherwise appropriated, the sum of four thousand five hundred and ninety-eight dollars and fifty cents (\$4,598.50); said sum to be paid as follows:

To the Iowa City Lumber company of Iowa City.....	\$ 508.41
To Geo. W. Parker of Clinton, Iowa.....	770.10
To LeGrand Quarry company of Marshall county, Iowa.....	499.12
To A. E. Shorthill company.....	268.73
To C. Hurley of Iowa City, Iowa.....	396.44
To David Stevens of Iowa City, Iowa.....	1,082.89
To John Volk & Company, Rock Island, Illinois.....	550.06
To Platt Pressed and Fire Brick company, Van Meter, Iowa.....	522.75

The state auditor is hereby authorized and directed to issue warrants to each of the above named persons and companies for the respective amounts above stated.”

And that when so amended the same do pass.

W. C. STUCKSLAGER,  
*Chairman.*

Ordered passed on file.

#### PETITIONS AND MEMORIALS.

Meservy of Webster presented petition of citizens of Webster county, asking a time limit to consent petitions under the mulct law.

Referred to committee on Suppression of Intemperance.

#### INTRODUCTION OF BILLS.

By Warren of Marion, House file No. 417, a bill for an act to create a state department of insurance, and providing for the appointment of a commissioner of insurance.

Read first and second time and referred to committee on Insurance.

On motion of Eiker of Decatur, House adjourned till 9 A. M., tomorrow, Thursday, March 20th.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Thursday, March 20, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. Fayette L. Thompson of Davenport, Iowa.

On motion of Calderwood of Scott, leave of absence was granted Meservey of Webster until Tuesday.

On motion of Carden of Henry, leave of absence was granted McClurkin of Louisa indefinitely.

On motion of Pritchard of Wright, leave of absence was granted Head of Greene indefinitely on account of sickness.

#### REPORTS OF COMMITTEES.

Edwards of Butler, from the committee on Telegraph, Telephone and Express, submitted the following report:

MR. SPEAKER—Your committee on Telegraph, Telephone and Express, to whom was referred House file No. 254, a bill for an act to supervise and control toll or long distance telephone lines or systems; to provide for the connection of such lines or systems and for the fixing of joint rates for service, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

M. F. EDWARDS,  
*Chairman.*

Ordered passed on file.

Mr. Eiker submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred Senate file No. 291, a bill for an act to amend chapter ninety-three (93) of the acts of the Twenty-eighth General Assembly, relating to the practice of veterinary medicine, surgery and dentistry, beg leave to report that they

have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

B. L. EIKER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Public Health, to whom was referred Senate file No. 151, a bill for an act to amend section twenty-five hundred eighty-two (2582) of the code, relating to the granting of certificates to practice medicine and surgery, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

B. L. EIKER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 364, a bill for an act to amend section four thousand nine hundred and seventy-nine (4979) of the code, in regard to removing dead animals from cities and towns, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

B. L. EIKER,  
*Chairman.*

Ordered passed on file.

Kendall of Monroe, from the committee on Mines and Mining, submitted the following report:

MR. SPEAKER—Your committee on Mines and Mining, to whom was referred House file No. 14, a bill for an act to amend section two thousand four hundred eighty-nine (2489) of the code, relating to mines and mining, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out all after the word "fourteen" in the fourth line of said section, and that when so amended the same do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Concurrent resolution of Willett of Woodbury, relative to furnishing code supplements to members of the Twenty-ninth General Assembly, was taken up and considered.

Furry of Hardin offered the following amendment:

Add to the resolution the following: "Also to furnish one copy each for the Chief Clerk of the House, the first and second assistant clerks and the Journal clerks, and one copy each for the Secretary of the Senate, the first and second assistant secretaries and the Journal clerks.

Amendment adopted.

Resolution, as amended, adopted.

On motion of Kendall of Monroe, House file No. 14, a bill for an act to amend section twenty-four hundred eighty-nine (2489) of the code, relating to mines and mining, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Kendall the amendments of the committee were adopted.

Mr. Kendall moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolt-hoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, Mattes, Mordhorst, Nagle, Nichols, Patton, Payne, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Townsend, Utterback, Walden, Walters, Whiting, Willett, Wise, Wright, Mr. Speaker—81.

The nays were:

None.

Absent or not voting :



Messrs. Anderson, Carter, Cowles, Cruikshank, Fields, Gilchrist, Head, Hurn, McClurkin, McNie, Marshall, Meservey Moore, Pipher, Stuckslager, Temple, Warren, Wilson of Buena Vista, Wilson of Washington—19.

So the bill passed.

On motion of Mr. Kendall the title was amended by striking out the words " add to and " and, as amended, was agreed to.

Lyman of Poweshiek in the chair.

On motion of Robinson of Emmet, Senate file No. 272, a bill for an act to legalize the election held in the county of Osceola, and state of Iowa, on the 5th day of November, 1901, and the propositions submitted at said election for the purpose of building a courthouse and jail at Sibley in said county, and borrowing money and issuing bonds therefor, and the manner of payment of said bonds issued for said purposes, and all of the proceedings of the board of supervisors of said county, with reference to said matter, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Robinson moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, English, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jones, Keagy, Kerr, Kling, Kolt-hoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, Marshall, Mattes, Moore, Mordhorst Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teach-out, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—84.

The nays were:

None.

Absent or not voting:

Messrs. Cowles, Cruikshank, Eiker, Fields, Gilchrist, Head, Hurn, Jenks, Kendall, McClurkin, McNie, Meservey, Payne, Stuckslager, Temple, Wilson of Buena Vista—16.

So the bill passed and the title was agreed to.

On motion of Jones of Mahaska, House file No. 163, a bill for an act to amend section 2, chapter 64 of the laws of the Twenty-seventh General Assembly, relating to the care and propagation of fish and game, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Jones moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings Davenport, Dodds, Donahue, Edwards, Eiker, English, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sweeley, Sweet, Teachout, Townsend, Utterback, Walden, Walters, Warren, Whiting, Wilson, of Washington, Wise, Wright, Mr. Speaker—76.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Blakemore, Cowles, Cruikshank, Dunham, Fields, Flenniken, Freeman, Gilchrist, Head, Hertert, Hurn,

McClurkin, McNie, Marshall, Meservey, Payne, Sokol, Springer, Stratton, Stuckslager, Temple, Willett, Wilson of Buena Vista—24.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, House file No. 64, a bill for an act to add to and amend chapter 82, acts of the Twenty-eighth General Assembly, relating to mines and mining, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Kendall the amendments of the committee were adopted.

Mr. Kendall moved that the rules be suspended, and that the bill be considered engrossed and read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Edwards, Eiker, English, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, Mattes, Moore, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stuckslager, Sweeley, Sweet, Teachout, Walden, Walters, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright—77.

The nays were:

Mr. Barkley.

Absent or not voting:

Messrs. Blakemore, Coburn, Cowles, Dunham, Fields, Greeley, Head, Hertert, Hurn, McClurkin, McNie, Marshall, Meservey, Mordhorst, Payne, Springer, Stratton, Temple, Townsend, Utterback, Wilson of Buena Vista, Mr. Speaker—22.

So the bill passed and the title was agreed to.

On motion of English of Polk, House file No. 304, a bill for an act to reimburse Matthew R. Sadler for damage caused to him by the agents and employes of the state of Iowa, with report of committee on Claims recommending passage as amended by substitute, was, by two-thirds vote, taken up and acted upon without reference to the committee on Appropriations, and the report of committee on Claims was adopted.

On motion of Mr. English the amendment of the committee was adopted.

Hughes of Iowa moved to strike out the word "onto," in line 5 of the printed substitute and insert in lieu thereof the word "upon."

Adopted.

Wise of Black Hawk moved to amend by striking out the word "or," in line 2 of section 1 of the printed substitute.

Adopted.

Cheney of Clay moved to amend by inserting the words "if any" after the word "sustained," in line 1 of section 2.

Adopted.

Mr. English moved to strike out the word "thereof" in line 2 of section 1 of the printed substitute.

Adopted.

Mr. English moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hertert, Hufschmidt, Hughes, Jaeger, Jones, Keagy, Kerr, Kling, Kolt-

hoff, Koontz, Langan of Crawford, Larrabee, Leech, Lyman, McClure, Mattes, Moore, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Stratton, Stuckslager, Sweeley, Sweet, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright—80.

The nays were:

Mr. Temple.

Absent or not voting:

Messrs. Blakemore, Crouse, Head, Hilsinger, Hurn, Jenks, Kendall, Langan of Clinton, McClurkin, McNie, Marshall, Meservey, Mordhorst, Payne, Sokol, Springer, Teachout, Mr. Speaker—19.

So the bill passed and the title was agreed to.

Speaker Eaton in the chair.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

Substitute for Senate file No. 156, a bill for an act to amend section 8258 of the code, relating to the rights, duties and relations between parent and child by adoption.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Substitute for Senate file No. 155, a bill for an act fixing the rules of descent in respect to the property or estate of children by adoption, who die intestate, without issue.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No 115, a bill for an act to amend section one thousand three hundred thirty-three (1333) of the code, relating to the assessment of taxes upon foreign insurance companies.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate file No. 250, a bill for an act creating a board of police and fire commissioners in cities of the first class having a population of more than 80,000, and defining the powers and duties of such board.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Nagle of Van Buren, House file No. 69, a bill for an act to amend section 5040 of the code of 1897, relating to the desecration of the Sabbath, with report of committee without recommendation, was taken up, considered and the report of the committee adopted.

Furry of Hardin moved to amend House file No. 69 by striking out all after the words "section 1" and inserting in lieu thereof the following:

That section 5040 of the code, be and is hereby amended by inserting after the word "racing" in the third line thereof the words, "or playing baseball or football".

Adopted.

Cheney of Clay moved to amend by adding to section 1, "also amend by inserting after the word 'Sunday' in the second line the words 'Memorial or Decoration day'."

Lost.

Mr. Nagle moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Buchanan, Campbell, Carden, Cassel, Cheney, Clarke, Cowles, Crouse, Cummings, Davenport, Dunham, Edwards, Eiker, English, Fields, Freeman, Furry, Gilchrist, Graff, Greene, Has-

selquist, Hawk, Hughes, Hurn, Jones, Keagy, Kerr, Kling, Kolt-hoff, Leech, Lyman, Mattes, Moore, Nagle, Nichols, Patton, Powers, Pritchard, Robinson, Roome, Secor, Stratton, Stuck-slager, Townsend, Walden, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—59.

The nays were:

Messrs. Calderwood, Coburn, Colclo, Cruikshank, Flenniken, Frudden, Hamann, Hertert, Hufschmidt, Jaeger, Koontz, Lan-gan of Clinton, Marshall, Sweeley, Utterback, Walters—16.

Absent or not voting:

Messrs. Bealer, Boysen, Carter, Christianson, Dodds, Donahue, Greeley, Head, Hilsinger, Jenks, Kendall, Langan of Crawford, Larrabee, McClurkin, McNie, Meservey, Mordhorst, Payne, Pipher, Sokol, Springer, Sweet, Teachout, Temple, Whiting—25.

So the bill passed.

Jones of Mahaska moved to amend the title by striking out the words "of 1897" after the word "code".

Carried and the title, as amended, agreed to.

On motion of Moore of Davis, by unanimous consent, House file No. 221, a bill for an act to amend sections 2204 and 2214 of the code, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Hughes of Iowa moved to amend the bill by striking out the words "of Iowa" in section 1, also the same words in section 2.

Adopted.

Mr. Moore moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cas-sel, Cheney, Christianson, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards,

Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hertert, Hufschmidt, Hughes, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Larrabee, Leech, Lyman, McClure, Marshall, Mattes, Moore, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—87.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Clarke, Coburn, Gilchrist, Head, Hilsinger, Hurn, Jenks, Langan of Crawford, McClurkin, McNie, Meservey, Mordhorst, Payne, Walters, Whiting—13.

So the bill passed.

Hughes of Iowa moved to amend the title by striking out the words "of Iowa".

Adopted, and the title as amended was agreed to.

#### SPECIAL ORDER.

On motion of Clarke of Dallas, House file No. 351, a bill for an act relating to negotiable instruments, being an act to establish a law uniform with the laws of other states on that subject, and to repeal sections 3043, 3045, 3049, 3050, 3051, 3052, 3054 and 3055 of title 15, chapter 3 of the code, additional to code title 15, chapter 3, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Edwards of Butler moved that the House adjourn until 2 o'clock P. M.

Carried, and the House adjourned.



## AFTERNOON SESSION.

House met at 2 P. M., Speaker Eaton in the chair.

The House resumed consideration of the pending bill, House file No. 351.

Mr. Clarke moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cheney Christianson, Clarke, Coburn, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, English, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, McClure, McNie, Mattes, Moore, Nagle, Nichols, Patton, Payne, Pipher, Robinson, Roome, Secor, Sokol, Stuckslager, Sweeley, Sweet, Teachout, Temple, Walters, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—80.

The nays were:

Messrs. Cowles, Powers, Pritchard—3.

Absent or not voting:

Messrs. Cassel, Eiker, Fields, Hawk, Head, Lyman, Mordhorst, Springer, Stratton, Townsend, Utterback, Walden, Warren, Willett—17.

So the bill passed and the title was agreed to.

On motion of Crouse of Adams, the House took up the motion to reconsider the vote by which House file No. 62 was lost on passage; also the vote by which same passed to its third reading.

Motion to reconsider carried.

The motion that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Bealer, Black, Blakemore, Boysen, Buchanan, Campbell, Carden, Cheney, Coburn, Colclo, Cruikshank, Davenport, Dodds, Dunham, Edwards, Eiker, English, Flenniken, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hasselquist, Hertert, Hilsinger, Hufschmidt, Jaeger, Keagy, Kendall, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClure, McNie, Marshall, Mattes, Nichols, Patton, Pipher, Robinson, Roome, Stratton, Stuckslager, Sweeley, Sweet, Temple, Townsend, Utterback, Walden, Walters, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—63.

The nays were:

Messrs. Carter, Christianson, Cowles, Freeman, Hughes, Hurn, Jenks, Jones, Kerr, Moore, Payne, Pritchard, Sokol—13.

Absent or not voting:

Messrs. Barker, Barkley, Calderwood, Cassel, Clarke, Crouse, Cummings, Donahue, Fields, Hamann, Hawk, Head, Kling, Larrabee, McClurkin, Meservey, Mordhorst, Nagle, Powers, Secor, Springer, Teachout, Warren, Wilson of Washington—24.

So the bill passed and the title was agreed to.

On motion of Nichols of Muscatine, Senate file No. 70, a bill for an act to repeal section 853 of the code, and section 2 of chapter 28 of the acts of the Twenty-seventh General Assembly, and amend subdivision of 6 of section 1005 of the code, relating to the subject of taxes for library purposes in cities acting under special charter, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Nichols moved that the rules be suspended and that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Flenniken, Freeman, Frud- den, Furry, Gilchrist, Graff, Greeley, Greene, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jones, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Lan- gan of Crawford, Leech, Lyman, McClure, McNie, Marshall, Mattes, Moore, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Temple, Utterback, Walden, Walters, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—86.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Fields, Hamann, Head, Jenks, Keagy, Larrabee, McClurkin, Meservey, Mordhorst, Springer, Stuck- slager, Sweeley, Teachout, Townsend, Willett—14.

So the bill passed and the title was agreed to.

On motion Sweet of Bremer, Senate file No. 138, a bill for an act to amend section 1611, title 9, chapter 1 of the code, relating to the authorized indebtedness of certain corporations, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Eiker of Decatur in the chair.

Mr. Sweet moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

Speaker Eaton in the chair.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Campbell, Cassel, Clarke, Coburn, Crouse, Cruikshank, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, Freeman, Graff, Greeley, Greene, Hamann, Hasselquist, Hilsinger, Hufschmidt, Hurn, Jaeger, Jenks, Jones, Keagy, Kerr, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClure, McNie, Marshall, Mattes, Moore, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Walden, Walters, Wilson of Washington, Wise, Wright, Mr. Speaker—67.

The nays were:

Messrs. Calderwood, Cheney Christianson, Colclo, Cowles, English, Hawk, Hertert, Hughes, Koontz, Larrabee, Springer, Whiting—13.

Absent or not voting:

Messrs. Carden, Carter, Cummings, Fields, Flenniken, Frudden, Furry, Gilchrist, Head, Kendall, Kling, Kolthoff, McClurkin, Meservey, Mordhorst, Robinson, Utterback, Warren, Willett, Wilson of Buena Vista—20.

So the bill passed and the title was agreed to.

The committee on Pardons asked and obtained leave to sit during the remainder of the afternoon session, as they had an important hearing before them.

Cummings of Marshall called up the conference committee report on the Senate concurrent resolution relative to the Hoar bill, which was amended by the House but which amendment was rejected by the Senate.

Mr. Cummings moved that the report of the conference committee, recommending a substitute for the Senate concurrent resolution, as amended by the House, be adopted.

On this motion Messrs. Temple and Dunham demanded the roll call.

On the question, Shall the report of the committee be adopted?

The yeas were:

Messrs. Buchanan, Calderwood, Campbell, Cheney, Coburn, Colclo, Cowles, Cruikshank, Cummings, Dodds, Dunham, English, Frudden, Gilchrist, Greene, Hawk, Hertert, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Kendall, Kerr, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Marshall, Mattes, Payne, Pipher, Springer, Sweeley, Utterback, Walden, Walters, Warren, Whiting, Willett, Wright, Mr. Speaker—42.

The nays were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blake-more, Boysen, Carden, Cassel, Christianson, Dunham, Furry, Graff, Keagy, Kling, Kolthoff, Leech, Lyman, McNie, Moore, Nagle, Nichols, Patton, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Temple, Wilson of Buena Vista, Wise—35.

Absent of not voting:

Messrs. Carter, Clarke, Crouse, Davenport, Edwards, Eiker, Fields, Flenniken, Freeman, Greeley, Hamann, Hasselquist, Head, Hilsinger, Hurn, McClure, McClurkin, Meservey, Mordhorst, Sweet, Teachout, Townsend, Wilson of Washington—23.

So the report of the committee was adopted.

On the motion of Dunham of Delaware, House adjourned until 9 o'clock A. M., tomorrow, Friday, March 21st.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Friday, March 21, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. Thomas Osborn of Winfield, Iowa.

The Journal of Tuesday, March 18th, was corrected and approved.

On motion of Lyman of Poweshiek, leave of absence was granted Dunham of Delaware indefinitely on account of sickness.

On motion of Crouse of Adams, leave of absence was granted Fields of Plymouth for today.

UNFINISHED BUSINESS.

The House took up consideration of the concurrent resolution recommended by the conference committee, relative to the Hoar bill in congress. The report of the conference committee having been adopted just before adjournment yesterday afternoon, the question now recurred on the adoption of the concurrent resolution recommended by the conference committee.

Cummings of Marshall moved the adoption of the concurrent resolution.

Furry of Hardin moved that the concurrent resolution be made a special order for 9 A. M., April 3d.

Sweeley of Woodbury, moved to amend by setting the time for 11 o'clock A. M., today.

Carried.

Motion, as amended, lost.

English of Polk moved the previous question.

Carried.

On the question, Shall the concurrent resolution be adopted?

The yeas were:

Messrs. Bachman, Calderwood, Campbell, Cheney, Coburn, Colclo, Cummings, Davenport, Dodds, Donahue, English, Freeman, Frudden, Greene, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Kendall, Kerr, Kolthoff, Langan of Clinton, Langan of Crawford, Larrabee, McNie, Meservey, Mordhorst, Payne, Pipher, Springer, Sweeley, Teachout, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Washington, Wright, Mr. Speaker—45.

The nays were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Carden, Carter, Cassel, Christianson, Clarke, Crouse, Edwards, Eiker, Furry, Gilchrist, Graff, Greeley, Hamann, Haselquist, Head, Hurn, Keagy, Kling, Leech, Lyman, McClure, Mattes, Moore, Nagle, Nichols, Patton, Powers, Pritchard, Roome, Secor, Sokol, Stratton, Stuckslager, Sweet, Temple, Townsend, Wilson of Buena Vista, Wise—45.

Absent or not voting:

Messrs. Boysen, Cowles, Cruikshank, Dunham, Fields, Flenniken, Koontz, McClurkin, Marshall, Robinson—10.

So the concurrent resolution was declared lost.

Temple of Clarke moved that a second conference committee be appointed on the part of the House to confer with a like committee from the Senate on the Senate concurrent resolution, relative to the Hoar bill.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. PRESIDENT—I am directed to inform your honorable body that the Senate has amended and failed to pass the following bill, in which the concurrence of the Senate was asked:

House file No. 239, a bill for an act to amend sections thirteen hundred thirty-eight (1328) and thirteen hundred twenty-nine (1329) of the code,

and to amend sections three (3) and four (4) of chapter forty-two (42), acts of the Twenty-eighth General Assembly, relating to reports by and taxation of telegraph and telephone companies, and requiring said companies to file with county auditors maps and schedules of their lines.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 95, a bill for an act to amend section thirty-two hundred eighty-seven (3287) of the code, relating to the recording of wills.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

House file No. 248, a bill for an act relating to, defining, regulating and conferring rights and powers upon interurban street railways, and amending section twenty hundred twenty-six (2026) of the code, relating to such railways.

GEO. A. NEWMAN,  
*Secretary.*

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Lyman of Poweshiek, from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No 214, a bill for an act to amend section three thousand and sixteen (3016) of the code, relating to bushel weight.

Also, House file No. 130, a bill for an act to amend section two thousand five hundred and forty-seven (2547) of the code, and to prohibit the taking of fish from certain waters of the state, except with hook and line.

Also, House file No. 55, a bill for an act to amend sections two thousand seven hundred and nine (2709), two thousand seven hundred and eleven (2711), title thirteen (13), chapter eight (8) of the code; to repeal sections twelve (12), thirteen (13) and fourteen (14), chapter one hundred (100), laws of the Twenty-eighth General Assembly, in relation to discharge of boys and girls from industrial schools.

Also, House file No. 31, a bill for an act relating to the sale of cocaine and providing punishment for the illegal sale thereof.



Also, House file No. 368, a bill for an act to legalize the ordinances and resolutions passed by the incorporated town of Cresco, Howard county, Iowa, and also of the city of Cresco, in said county and state.

Also, House file No. 156, a bill for an act concerning and defining kidnaping for the purpose of ransom and prescribing the punishment therefor.

Also, House file No. 41, a bill for an act to amend section three (3) of chapter thirty (30) of the acts of the Twenty-eighth General Assembly, relating to the levy of taxes for park purposes in certain cities.

Also, House file No. 227, a bill for an act to legalize the ordinances and the official acts of the town of Schaller, Sac county.

J. P. LYMAN,  
*Chairman.*

Adopted.

#### BILLS ON THEIR PASSAGE.

On motion of Walters of Tama, House file No. 343, a bill for an act providing that the civil actions authorized in section 4302 of the code, may be brought in any county where a nuisance is committed in part; or in any county where any requisite to the consummation of a nuisance occurs, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Cummings of Marshall moved that section 1 be amended by adding the following:

This shall not apply to actions against municipal corporations.

Adopted.

Sweeley of Woodbury moved to amend by striking out section 2, the publication clause.

Adopted.

Mr. Walters moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campell, Carden, Cassel, Cheney, Clarke, Coburn, Colclo, Cruikshank, Davenport, Dodds, Donahue, Edwards, Eiker, Freeman, Frudden, Gilchrist, Graff, Greeley, Greene, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt,

Hughes, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman McClure, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Patton, Payne, Pipher, Powers, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wright, Mr. Speaker—76.

The nays were:

Messrs. Barkley, Carter, Christianson, Cummings, English, Furry, Head, Nichols, Pritchard—9.

Absent or not voting:

Messrs. Cowles, Crouse, Dunham, Fields, Flenniken, Hamann, Hurn, Jenks, Larrabee, McClurkin, Marshall, Robinson, Stuckslager, Teachout, Wise—15.

On motion of Warren of Marion, House file No. 211, a bill for an act to amend chapter 102 of the acts of the Twenty-eighth General Assembly, relating to the Iowa Industrial Reformatory for Women, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Sweet of Bremer offered the following amendment as a substitute for House file No. 211:

A BILL.

For an act to establish an industrial reformatory for females, to make appropriation therefor, and to provide for the transfer of inmates to and from the Industrial School for Girls.

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

Section 1. That there is hereby established at Knoxville, Iowa, on the land and in the buildings and appurtenances provided by the state at Knoxville for the Industrial Home for the Blind, an institution which shall be known and designated as the Iowa industrial reformatory for women.

Sec. 2. Said reformatory shall be under the control of the board of control of state institutions, and the immediate management thereof shall be in charge of a superintendent and such subordinate officers and employes as shall be employed by the superintendent, and the compensation to be paid all officers and employes shall be fixed according to the provisions of chapter 118 of the acts of the Twenty-seventh General Assembly, and said acts and all amendments thereof, so far as applicable and not otherwise spe-

cified, shall apply to and govern the business management and support of said reformatory and its inmates.

Sec. 3. The board of control shall determine what subordinate officers and employes are required to carry on and manage the reformatory, and shall provide for their appointment by the superintendent and for their compensation. The board of control is authorized to establish from time to time such regulations for the government, discipline and management of the reformatory as the board shall deem advisable.

Sec. 4. The board of control shall, as soon as practicable, make the repairs and charges which may be necessary to fit the designated buildings for the use of the reformatory, and supply the machinery, fixtures, furniture and furnishings, implements and tools of all kinds which shall be necessary to open and maintain said reformatory, and it may be opened when it is ready for the reception of inmates.

Sec. 5. At least thirty days before the opening of the reformatory, the board of control shall notify each judge of the police, superior and district courts, and each clerk of the district court of each county of the state, of the time when the reformatory will be open for the reception of inmates.

Sec. 6. When a girl or woman not less than sixteen and less than twenty-six years of age shall be found guilty in any superior or district court of record of any crime, except that of murder, the court may, in its discretion, instead of entering judgment of conviction, order that she be sent to the Iowa industrial reformatory for women, which order, certified by the clerk of the court and under its seal, shall be sufficient authority for her transfer to and confinement in said reformatory.

Sec. 7. When a girl or woman not less than sixteen and less than twenty-six years of age is convicted by any police or other inferior courts of a crime or shall be found to be guilty of being a disorderly person, she may be forthwith sent by the court, together with all the papers filed in its office relating to the case, in custody of an officer, to a judge of a superior or district court. At a time and place to be fixed by said judge or to which the hearing may be adjourned, he shall proceed to take the voluntary examination of the girl or woman, to hear the statements of the party appearing for her, and such testimony in relation to the case as may be produced, and if, upon such examination and hearing, he shall be satisfied that such female is a fit subject for the reformatory, he may commit her to the reformatory by warrant, which shall state the place in which she resided at the time of her arrest, and her age, as nearly as it can be ascertained, and shall command the officer or other person designated in the warrant to take and deliver without delay to the superintendent or other person in charge of the reformatory the said female, and the statement as to residence and age shall be conclusive for the purposes of this act. With the warrant the judge shall also transmit a statement of the nature of the complaint, and such other particulars concerning the accused as he may be able to ascertain. If the judge is of the opinion that the girl or woman is not a fit subject for the reformatory, or if she shall appeal from the decision of the court in which the conviction was had, he shall remand her to the custody of the officer

who had her in charge, to be returned to the magistrate before whom the conviction was had, to be dealt with according to law.

Provided, however, that if a female convicted by any inferior court and sent before a judge of a superior or district court, as provided in this section, is a minor, the judge before whom she is sent shall issue an order directed to the parent or guardian of such minor or to the person who has her in charge or with whom she last resided, or to a person known to be nearly related to her, or if she be alone or friendless then to any person the judge may appoint to act as guardian for the purposes of the case, requiring him or her to appear at the time and place fixed by the judge and show cause why such minor should not be committed to the reformatory, which order shall be served by an officer by delivering a copy to the person to whom it is addressed or by leaving it with some person of full age at the residence or place of business of said person, and an immediate return of the service shall be made to the judge. If there be no appearance at the hearing for the minor, the judge shall appoint a suitable person to act as guardian of the minor for the purposes of the case before the hearing is had.

Sec. 8. The judge who commits a girl or woman to the reformatory may direct that she be taken there by a woman or other suitable person to be designated in the warrant, or if taken by a sheriff or other officer that he be accompanied by a woman so designated. The costs and expenses allowed as those for taking girls and women to the reformatory shall be the same allowed by law for taking girls to the Industrial School for Girls, and shall be audited and paid in like manner by the counties from which they are sent.

Sec. 9. Any woman or girl over the age of fourteen years who is an inmate of the Industrial School for Girls, who is unruly or incorrigible, or whose presence is dangerous or detrimental to the school, may, on the recommendation of the superintendent of the school, and after an investigation by the board of control, be transferred by order of the board to the reformatory, and the expenses of the transfer shall be paid from the funds of the school. And the board may, on the recommendation of the superintendent of the reformatory, and after an investigation by the board, transfer any inmate of the reformatory to the school, and the expenses of the transfer shall be paid from the funds of the reformatory. And, after a transfer to either institution is made, the person transferred shall be subject to all the provisions of law and regulations of the institution to which she is transferred, the same as though she had been originally committed thereto.

Sec. 10. It shall be the duty of the superintendent, under the direction of the board of control, to provide instructors and appliances for and to instruct and train the inmates of the reformatory according to their capacity and needs in religion, morality, physical culture and in such common school and other branches of learning, in domestic and mechanical arts, and in such other branches of industry as shall afford the moral, mental and physical training and skill which shall seem best to prepare the inmates to live orderly and virtuous lives and to become self-supporting and useful members of society. And the superintendent may require any inmate of the reforma-

to perform any services suited to her strength and attainments which may be needed for the benefit or to accomplish the purpose of the reformatory.

Sec. 11. The board of control shall have the power to order the parole or discharge of any inmate of the reformatory as a reward for good conduct and proficiency in studies and for satisfactory work in the industrial department, if there be reasonable ground to believe that such inmate, if released, will lead a virtuous and honorable life. The board may also, in unusual and special cases, parole or discharge inmates if the reason therefor shall be deemed sufficient and urgent. If the inmate be paroled, the parole may be on conditions which shall be prescribed by the board of control and may be terminated for a failure to comply with such conditions.

Sec. 12. When an inmate is paroled or discharged, the superintendent may, with the approval of the board of control, furnish her with a supply of clothing and a receptacle therefor, and transportation to the place from which she was committed or to any place she may select not more distant than the place of commitment, and with a sum of money not exceeding ten dollars. It shall be the duty of the superintendent, so far as is practicable, to obtain for each inmate before she is paroled or discharged, a home and suitable employment, if they are not otherwise provided.

Sec. 13. Any person committed to or confined in said reformatory who shall escape may be arrested and taken or returned to said reformatory, if found in the county where the reformatory is situated, by any officer or employe thereof without any other authority than this act, and by any peace officer or other person, on the request in writing of the superintendent. If any paroled inmate shall violate the conditions of her parole, she may be arrested and returned to the reformatory by an officer or employe thereof, or by any peace officer or other person, on the request in writing of the superintendent, approved by the board of control, and the reasonable expenses incurred in returning such inmate shall be paid from the funds of the reformatory.

Sec. 14. Whoever unlawfully aids or assists any inmates lawfully committed to the reformatory to escape therefrom, or knowingly conceals such inmate after her escape, shall be punished by a fine of not exceeding one thousand dollars, or imprisonment in the penitentiary not exceeding five years.

Sec. 15. For the purpose of preparing the reformatory for the reception of inmates and for maintaining it, there are hereby appropriated sums of money as follows:

For repairs, fixtures, furniture and furnishings, for enclosing the site of a part or all of the buildings, if deemed necessary, for out buildings, and all other materials and supplies necessary to the opening of the reformatory.....\$12,000.00

For horses, cows, hogs, harness, vehicles, farm and garden implements and machinery supplies necessary for carrying on the farm and garden..... \$2,000.00

For the purpose of establishing suitable industries..... \$1,000.00  
 For contingent and repair fund..... \$3,000.00

Sec. 16. For the purpose of maintaining the reformatory, including the payment of the compensation of officers and employes, for the instruction of inmates, the furnishing of food, clothing, and all necessary machinery, apparatus and supplies, and transportation for paroled and discharged inmates and return to the reformatory of paroled inmates, the sum of fifteen dollars per month, or so much thereof as may be necessary, for each inmate, estimated on the basis of the average number of inmates for the preceding month; but, in case the average number of inmates shall be fewer in any month than sixty, then and in that case the appropriation shall be nine hundred dollars for each of such months, or so much thereof as shall be necessary. The superintendent is authorized to make an estimate a month in advance of the opening of the institution for all moneys and supplies for the operation of the reformatory on the basis of sixty inmates for the first month. If the average number of inmates shall for any month be fewer than sixty, the estimate shall nevertheless include sufficient sums of money, not exceeding the aggregate of nine hundred dollars, to pay the compensation of the officers and employes necessary to carry on the reformatory properly, and other necessary expenses.

Sec. 17. In case the buildings of the reformatory shall, at any time become unfit for the purposes of the reformatory by reason of fire, storms, or other cause, the board of control shall make the best temporary provision practicable for the confinement and care of the inmates at Knoxville, or at some other place in the state, and if deemed advisable may transfer them to a department of the penitentiary at Anamosa. In case such temporary arrangement shall be made, all laws applicable to the reformatory, as established by this act, shall apply to the reformatory in the new location, and the reasonable cost of the exchange, including the transfer of inmates, shall be paid from any money in the state treasury not otherwise appropriated.

Sec. 16. Chapter 102 of the acts of the Twenty-eighth General Assembly and all acts and parts of acts in conflict with this act are hereby repealed.

Sec. 19. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa

Warren of Marion moved to lay on the table the amendment offered by Mr. Sweet.

A roll call was demanded on this motion.

On the question, Shall the amendment be laid upon the table?

The yeas were:

Messrs. Blakemore, Cruikshank, Donahue, Dunham, Flenniken, Furry, Hawk, Hufschmidt, Hughes, Jaeger, Kendall, Kling, Mattes, Nichols, Springer, Townsend, Warren—16.

The nays were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cummings, Davenport, Dodds, Edwards, Eiker, English, Freeman, Frudden, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Head, Hilsinger, Hurn, Jenks, Jones, Kerr, Kolthoff, Larrabee, Leech, McNie, Meservey, Moore, Mordhorst, Nagle, Patton, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Utterback, Walden, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—66.

Absent or not voting:

Messrs. Carter, Cassel, Dunham, Fields, Hertert, Keagy, Koontz, Langan of Clinton, Langan of Crawford, Lyman, McClure, McClurkin, Marshall, Payne, Pipher, Walters, Whiting, Wilson of Buena Vista—18.

So the motion to lay on the table was lost.

Furry of Hardin moved that the bill, with the substitute, be referred to the committee on Appropriations, and retain its place on the calendar.

Lost.

Warren of Marion moved that the bill under consideration be made a special order for 10:30 A. M., next Tuesday, March 25th.

Lost.

Hawk of Jasper moved that further consideration of this bill be deferred until the amendment of Mr. Sweet to this bill can be printed in the Journal.

Lost.

Gilchrist of Pocahontas moved the previous question.

Carried.

The amendment of Mr. Sweet was adopted by a rising vote of 48 for and 28 against.

Mr. Sweet moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Bealer, Black, Boysen, Buchanan, Cheney, Coburn, Colclo, Cowles, Crouse, Davenport, Edwards, Freeman, Gilchrist, Graff, Hamann, Hilsinger, Hurn, Jenks, Larrabee, McNie, Meservey, Patton, Pipher, Roome, Stratton, Stuckslager, Sweeley, Sweet, Temple, Utterback, Willett, Wilson of Buena Vista, Wise, Wright—36.

The nays were:

Messrs. Anderson, Barkley, Blakemore, Calderwood, Campbell, Carden, Carter, Cassel, Christianson, Clarke, Cruikshank, Cummings, Dodds, Donahue, English, Flenniken, Furry, Greeley, Greene, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClure, Mattes, Moore, Mordhorst, Nagle, Nichols, Payne, Powers, Pritchard, Robinson, Secor, Sokol, Springer, Teachout, Townsend, Walden, Walters, Warren, Whiting, Mr. Speaker—57.

Absent or not voting:

Messrs. Dunham, Eiker, Fields, Frudden, McClurkin, Marshall, Wilson of Washington—7.

So the bill was lost.

#### PETITIONS AND MEMORIALS.

Cummings of Marshall presented petition of citizens of Marshall county, asking a time limit on consent petitions under the mulct law.

Referred to committee on Suppression of Intemperance.

Cummings of Marshall presented petition of citizens of Marshall county, asking an amendment to section 1333 of the code, removing the discriminations against foreign insurance companies.



Referred to committee on Ways and Means.

Nichols of Muscatine presented petition of citizens of Muscatine county, reference same subject.

Referred to committee on Ways and Means.

Hamann of Scott presented petition of citizens of Scott county, reference same subject.

Referred to committee on Ways and Means.

Cruikshank of Lee presented petition of citizens of Lee county, reference same subject.

Referred to committee on Ways and Means.

Keagy of Dubuque presented petition of citizens of Dubuque county, reference same subject.

Referred to committee on Ways and Means.

Wise of Black Hawk presented petition of citizens of Black Hawk, reference same subject.

Referred to committee on Ways and Means.

Bealer of Linn presented petition of citizens of Linn county, reference the same subject.

Referred to committee on Ways and Means.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 214, a bill for an act to amend section three thousand and sixteen (3016) of the code, relating to bushel weight.

Also, House file No. 130, a bill for an act to amend section two thousand five hundred and forty-seven (2547) of the code, and to prohibit the taking of fish from certain waters of the state, except with hook and line.

Also, House file No. 55, a bill for an act to amend sections two thousand seven hundred and eight (2708), two thousand seven hundred and nine (2709), and two thousand seven hundred and eleven (2711), title thirteen (13), chapter eight (8) of the code, to repeal sections twelve (12), thirteen (13), and fourteen (14), chapter one hundred (100) laws of the Twenty-eighth General Assembly in relation to discharge of boys and girls from industrial schools.

Also, House file No. 31, a bill for an act relating to the sale of cocaine and providing punishment for the illegal sale thereof.

Also, House file No. 368, a bill for an act to legalize the ordinances and resolutions passed by the incorporated town of Cresco, Howard county, Iowa, and also of the city of Cresco, in said county and state.

Also, House file No. 156, a bill for an act concerning and defining kidnapping for the purpose of ransom, and prescribing the punishment therefor.

Also, House file No. 41, a bill for an act to amend section three (3) of chapter (30) of the acts of the Twenty-eighth General Assembly, relating to the levy of taxes for park purposes in certain cities.

Also, House file No. 227, a bill for an act to legalize the ordinances and official acts of the town of Schaller in Sac county.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

Also:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 261, a bill for an act establishing the rank of commandant and inspector of military science in state educational institutions.

Also, Senate file No. 296, a bill for an act to provide for the publication of an edition of seven thousand five hundred (7,500) copies of the code.

Also, Senate file No. 304, a bill for an act to authorize the granting to the Chicago, Burlington & Quincy Railroad company, its successors or assigns, a right-of-way through lands owned by the state, and used by the Institution for Feeble Minded Children at Glenwood.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

#### REPORTS OF COMMITTEES.

Warren of Marion, submitted the following report:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 417, a bill for an act to create a state department of insurance and providing for the appointment of a commissioner of insurance, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended, and when so amended that the same do pass. Said amendments to be as follows.

Insert after the word "appointed", in the seventh line of section one (1) the words "and until his successor is appointed and qualified." Also, that said bill be further amended by adding to section six (6) thereof the following: "and all powers and privileges now exercised by the auditor of state relating to insurance matters are hereby transferred to and conferred upon said commissioner of insurance. All duties and obligations to the auditor of state now incumbent upon insurance companies or persons insured shall hereafter be due to said commissioner of insurance. And the said commissioner of insurance shall exercise as full, comprehensive, and complete jurisdiction over all insurance companies as defined in the code now exercised by the auditor of state."

J. L. WARREN,  
*Chairman.*

Ordered passed on file.

Kendall of Monroe, from the committee on Mines and Mining, submitted the following report:

MR. SPEAKER—Your committee on Mines and Mining, to whom was referred the report of the commission appointed to inquire into and investigate the matter of explosions in the coal mines of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report back to the House a bill for an act to add to and amend section two thousand, four hundred eighty-nine (2489) of the code, relating to mines and mining, which is herewith presented with the recommendation that the same do pass.

N. E. KENDALL,  
*Chairman.*

Report adopted.

The Speaker announced that he had signed in the presence of the House, in open session, the following bills: House files Nos. 214, 130, 55, 31, 368, 156, 41, 227; also, Senate files Nos. 261, 296, 304.

On motion of Clarke of Dallas, House file No. 409, a bill for an act ceding to the United States exclusive jurisdiction over certain lands or lots acquired by the United States for public purposes within this state, and authorizing the acquisition thereof with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Clarke moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassel, Cheney, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Dodds, Donahue, Edwards, Eiker, English, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, McClure, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—86.

The nays were:

None.

Absent or not voting:

Messrs. Carter, Christianson, Cowles, Cruikshank, Dunham, Fields, Greeley, Hamann, Hasselquist, Langan of Crawford, Lyman, McClurkin, Marshall, Pritchard—14.

So the bill passed and the title was agreed to.

On motion of Gilchrist of Pocahontas, House file No. 408, a bill for an act to legalize the extension of the corporate limits of the town of Laurens, and its ordinances and resolutions, and the acts of officers and persons had in pursuance thereof, and to fix the limits of said town, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Gilchrist moved to amend House file No. 408 by inserting in the tenth line of the preamble of the original bill, after the words "the south half", the words "of the south half".

Adopted.

Mr. Gilchrist moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Clarke, Colclo, Cowles, Crouse, Cummings, Davenport, Dodds, Donahue, Edwards, Eiker, English, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClure, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—88.

The nays were:

None.

Absent or not voting:

Messrs. Boysen, Cheney, Christianson, Coburn, Cruikshank, Dunham, Fields, Greeley, Hamann, Langan of Crawford, Marshall, McClurkin—12.

So the bill passed and the title was aged to.

#### INTRODUCTION OF BILLS.

By committee on Mines and Mining, House file No. 418, a bill for an act to add to and amend section 2489 of the code, relating to mines and mining.

Read first and second time and passed on file.

English of Polk moved that House file No. 366 be made a special order for Tuesday, March 25th, at 10 o'clock A. M.

Carried.

Cowles of Kossuth moved that the House adjourn until tomorrow morning at 9 A. M.

Carried, and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES. }  
DES MOINES, Saturday, March 22, 1902. }

House met pursuant to adjournment, Speaker Eaton in the Chair.

Prayer was offered by the Rev. Frank L. Van Vorhis of Des Moines, Iowa.

The Journal of Thursday, March 20th, was corrected and approved.

On motion of Meservey of Webster, leave of absence was granted Head of Greene indefinitely on account of sickness.

On motion of Donahue of O'Brien, leave of absence was granted Willet of Woodbury until Monday noon.

On motion of Jenks of Pottawattamie, leave of absence was granted Freeman of Pottawattamie until Monday noon.

On motion of Eiker of Decatur, leave of absence was granted Townsend of Calhoun until Monday noon.

On motion of Buchanan of Wapello, leave of absence was granted Gilchrist of Pocahontas indefinitely.

On motion of Robinson of Emmet, leave of absence was granted Carden of Henry until Tuesday noon.

On motion of Crouse of Adams, leave of absence was granted Bailey of Ringgold until Monday noon.

On motion of Warren of Marion, leave of absence was granted Leech of Cedar until Tuesday.

On motion of Jones of Mahaska, leave of absence was granted Campbell of Fremont indefinitely.

On motion of Eiker of Decatur, leave of absence was granted Pritchard of Wright until Tuesday.

Speaker *pro tem* Kendall in the chair.

## REPORTS OF COMMITTEES.

Hughes of Iowa, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 157, a bill for an act making an appropriation for the completion of the state historical building, and to provide for the completion of the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out all after the enacting clause, and inserting in lieu thereof the following:

Section 1. When the United States government shall pay to the state its claim for reimbursement of interest and other items of expense upon its war bonds, the executive council is authorized and directed to enter into a contract on behalf of the state for the completion of the east wing of the state historical building, the character and style of which in material and architecture shall correspond to and harmonize with the west wing of said building now erected; and the sum of one hundred thousand dollars (\$100,000), not appropriated for the erection and completion of a state arsenal, or so much thereof as may be necessary, of the money paid to the state by the United States government upon its said claim, is hereby appropriated for the purpose of completing the east wing of the state historical building in the manner aforesaid, the same to be drawn from the treasury by the executive council as it shall be needed for the payment of the cost of erecting and completing said east wing, and any balance remaining in the treasury after the completion of the said east wing shall be used by the executive council toward the furnishing of the same for library purposes. But the money hereby appropriated shall in no event exceed the sum actually received from the United States government upon the claim aforesaid, and no money shall be drawn from the state treasury by the executive council for the purpose aforesaid, until the state has received from the United States government payment for its claim for reimbursement of interest and other expenses upon its war bonds.

Sec. 2. That the curator of the state historical department, the state librarian and the architect of the state historical building shall constitute a committee to report suitable plans for said east wing to the executive council for its approval. This committee is hereby authorized to visit the cities of Boston, New York and Philadelphia and intermediate points for the purpose of inspecting buildings and acquiring such information as it deems necessary to make such report; provided, however, that the state shall not be liable for any expenses incurred in making this visit, except for the expenses of this committee actually incurred in traveling.

Sec. 3. That the east wing of this building shall be so arranged as to accommodate the state library, and said east wing to be completed not later than the year 1904.

Sec. 4. That the executive council is authorized and hereby empowered to acquire title in the name of the state by purchase or condemnation, to

any additional real estate that may be necessary for this purpose in the block in which the west wing of this building is now located.

Sec. 5. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

And that when so amended the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No 116, a bill for an act making an appropriation for the Woman's and Babies' Home of Sioux City, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out of the last part of line three and the first part of line four, section one (1), the words and figures "five thousand dollars (\$5,000)," and inserting in lieu thereof the words and figures "two thousand dollars (\$2,000);" also that it be further amended by striking out section two (2), and that when so amended the same do pass.

JOHN HUGHES, JR.,  
*Chairman*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 300, a bill for an act to provide for an exhibit of the arts, industries and resources of the state of Iowa, at the Louisiana Purchase exposition to be held in the city of St. Louis, in the state of Missouri, beg leave to report, that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out of the last part of line one and the first part of line two, section two (2), the words and figures "two hundred fifty thousand dollars (\$250,000)" and inserting in lieu thereof the words and figures "one hundred and fifty thousand dollars (\$150,000)", and that when so amended, the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 219, a bill for an act making an appropriation for the Dubuque Rescue Home of Dubuque, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by



striking out all after the "comma" after the word "appropriated", in line three, section one (1), and inserting in lieu thereof the following: "the sum of two thousand dollars (\$2,000), or so much thereof as may be necessary, to be expended as directed by the executive council; provided, that not more than one-half of the amount herein appropriated shall be drawn during the first half of the biennial period." Also that it be further amended by striking out section two (2).

And that when so amended the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 146, a bill for an act to prevent cheating by the sale of adulterated and misbranded foods; to create the office of state food and dairy commissioner, and defining his duties and for other purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 58, a bill for an act making an appropriation for the Benedict Home at Des Moines, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out of line three, section 1, the words and figures "ten thousand dollars (\$10,000)" and inserting in lieu thereof the words and figures "seven thousand dollars (\$7,000)"; also that the same be further amended by striking out section 2, and that when so amended the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Stratton of Montgomery, from the committee on Suppression of Intemperance, submitted the following report:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House file No. 380, a bill for an act to amend section 2423 of the code, in relation to payments of compensation for intoxicating liquors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be again referred to the Judiciary committee.

C. L. STRATTON,  
*Chairman.*

Report adopted and the bill referred to Judiciary Committee.

Also:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House file No. 336, a bill for an act to amend section 2406 of the code, relating to actions to abate nuisances, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. L. STRATTON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred substitute for House file No 70, a bill for an act to amend section 2394 of the code, relating to the sale of intoxicating liquors by permit holders, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. L. STRATTON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House file No. 346, a bill for an act to amend chapter 6 of the code, prohibiting the purchase of intoxicating liquors for the use of minors, drunkards, and persons who have taken any of the so-called cures for drunkenness, and prescribing punishment for the violation of same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by substituting the bill hereto attached:

A BILL

For an act to amend chapter six (6), title twelve (12) of the code, prohibiting the purchase of intoxicating liquors for the use of minors, persons in the habit of becoming intoxicated, and persons who have taken any of the so-called cures for drunkenness, and prescribing punishment for the violation of same.

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

Section 1. Any person who purchases intoxicating liquors for the use of any minor, intoxicated person, or person in the habit of becoming intoxicated, or for any person who has taken any of so-called cures for drunkenness, shall be deemed guilty of a misdemeanor, and shall be punished on conviction thereof by a fine for the first offense of twenty dollars (\$20) and cost, and for each subsequent offense the sum of forty

dollars (\$40) and cost, and he shall be committed to the county jail in default of the payment of same.

Sec. 2. All acts and parts of acts in conflict or inconsistent with the provisions of this act are hereby repealed.

And when so amended that the same do pass.

C. L. STRATTON,  
*Chairman.*

Ordered passed on file.

Furry of Hardin, from the committee on Schools and Text-Books, submitted the following report:

MR. SPEAKER—Your committee on Schools and Text-Books, to whom was referred House file No. 399, a bill for an act to provide for the inspection, recognition and supervision of schools for the instruction and training of teachers for the common schools, and providing for the licensing of the graduates of the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by inserting after the word "schools", appearing in the second line of section 1, the following, "other than state educational institutions", and by inserting the word "annual" after the word "average" and before the word "attendance", both appearing in the first line of section 5, and by striking out the words "one thousand dollars", in the second line of section 5, and placing in lieu thereof the following: "five hundred dollars annually". And that the same when so amended do pass.

GEO. W. DUNHAM,  
*Chairman.*

Ordered passed on file.

English of Polk, from the committee on Private Corporations, submitted the following report:

MR. SPEAKER—Your committee on Private Corporations, to whom was referred House file No. 369, a bill for an act to amend sections sixteen hundred and ten (1610), sixteen hundred and fourteen (1614), sixteen hundred and fifteen (1615) and sixteen hundred and seventeen (1617) of the code, relating to corporations for pecuniary profit, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

MAHLON HEAD,  
*Chairman.*

Ordered passed on file.

Mr. Eiker submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 398, a bill for an act regulating the manufacture and sale of loaves of bread, beg leave to report that they have had the same under consid-

eration, and have instructed me to report the same back to the House with the recommendation that the same be amended, and when so amended that the same do pass.

Amend by striking out of the fifth line of section two (2) of the original bill, the words "twenty-five dollars" and their respective numerals, and inserting in lieu thereof "ten dollars (\$10); also, by striking out of the sixth line of said section the word "five" and inserting in lieu thereof "three (3)".

B. L. EIKER.

*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 176, a bill for an act to provide a department in one of the hospitals for the insane, for the detention and treatment of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

B. L. EIKER,

*Chairman.*

Ordered passed on file.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 266, a bill for an act to amend sections fifteen hundred twenty-eight (1528), fifteen hundred thirty-three (1533), fifteen hundred fifty-four (1554) of the code, and for the repeal of section fifteen-hundred forty-two (1542) and enacting a substitute therefor, relative to the levying, certifying and collection of road tax.

Also, House file No. 111, a bill for an act to amend section number two hundred fifty-five (255) of the code, relating to superior courts.

Also, House file No. 12, a bill for an act to amend chapter nine (9), title twelve (12) of the code, in relation to mines and mining.

Also, House file No. 13, a bill for an act to amend section twenty-four hundred eighty-two (2482) of the code, relating to mines and mining.

Also, House file No. 148, a bill for an act to amend section four hundred and twenty-three (423) of the code, relating to the powers of boards of supervisors.

Also, House file No. 378, a bill for an act legalizing acts of the county auditor and of the board of supervisors of Lyon county.

Also, House file No. 47, a bill for an act to amend section three thousand four hundred and thirty-nine (3439) of the code, relating to limitation of actions on judgments.

J. P. LYMAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Enrolled bills respectfully report that they have this day sent to the governor, for his approval, House file No 55, a bill for an act to amend sections two thousand seven hundred eight (2708), two thousand seven hundred nine (2709) and two thousand seven hundred eleven (2711), title thirteen (13), chapter eight (8) of the code, to repeal sections twelve (12), thirteen (13) and fourteen (14), chapter one hundred (100), laws of the Twenty-eighth General Assembly, in relation to discharge of boys and girls from industrial schools.

Also, House file No. 214, a bill for an act to amend section three thousand sixteen (3016) of the code, relating to bushel weight.

Also, House file No. 180, a bill for an act to amend section two thousand five hundred and forty-seven (2547) of the code, and to prohibit the taking of fish from certain waters of the state, except with hook and line.

Also, House file No. 81, a bill for an act relating to the sale of cocaine and providing for the illegal sale thereof.

Also, House file No. 368, a bill for an act to legalize the ordinances and resolutions passed by the incorporated town of Cresco, Howard county, Iowa, and also of the city of Cresco, in said county and state.

Also, House file No. 156, a bill for an act concerning and defining kidnapping for the purpose of ransom, and prescribing the punishment therefor.

Also, House file No. 227, a bill for an act to legalize the ordinances and the official acts of the town of Schaller, Sac county.

Also, House file No. 41, a bill for an act to amend section three (§) of chapter thirty (30) of the acts of the Twenty-eighth General Assembly, relating to the levy of taxes for park purposes in certain cities.

J. P. LYMAN,  
*Chairman.*

March 21, 1902.

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report

that they have examined, and find correctly enrolled, House file No. 266, a bill for an act to amend sections fifteen hundred and twenty-eight (1528), fifteen hundred and thirty-three (1533), fifteen hundred and fifty-four (1554) of the code, and for the repeal of section fifteen hundred and forty-two (1542) and enacting a substitute therefor, relative to the levying, certifying and collection of road tax.

Also, House file No. 111, a bill for an act to amend section number two hundred fifty-five (255) of the code, relating to superior courts.

Also, House file No. 12, a bill for an act to amend chapter nine (9), title twelve (12) of the code, in relation to mines and mining.

Also, House file No. 13, a bill for an act to amend section twenty-four hundred eighty-two (2482) of the code, relating to mines and mining.

Also, House file No. 148, a bill for an act to amend section four hundred twenty-three (423) of the code, relating to the powers of boards of supervisors.

Also, House file No. 378, a bill for an act legalizing acts of the county auditor and boards of supervisors of Lyon county.

Also, House file No. 47, a bill for an act to amend section three thousand four hundred thirty-nine (3439) of the code, relating to limitation of actions on judgments.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By committee on Representative Districts, House file No. 419, a bill for an act to apportion the state into representative districts and declare the ratio of representation.

Read first and second time and passed on file.

Speaker Eaton in the chair.

By Boysen of Audubon, House file No. 420, a bill for an act providing for the better protection of the owners and operators of threshing machines and corn shellers in securing compensation for their services.

Read first and second time and referred to committee on Judiciary.

By Walden of Wayne, by request, House file No. 421, a bill for an act to amend chapter 13 of the code, and chapter 69 of the acts of the Twenty-eighth General Assembly, relating to build-

ing and loan associations, and defining and regulating the same.

Read first and second time and referred to committee on Building and Loan.

By Wilson of Washington, by request, House file No. 422, a bill for an act to amend section 5663 of the code, limiting the number of guards allowed the penitentiaries at Fort Madison and Anamosa.

Read first and second time and referred to committee on Judiciary.

#### SENATE MESSAGES CONSIDERED.

Substitute for Senate file No. 156, a bill for an act to amend section 3253 of the code, relating to the rights, duties and relations between parent and child by adoption.

Read first and second time and referred to committee on Judiciary.

Senate file No. 127, a bill for an act to amend chapter seventeen (17), title twelve (12) of the code of 1897, requiring the secretary of the state board of medical examiners to give an official bond, and for other purposes.

Read first and second time and referred to committee on Judiciary.

Senate file No. 115, a bill for an act to amend section one thousand three hundred and thirty-three (1333) of the code, relating to the assessment of taxes upon foreign insurance companies.

Read first and second time and referred to committee on Ways and Means.

Senate file No. 37, a bill for an act to amend section twelve hundred and seventy-two (1272) of the code, in relation to filling vacancies in elective city offices.

Read first and second time and referred to committee on Judiciary.

Senate file No. 3, a bill for an act regulating the employment of children at labor or service and to provide punishment for the violation thereof.

Read first and second time and referred to committee on Labor.

Senate file No. 11, a bill for an act to amend section seven hundred twenty-one (721) of the code, relating to the publication of notice of questions submitted to the voters of cities and towns.

Read first and second time and referred to committee on Municipal Corporations.

Substitute for Senate file No. 155, a bill for an act fixing the rules of descent in respect to the property or estate of children by adoption, who die intestate, without issue.

Read first and second time and referred to committee on Judiciary.

Senate file No. 318, a bill for an act appropriating money to pay certain expenses in the case of the State of Iowa v. McFarland.

Read first and second time and referred to committee on Judiciary.

Senate file No. 95, a bill for an act to amend section thirty-two hundred and eighty-seven (3287) of the code, relating to the recording of wills.

Read first and second time and referred to committee on Judiciary.

On motion of Dodds of Des Moines, House file No. 4 was recalled from the committee on Roads and Highways, and withdrawn from further consideration by this House.

Buchanan of Wapello moved that the House resolution relative to final adjournment on April 3d, be recalled from the Senate.

Carried.

On motion of Warren of Marion, House file No. 367, a bill for an act to legalize the ordinances of the town of Swan, Marion county, Iowa, and the official acts of the mayor and recorder thereof, in the publication of said ordinances, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.



Mr. Warren moved to adopt the amendment recommended by the committee.

Adopted.

Mr. Warren moved to amend the substitute for House file No. 367 by striking out the publication clause.

Adopted.

Mr. Warren moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Black, Boysen, Buchanan, Calderwood, Campbell, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Flenniken, Frudden, Furry, Graff, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Larrabee, Leech, McClure, McNie, Marshall, Meservey, Moore, Mordhorst, Nagle, Patton, Pipher, Powers, Robinson, Roome, Secor, Springer, Stratton, Sweeley, Sweet, Teachout, Utterback, Walden, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—74.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Blakemore, Carden, Fields, Freeman, Gilchrist, Greeley, Head, Hertert, Hufschmidt, Hurn, Langan of Clinton, Langan of Crawford, Lyman, McClurkin, Mattes, Nichols, Payne, Pritchard, Sokol, Stuckslager, Temple, Townsend, Walters, Willett—26.

So the bill passed and the title was agreed to.

On motion of Barkley of Boone, House file No. 384, a bill for an act to protect the property, of public libraries and reading rooms, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Jones of Mahaska moved to strike out of the last line of the original bill the word "sixty" and insert in lieu thereof the word "thirty".

Carried.

Edwards of Butler moved to strike out the last two words of the original bill, "or both".

Carried.

Mr. Barkley moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Carter, Cassel, Cheney, Christianson, Clarke, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Flenniken, Frudden, Furry, Graff, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hughes, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Crawford, Larrabee, Leech, McClure, McNie, Marshall, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stuckslager, Sweeley, Sweet, Teachout, Utterback, Walden, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—76.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Blakemore, Carden, Coburn, Fields, Freeman, Gilchrist, Greeley, Head, Hertert, Hufschmidt, Hurn, Jenks, Langan of Clinton, Lyman, McClurkin, Mattes, Payne, Pritchard, Stratton, Temple, Townsend, Walters, Willett—24.

So the bill passed and the title was agreed to.

Jones of Mahaska in the chair,

## MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate herewith returns House concurrent resolution relative to final adjournment.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to substitute for Senate file No. 87, a bill for an act to amend section 136 of the code, in relation to the publication of the reports of the Iowa Academy of Sciences.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked.

Substitute for House file No. 141, a bill for an act to repeal section five hundred nine (509) and section five hundred ten (510) of the code, in reference to the compensation of sheriffs and deputy sheriffs, and the following enacted in lieu thereof.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 175, a bill for an act to amend section twenty-seven hundred and thirty-eight (2738) of the code, in relation to the duties of county superintendents.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 326, a bill for an act to legalize the acts of the Independent School district of Stanwood, Cedar county, Iowa, in voting bonds at a special election held September 16, 1901, for the rebuilding of a school-house in said independent school district and to enable such district to issue such bonds and to validate all the official acts and proceedings of the board of directors of said school district relative thereto.

GEO. A. NEWMAN,  
*Secretary.*

Also:

**MR. SPEAKER**—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 409, a bill for an act ceding to the United States exclusive jurisdiction over certain lands or lots acquired by the United States for public purposes within the state, and authorizing the acquisition thereof.

GEO. A. NEWMAN,

*Secretary.*

On motion of Boysen of Audubon, substitute for House file No. 141, a bill for an act to repeal section five hundred nine (509) and section five hundred ten (510) of the code, in reference to the compensation of sheriffs and deputy sheriffs, and the following enacted in lieu thereof, was taken up and considered.

Boysen of Audubon moved that the House concur in the Senate amendment.

On the question, Shall the House concur in the Senate amendment?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Black, Calderwood, Carter, Cassel, Cheney, Christianson, Coburn, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Frudden, Furry, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hughes, Hurn, Jaeger, Jones, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Teachout, Whiting, Wise, Mr. Speaker—61.

The nays were:

Mr. Larrabee.

Absent or not voting:

Messrs. Anderson, Blakemore, Boysen, Buchanan, Campbell, Carden, Clarke, Colclo, Cowles, Flenniken, Freeman, Gilchrist, Graff, Greeley, Head, Hertert, Hufschmidt, Jenks, Keagy, Koontz, Langan of Crawford, Leech, Meservey, Pipher, Powers, Pritchard, Stuckslager, Sweet, Temple, Townsend, Utterback, Walden, Walters, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wright—38.

So the House concurred in Senate amendment to House file No. 141.

Mr. Boysen also moved that the House concur in Senate amendment to the title.

Carried, and the title, as amended by the Senate, agreed to.

On motion of Robinson of Emmet, House file No. 407, a bill for an act to legalize the contract made by the incorporated town of Spirit Lake, for the construction of a sewer therein and for the levy of a tax of five mills made by said town on payment therefor, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Robinson moved to amend by inserting the words "newspapers published in Des Moines", in section 2, after the word "Register."

Carried.

Mr. Robinson moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Blakemore, Boysen, Buchanan, Calderwood, Carter, Cheney, Christianson, Clarke, Coburn, Crouse, Cruikshank, Davenport, Dodds, Donahue, Dunham, Edwards, Flenniken, Frudden, Furry, Graff, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, McClure, McNie, Marshall, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple, Utterback, Walden, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—73.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Black, Campbell, Cassel, Colclo, Cowles, Cummings, Eiker, English, Fields, Freeman, Gilchrist, Greeley, Head, Hertert, Hufschmidt, Kendall, Lyman, McClurkin, Mattes, Payne, Pritchard, Stuckslager, Townsend, Walters, Willett—27.

So the bill passed and the title was agreed to.

Speaker Eaton in the chair.

On motion of Wilson of Washington, Senate file No. 199, a bill for an act to amend section seven hundred and forty-five (745) of the code of Iowa, as amended by the acts of the Twenty-seventh General Assembly, relating to the purchase and construction of waterworks, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Nichols of Muscatine moved to amend the bill by striking out the words "second mortgage", in line five of the printed bill and insert in lieu thereof the words "additional mortgage or mortgages"; also add to section 1 the following: "provided that said additional mortgage or mortgages or bonds shall bear not more than six per cent interest per annum".

Adopted.

Mr. Nichols also moved to amend the bill by adding after section 1, as section 2, the following:

Section 2. This act shall apply to cities acting under special charter."

Also amend by renumbering section 2 to be section 3.

Adopted.

Moore of Davis moved to amend the bill by striking out the words "of Iowa", in the line one of section 1.

Adopted.

Mr. Wilson moved that the rules be suspended, and that the bill be read a third time now, and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Black, Boysen, Buchanan,

Calderwood, Cassel, Cheney, Christianson, Clarke, Cowles, Crouse, Cruikshank, Davenport, Donahue, Dunham, Edwards, English, Fields, Flenniken, Frudden, Furry, Graff, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hughes, Hurn, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Crawford, Larrabee, Lyman, McClure, McNie, Meservey, Moore, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Utterback, Walden, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—70.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Blakemore, Campbell, Carden, Carter, Coburn, Colclo, Cummings, Dodds, Eiker, Freeman, Gilchrist, Greeley, Head, Hertert, Hufschmidt, Jenks, Langan of Clinton, Leech, McClurkin, Marshall, Mattes, Mordhorst, Nagle, Pritchard, Stuckslager, Temple, Townsend, Walters, Willett—30.

So the bill passed and the title was agreed to.

On motion of Langan of Clinton, House file No. 400, a bill for an act to authorize cities which have voted taxes to aid any corporation organized under the laws of this state for the construction of a highway or combination bridge across the navigable boundary river to vote additional taxes for the purchase of such bridge, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Hasselquist of Lucas moved to amend by writing in the words before the figures "760, 761, 762, 763, 764," and enclosing the figures in parentheses all of section 2.

Carried.

Also moved to strike out the words "of Iowa," in section 2.

Carried.

Mr. Langan moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barkley, Black, Blakemore, Buchanan, Calderwood, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Davenport, Dodds, Donahue, Dunham, Edwards, English, Fields, Flenniken, Frudden, Furry, Graff, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Lyman, McClure, McNie, Meservey, Moore, Mordhorst, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple, Utterback, Walden, Warren, Whiting, Wilson of Washington, Wright, Mr. Speaker—71.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Barker, Bealer, Boysen, Campbell, Carden, Carter, Cummings, Eiker, Freeman, Gilchrist, Greeley, Head, Hertert, Hufschmidt, Hurn, Kolthoff, McClurkin, Marshall, Mattes, Nagle, Pritchard, Stuckslager, Townsend, Walters, Willett, Wilson of Buena Vista, Wise—29.

So the bill passed and the title was agreed to.

Hamann of Scott offered the following concurrent resolution and moved that the rule be suspended and the resolution be adopted:

*Be it Resolved*, By the House of Representatives, the Senate concurring: That the members of the board of control be invited to appear before a joint meeting of the House and Senate to discuss before it the appropriations asked of the Twenty-ninth General Assembly for the state institutions under the control of the board, and that the House and Senate convene in joint session at 7:30 o'clock P. M., on March 26, 1903, for that purpose.

Adopted.

Warren of Marion moved that House file No. 417 be made a special order for Tuesday, March 25th, at 10:30 A. M.

Carried.

By consent, given by a two-thirds vote, on motion of Sweeley of Woodbury, Senate file No. 218, a bill for an act to provide for



the condemnation of a fishway in the Bonaparte dam, and making an appropriation for the expenses thereof, and prescribing penalties for injuring or destroying such fishway, was taken up and considered without reference to the committee on Appropriations.

The report of the committee on Fish and Game, recommending passage, was adopted.

Mr. Sweeley moved that the rules be suspended, and that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barkley, Black, Blakemore, Buchanan, Calderwood, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Frudden, Furry, Graff, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hughes, Jaeger, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Larrabee, Lyman, McClure, McNie, Mattes, Meservey, Moore, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple, Utterback, Walden, Warren, Whiting, Wilson of Washington, Wise, Wright, Mr. Speaker—70

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Barker, Bealer, Boysen, Campbell, Carden, Cruikshank, Cummings, Flenniken, Freeman, Gilchrist, Greeley, Head, Hertert, Hufschmidt, Hurn, Kendall, Langan of Clinton, Langan of Crawford, Leech, McClurkin, Marshall, Mordhorst, Nagle, Pritchard, Stuckslager, Townsend, Walters, Willett, Wilson of Buena Vista—30.

So the bill passed and the title was agreed to.

On motion of Jaeger of Des Moines, House file No. 381, a bill for an act to amend section 2 of chapter 30 of the acts of the Twenty-eighth General Assembly, relating to the duties and com-

pensation of park commissioners of certain cities, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Jaeger the amendments of the committee were adopted.

Mr. Jaeger moved that this bill be made a special order for Wednesday, March 26th, at 10:30 A. M.

Carried.

On motion of Teachout of Polk, House file No. 305, a bill for an act to prohibit and punish the secret or unlawful tapping of water or gas pipes or electric light or power wires, or the appropriation or use of water or gas or electric currents for light or power purposes without the knowledge or consent of the owner, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Teachout moved that the amendment recommended by the committee be adopted.

Carried.

Sweeley of Woodbury moved to amend House file No. 305, as amended by committee on Judiciary, by striking out sections 1 2 and substituting the following in lieu thereof:

Section 1. Any person who shall knowingly and with intent to defraud, unlawfully tap or connect with any water or gas pipe or main, or any wire carrying a current for electric light or power purposes, or who shall wrongfully and with intent to defraud, appropriate or use water, gas, light or power by or through such tapping or connection, shall be punished by a fine of not exceeding one hundred dollars, and shall be liable in a civil action for any and all damage or loss caused thereby.

Adopted.

Mr. Teachout moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Black, Boysen, Calder-

wood, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Frudden, Furry, Graff, Greene, Hasselquist, Hawk, Hilsinger, Hughes, Hurn, Jaeger, Jenks, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Larrabee, Lyman, McClure, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Powers, Robinson, Roome, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple, Utterback, Walden, Walters, Warren, Whiting, Wise, Wright, Mr. Speaker

—74.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Blakemore, Buchanan, Campbell, Carden, Cummings, Freeman, Gilchrist, Greeley, Hamann, Head, Hertert, Hufschmidt, Jones, Koontz, Leech, McClurkin, Pipher, Pritchard, Secor, Stuckslager, Townsend, Willett, Wilson of Buena Vista, Wilson of Washington—26.

So the bill passed and the title was agreed to.

House file No. 240, a bill for an act to amend section 1611, title 9, chapter I of the code, relating to the authorized indebtedness of certain corporations, was taken up, considered and the report of the committee was adopted.

On motion of Mr. Sweet the bill was indefinitely postponed, as a like Senate file had already passed both houses.

House file No. 282, a bill for an act to amend section 2077 of the code, relative to compensation for the transportation of passengers, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 344, a bill for an act to appropriate annually \$15,000 from the funds in the state treasury, not otherwise appropriated, to fumigate and, when necessary, to prevent the spread of contagious diseases, to destroy the property infected

with smallpox and other contagious diseases, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 324, a bill for an act to establish the rank of commandant and instructor of military science and tactics in state colleges, with report of committee recommending passage was taken up, considered and the report of the committee was adopted.

On motion of Koontz of Johnson the bill was indefinitely postponed.

Anderson of Warren offered the following resolution and moved that the rules be suspended and the resolution be adopted:

WHEREAS, The Hon. W. J. Cochran, an honored member of the Fourteenth General Assembly, from Warren county, closed his life's work at his home in Lacona, Iowa, August 15, 1901; therefore, be it

*Resolved*, That a committee of three be appointed to present resolutions commemorating his life and merits.

Adopted.

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote by which the resolution to adjourn *sine die*, April 3, 1902, was adopted.

A. W. BUCHANAN.

I second the motion.

N. E. KENDALL.

The Speaker announced that he had signed in the presence of the House the following: House files Nos. 266, 111, 12, 13, 148, 378, 47.

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote by which House file No. 211 was lost on passage, also the vote by which the amendment offered by Sweet of Bremer to said bill was adopted.

H. R. KRAGY.

I second the above motion.

H. B. KLING.

Hughes of Iowa moved that the House do now adjourn until Monday, March 24th, at 9 A. M.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Monday, March 24, 1902. }

The House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. T. A. Trimble of Riceville, Iowa.

On motion of Edwards of Butler, House took a recess of thirty minutes.

House reconvened with Speaker Eaton in the chair.

On motion of Coburn of Cherokee, leave of absence was granted Jenks of Pottawattamie until Wednesday noon.

On motion of Carter of Sioux, leave of absence was granted Wilson of Washington until this afternoon.

On motion of Kling of Harrison, leave of absence was granted Pipher of Cass until this afternoon.

On motion of McNie of Benton, leave of absence was granted Walden of Wayne until tomorrow morning.

On motion of Springer of Buchanan, leave of absence was granted Hertert of Shelby until tomorrow morning.

Furry of Hardin moved to refer House file No 399 to committee on Appropriations, and requested that it be allowed to retain its place on the calendar.

Carried, and the bill was so referred.

Eiker of Decatur moved to adopt the report of the committee on Senate file No. 151, recommending indefinite postponement.

Adopted, and the bill was indefinitely postponed.

On motion of Kendall of Monroe, the rules were suspended

and the vote by which the House concurred in Senate amendments to House file No. 13 was reconsidered.

On the question, Shall the House concur in Senate amendments to House file No. 13?

The yeas were:

Messrs. Bailey, Barkley, Bealer, Black, Boysen, Calderwood, Carter, Cassel, Cheney, Christianson, Coburn, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Frudden, Furry, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hughes, Hurn, Jaeger, Jones, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Larrabee, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Teachout, Whiting, Mr. Speaker—63.

The nays were:

None

Absent or not voting:

Messrs. Anderson, Barker, Blakemore, Buchanan, Campbell, Carden, Clarke, Cowles, Flenniken, Freeman, Gilchrist, Graff, Greeley, Head, Hertert, Hufschmidt, Jenks, Keagy, Koontz, Langan of Crawford, Leech, Meservey, Pipher, Pritchard, Stuckslager, Sweet, Temple, Townsend, Utterback, Walden, Walters, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright—37.

So the House concurred.

#### REPORT OF COMMITTEE.

Mr. Eiker submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 341, a bill for an act to regulate the practice of osteopathy in the state of Iowa, and fixing penalties for the violation thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the attached substitute as an amendment, with the recommendation that when so amended the same do pass.

#### SUBSTITUTE FOR HOUSE FILE NO. 341.

A bill for an act to repeal chapter sixty-nine (69) of the laws of the Twenty-

seventh General Assembly regulating the practice of osteopathy in the state of Iowa, and enacting a substitute therefor.

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

Section 1. Any person holding a diploma from a legally incorporated school of osteopathy wherein the course of study comprises a term of at least twenty (20) months or four (4) terms of five (5) months each in actual attendance at such school, and shall include instructions in the following branches, towit: Anatomy, physiology, chemistry, histology, pathology, gynecology, obstetrics and theory and practice of osteopathy, shall, upon the presentation of such diploma to the state board of medical examiners, and satisfying such board that they are the legal holders thereof, be granted by such board an examination on the branches herein named except upon the theory and practice of osteopathy. The fee for said examination, which shall accompany the application, shall be ten dollars (\$10) and the examination shall be conducted in the same manner, and at the same place, and on the same date that physicians are examined as prescribed by section twenty-five hundred seventy-six (2576) of the code. The same general average shall be required as in cases of physicians, provided that osteopaths who are graduates of legally incorporated schools of osteopathy, and who are at the time of the passage of this act engaged in the practice of osteopathy in Iowa shall be entitled to receive a certificate upon the payment of the prescribed fee without such examination. Upon passing a satisfactory examination as above prescribed, the said board of medical examiners shall issue a certificate to the applicant therefor, signed by the president and secretary of said board, which certificate shall authorize the holder thereof to practice osteopathy in the state of Iowa. This certificate, when issued, shall be registered with the recorder of the county in which the holder thereof resides and for which he shall pay a fee of fifty cents (50c).

Sec. 2. The certificate provided for in the foregoing section shall not authorize the holder thereof to prescribe or use drugs in his practice, nor to perform major or operative surgery.

Sec. 3. The board of medical examiners may refuse to grant a certificate to any person otherwise qualified, who is not of good moral character, and for like cause, or for incompetency, or habitual intoxication, or upon satisfactory evidence, by affidavit or otherwise, that a certificate had been granted upon false and fraudulent statements as to graduation or length of practice, may revoke a certificate by an affirmative vote of at least five (5) members of the board, which number shall include one or more members of the different schools of medicine represented in said board; nor shall the standing of a legally chartered osteopathic college, from which a diploma may be presented, be questioned, save by a like vote. After the revocation of a certificate, the holder thereof shall not practice osteopathy, surgery, or obstetrics in the state.

Sec. 4. Any person who shall present to the board of medical examiners a fraudulent or false diploma, or one of which he is not the rightful owner, for the purpose of procuring a certificate as herein provided, or shall file, or attempt to file, with the recorder of the county in the state, the certificate of

another as his own, or who shall falsely personate any one to whom a certificate has been granted by such board, or shall practice osteopathy, surgery or obstetrics in the state without first having obtained and filed for record the certificate herein required, and who is not embraced in any of the exceptions contained in this chapter, or who continues to practice osteopathy, surgery or obstetrics after the revocation of his certificate, is guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than three hundred dollars (\$300), nor more than five hundred dollars (\$500) and cost of prosecution, and shall stand committed to the county jail until such fine is paid; and whoever shall file, or attempt to file, with the recorder of any county in the state, the certificate of another with the name of the party to whom it was granted or issued erased, and the claimant's name inserted, or shall file, or attempt to file, with the board of medical examiners, any false or forged affidavit of identification, shall be guilty of forgery.

Sec. 5. All acts and parts of acts in conflict herewith are hereby repealed.

Sec. 6. The system, method or science of treating diseases of the human body commonly known as osteopathy is hereby declared not to be the practice of medicine, surgery or obstetrics within the meaning of section twenty-five hundred and seventy-nine (2579), title twelve (12), chapter seventeen (17) of the code.

Sec. 7. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published in Des Moines, Iowa.

B. L. EIKER,  
*Chairman.*

Ordered passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 87, a bill for an act to amend section one hundred and thirty-six (136) of the code, in relation to the publication of the reports of the Iowa Academy of Sciences.

Also, Senate file No. 250, a bill for an act creating a board of police and fire commissioners in cities of the first class, having a population of more than 60,000, and defining the powers and duties of such board.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.



## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

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

Senate file No. 337, a bill for an act defining the crime of sodomy.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

House file No. 349, a bill for an act to legalize the incorporation of the town of Rudd, Floyd county, and the ordinances thereof.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 286, a bill for an act to legalize the acts of boards of waterworks trustees in cities of the first class, and cities acting under special charters, under appointment made by the district courts of Iowa.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 190, a bill for an act to amend section three hundred thirty-seven (337) of the code, relating to grand and petit jury lists.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in following concurrent resolution, in which the concurrence of the Senate was asked:

Relative to the board of control being invited to appear before a joint meeting of the House and Senate to discuss appropriations asked of the Twenty-ninth General Assembly.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 400, a bill for an act to authorize cities which have voted taxes in aid of any corporation organized under the laws of this state for the construction of a highway or combination bridge across any navigable boundary river, to vote additional taxes for the purchase of such bridge.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 220, a bill for an act to amend chapter eighty-three (83) of the acts of the Twenty-eighth General Assembly, in relation to the inspection and use of the products of petroleum.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 221, a bill for an act to amend section two thousand five hundred eight (2508) of the code, in relation to the inspection and use of the products of petroleum.

GEO. A. NEWMAN,  
*Secretary.*

#### INTRODUCTION OF BILLS.

By Black of Mills, House file No. 423, a bill for an act to legalize the acts of the officials of the town of Hillsdale, Mills county.

Read first and second time and referred to committee on Judiciary.

#### SENATE MESSAGE CONSIDERED.

Senate file No. 286, a bill for an act to legalize the acts of the boards of waterworks trustees in cities of the first class, and cities acting under special charters, under appointment made by district courts.

Read first and second time.

On motion of Sweeley of Woodbury, by unanimous consent, Senate file No. 286, which was just read first and second time, was taken up and considered.

Mr. Sweeley moved that the rules be suspended, and that the bill be read a third time now, and placed upon its passage, which motion prevailed by more than a two-thirds vote, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barkley, Bealer, Black, Calderwood, Cassel, Cheney, Christianson, Coburn, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Frudden, Furry, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hughes, Hurn, Jaeger, Jones, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Larrabee, Lyman, McClure, McClurkin, McNie, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Whiting, Wise, Mr. Speaker—61.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Barker, Blakemore, Boysen, Buchanan, Campbell, Carden, Carter, Clarke, Colclo, Flenniken, Freeman, Gilchrist, Graff, Greeley, Head, Hertert, Hufschmidt, Jenks, Keagy, Koontz, Langan of Crawford, Leech, Marshall, Meservey, Payne, Pipher, Pritchard, Stuckslager, Temple, Townsend, Utterback, Walden, Walters, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wright—39.

So the bill passed and the title was agreed to.

Powers of Floyd called up House file No. 349, a bill for an act to legalize the incorporation of the town of Rudd, Floyd county, and the ordinances thereof, with Senate amendment thereto, and moved that the House do concur in the Senate amendment.

On the question, Shall the House concur in the Senate amendment to House file No. 349?

The yeas were:

Messrs. Bailey, Barkley, Bealer, Black, Boysen, Calderwood Carter, Cassel, Cheney, Christianson, Cowles, Crouse, Cruikshank, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Frudden, Furry, Greene, Hamann, Hasselquist Hawk, Hilsinger, Hughes, Hurn, Jaeger, Jones, Kendall, Kerr, Kolthoff, Langan of Clinton, Langan of Crawford, Larrabee, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Whiting, Wise, Mr. Speaker—62.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Barker, Blakemore, Buchanan, Campbell, Carden, Clarke, Coburn, Colclo, Cummings, Flenniken, Freeman, Gilchrist, Graff, Greeley, Head, Hertert, Hufschmidt, Jenks, Keagy, Kling, Koontz, Leech, Meservey, Payne, Pipher, Pritchard, Stuckslager, Temple, Townsend, Utterback, Walden, Walters, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wright—38.

So the House concurred in the Senate amendment to House file No. 349.

On motion of Dunham of Delaware, House file No. 354, a bill for an act amending paragraph 5 of section 1709 of the code, relating to insurance, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Dunham moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Black, Boysen, Calderwood, Carter, Cassel, Cheney, Christianson, Coburn, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Frudden, Furry, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hughes, Hurn, Jaeger, Jones, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Larrabee, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Whiting, Wise, Mr. Speaker—66.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Blakemore, Buchanan, Campbell, Carden, Clarke, Cowles, Flenniken, Freeman, Gilchrist, Graff, Greeley, Head, Hertert, Hufschmidt, Jenks, Keagy, Koontz, Langan of Crawford, Leech, Meservey, Pipher, Pritchard, Stuckslager, Temple, Townsend, Utterback, Walden, Walters, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wright—34.

So the bill passed and the title was agreed to.

On motion of Fields of Plymouth, House file No 264, a bill for an act to amend sections 2505 and 2506 of the code of Iowa, relating to the inspection of petroleum products, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Fields moved to adopt the amendments recommended by the committee.

Adopted.

Jones of Mahaska moved to amend the bill by adding the following to section 4:

And should he fail or refuse to approve any or all of such items, said report shall be referred to the executive council for correction or approval.

Adopted.

Mr. Fields moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its

passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Black, Boysen, Calderwood, Carter, Cassel, Cheney, Christianson, Coburn, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Frudden, Furry, Graff, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hughes, Hurn, Jaeger, Jones, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Larrabee, Lyman, McClure, McClurkin, McNie, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Whiting, Wise, Mr. Speaker—65.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Blakemore, Buchanan, Campbell, Carden, Clarke, Cowles, Flenniken, Freeman, Gilchrist, Greeley, Head, Hertert, Hufschmidt, Jenks, Keagy, Koontz, Langan of Crawford, Leech, Marshall, Meservey, Payne, Pipher, Powers, Pritchard, Temple, Townsend, Utterback, Walden, Walters, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wright—35.

So the bill passed.

Hasselquist of Lucas moved to amend the title by striking out the words "of Iowa."

Adopted and the title, as amended, agreed to.

On motion of Hamann of Scott, House file No. 248, with Senate amendments thereto, was taken up and considered.

Mr. Hamann moved that the House do not concur in Senate amendments to House file No. 248.

On the question, Shall the motion prevail?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Black, Boysen, Calder-

wood, Carter, Cassell, Cheney, Christianson, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Dunham, Edwards, Eiker, English, Fields, Flenniken, Frudden, Furry, Graff, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hughes, Hurn, Jaeger, Jones, Kerr, Kling, Kolthoff, Larrabee, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Moore, Mordhorst, Nichols, Patton, Payne, Powers, Robinson, Roome, Secor Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Whiting, Wise, Mr. Speaker—64.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Blakemore, Buchanan, Campbell, Carden, Clarke, Coburn, Cowles, Donahue, Freeman, Gilchrist, Greeley, Head, Hertert, Hufschmidt, Jenks, Keagy, Kendall, Koontz, Langan of Clinton, Langan of Crawford, Leech, Meservey, Nagle, Pipher, Pritchard, Temple, Townsend, Utterback, Walden, Walters, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wright, Mr. Speaker—36.

So the House refused to concur.

On motion of Dunham of Delaware, House file No. 396, a bill for an act requiring the keeping of accounts in cities and towns, and requiring that publicity be given thereto, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Dunham of Delaware moved that the House do not adopt the amendments recommended by the committee.

Carried.

Hurn of Cerro Gordo moved to amend by striking out the last line of the printed bill, after the word "circulation", and inserting in lieu thereof the following:

"In said city or town, as the case may be; but if only one paper is so published, then in one; and if none be published, then by posting a copy in three public places in said city or town."

Adopted.

Mr. Dunham moved that the rules be suspended, that the bill

be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass ?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Black, Boysen, Calderwood, Cassel, Cheney, Christianson, Coburn, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Frudden, Furry, Graff, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hughes, Hurn, Jaeger, Jones, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Larrabee, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Whiting, Wise, Mr. Speaker—66.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Blakemore, Buchanan, Campbell, Carden, Carter, Clarke, Cowles, Freeman, Gilchrist, Greeley, Head, Hertert, Hufschmidt, Jenks, Keagy, Koontz, Langan of Crawford, Leech, Meservey, Pipher, Pritchard, Stuckslager, Teachout, Temple, Townsend, Utterback, Walden, Walters, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wright—34.

So the bill passed and the title was agreed to.

On motion of Hurn of Cerro Gordo, House file No. 272 was ordered recalled from the Senate.

The Speaker announced that he had signed in the presence of the House, Senate files Nos. 87 and 250.

On motion of Hughes of Iowa, House file No. 398, a bill for an act regulating the manufacture and sale of loaves of bread, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Hughes the amendments of the committee were adopted.



Mr. Hughes moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bealer, Black, Cassel, Cheney, Christianson, Colclo, Cummings, Donahue, Dunham, Edwards, English, Greene, Hasselquist, Hawk, Jaeger, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, McNie, Marshall, Mattes, Moore, Nagle, Nichols, Paiton, Robinson, Roome, Sokol, Sweet, Walters, Whiting, Wise—34.

The nays were:

Messrs. Bailey, Barkley, Boysen, Calderwood, Crouse, Davenport, Dodds, Fields, Flenniken, Frudden, Hamann, Hilsinger, Hughes, Hurn, McClure, McClurkin, Powers, Stratton, Sweeley, Mr. Speaker—21.

Absent or not voting:

Messrs. Anderson, Blakemore, Buchanan, Campbell, Carden, Carter, Clarke, Coburn, Cowles, Cruikshank, Eiker, Freeman, Furry, Gilchrist, Graff, Greeley, Head, Hertert, Hufschmidt, Jenks, Jones, Keagy, Koontz, Langan of Crawford, Larrabee, Leech, Lyman Meservey, Mordhorst, Payne, Pipher, Pritchard, Secor, Springer, Stuckslager, Teachout, Temple, Townsend, Utterback, Walden, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wright—45.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Fields of Plymouth, House adjourned until 2 o'clock, P. M.

### AFTERNOON SESSION.

The House met pursuant to adjournment, Speaker Eaton in the chair.

The Journal of Wednesday, March 19th, was corrected and approved.

The Journal of Friday, March 21st, was corrected and approved.

The Journal of Saturday, March 22d, was corrected and approved.

On motion of Stuckslager of Linn, the committee on Claims was granted leave to sit during the remainder of the afternoon session.

On motion of Buchanan of Wapello, leave of absence was granted Blakemore of Taylor until tomorrow morning.

On motion of Hamann of Scott, leave of absence was granted Meservey of Webster until tomorrow morning.

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote whereby House file No. 398 was lost, also the vote by which it passed to its third reading.

JOHN HUGHES, JR.

I second the motion.

ALBERT W. HAMANN.

### MESSAGES FROM THE SENATE.

The following messages were received from the Senate.

MR. SPEAKER—I am directed to inform your honorable body that the Senate hereby returns the following bill:

House file No. 272, a bill for an act requiring clerks and treasurers of cities and towns to keep books showing funds of municipal corporations, and to provide for the publication of financial statement annually.

GEO. A. NEWMAN,

*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 396, requiring the keeping of accounts of cities and towns and requiring that publicity be given thereto.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 236, a bill for an act to amend section seventeen hundred seventy-one (1771) of the code, in relation to stock or premium notes.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 254, a bill for an act repealing section one hundred sixty-one of the code and enacting a substitute therefor, providing for the appointment of an expert accountant and an assistant and appropriating money to pay the same, and granting to the executive council power to determine systems of records and accounts to be kept by state officers under certain conditions.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 274, a bill for an act to amend section one hundred sixty-four (164) and section one hundred sixty-five (165) of the code, relating to powers and duties of the executive council.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 194, a bill for an act to amend section one hundred twenty (120) of the code, relating to printing and binding.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 72, a bill for an act amending sections 1370, 1371, 1372, 1373, relating to the equalization of taxes and appeals from the local boards of review, applicable to cities acting under special charter.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 407, a bill for an act to legalize the contract made by the incorporation of the town of Spirit Lake, for the construction of a sewer therein, and for the levy of a tax of 5 mills made by said town in payment thereof.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 182, a bill for an act to amend section 2028 of the code, relating to the taking of private property for works of internal improvement.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and concurred in House substitute, as amendment, for House file No. 273, a bill for an act to amend section 661 and section 674, relating to assessors in cities and towns.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendment to Senate file No. 199, a bill for an act to amend Section 745 of the code, as amended by acts of the Twenty-seventh General Assembly, relating to the purchase and construction of waterworks.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and concurred in House amendments to the following bill, in which the concurrence of the House is asked:

House substitute for Senate file No. 157, a bill for an act to validate certain conveyances of real estate in which the husband or wife conveyed the contingent dower interest of the other spouse.

GEO. A. NEWMAN,  
*Secretary.*

## BILLS ON THEIR PASSAGE.

Sweeley of Woodbury in the chair.

On motion of Edwards of Butler, House file No. 374, a bill for an act to amend section seventeen hundred nine (1709) of the code, relating to insurance, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Edwards moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Black, Boysen, Buchanan, Calderwood, Carter, Cassel, Cheney, Christianson, Clarke, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Dunham, Edwards, Eiker, English, Fields, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hughes, Jaeger, Jones, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Lyman, McClure, McClurkin, McNie, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Sweet, Teachout, Townsend, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—71.

The nays were.

None.

Absent or not voting:

Messrs. Barker, Bealer, Blakemore, Campbell, Carden, Coburn, Cowles, Donahue, Flenniken, Gilchrist, Head, Hertert, Hufschmidt, Hurn, Jenks, Keagy, Langan of Crawford, Leech, Marshall, Meservey, Payne, Pritchard, Springer, Stuckslager, Temple, Utterback, Walden, Walters, Wilson of Buena Vista—29.

So the bill passed and the title was agreed to.

Jaeger of Des Moines moved to reconsider the vote by which House file No. 381 was made a special order for Wednesday, March 26th, at 10:30 A. M.

Carried.

Motion to make the bill a special order was lost.

On motion of Mr. Jaeger, House file No. 381, a bill for an act to amend section 2 of chapter 30 of the acts of the Twenty-eighth General assembly, relating to the duties and compensation of park commissioners in certain cities, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Jaeger moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Boysen, Calderwood, Carter, Cassel, Christianson, Clarke, Coburn, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hughes, Hurn, Jaeger, Jones, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Lyman, McClure, McClurkin, Marshall, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Temple, Townsend, Walters, Warren, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker.  
—71.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Black, Blakemore, Buchanan, Campbell, Carden, Cheney, Cowles, Eiker, English, Gilchrist, Head, Hertert, Hufschmidt, Jenks, Keagy, Langan of Crawford, Leech, McNie, Meservey, Pritchard, Stuckslager, Sweet, Teachout, Utterback, Walden, Whiting, Wilson of Buena Vista.—29.

So the bill passed and the title was agreed to.

On motion of Calderwood of Scott, House file No. 311, a bill for an act to amend section 3 of chapter 58 of the acts of the Twenty-eighth General Assembly, relating to membership in the annual convention of the department of agriculture, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Secor of Winnebago, moved to substitute the following in lieu of the amendments offered by the committee:

Provided said farmers institute has been organized at least one year, and has reported to the state secretary of agriculture not later than November 1st, through its president and secretary, or executive committee, that an institute was held according to law, the date thereof, the names and post-office address of its officers. They shall also furnish the state secretary of agriculture with a copy of program of each institute hereafter held, and one or more papers read before such institute, if papers are read.

Adopted.

Calderwood of Scott, moved to amend the bill by inserting the word "second" between the words "the" and "word," in the second line of the printed bill.

Adopted.

Cowles of Kossuth, moved to amend by adding the following:

No proxy given by any delegate elected by a farmers institute shall be recognized by said convention.

Adopted.

Mr. Calderwood moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barkley, Boysen, Calderwood, Cassel, Clarke, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Greeley, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hughes, Hurn, Jaeger, Jones, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larabee, Lyman, McClurkin, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor,

Sokol, Springer, Stratton, Sweeley, Teachout, Temple, Townsend, Walters, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—69.

The nays were:

[Messrs. Christianson, Coburn—2.

Absent or not voting:

Messrs. Bailey, Barker, Bealer, Black, Blakemore, Buchanan, Campbell, Carden, Carter, Cheney, Gilchrist, Graff, Head, Hertert, Hufschmidt, Jenks, Keagy, Langan of Crawford, Leech, McClure, Marshall, Meservey, Pritchard, Stuckslager, Sweet, Utterback, Walden, Whiting—29.

So the bill passed and the title was agreed to.

On motion of Cummings of Marshall, House file No. 364, a bill for an act to amend section four thousand nine hundred seventy-nine (4979) of the code, in regard to removing dead animals from cities and towns, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Cummings moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barkley, Boysen, Calderwood, Cassel, Christianson, Clarke, Colclo, Crouse, Cruikshank, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hughes, Hurn, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Lyman, McClure, McClurkin, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Teachout, Temple, Townsend, Walters, Warren, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—65.

The nays were:

Mr. Powers.

Absent or not voting:



Messrs. Bailey, Barker, Bealer, Black, Blakemore, Buchanan, Campbell, Carden, Carter, Cheney, Coburn, Cowles, Dodds, Gilchrist, Head, Hertert, Hufschmidt, Jaeger, Jenks, Jones, Keagy, Kendall, Langan of Crawford, Leech, McNie, Marshall, Meservey, Pritchard, Stuckslager, Sweet, Utterback, Walden, Whiting, Willett—34.

So the bill passed and the title was agreed to.

On motion of Secor of Winnebago, House file No. 71, a bill for an act to amend sections 1672 and 1673, chapter 3, title 9 of the code, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Mr. Secor moved to amend the bill by inserting, after the words "striking out," in line 3 of section 1 of the original bill, the words "the comma after the word 'bound' also."

Adopted.

Mr. Secor moved to amend the bill by striking out the words "of chapter three, title nine," in lines 1 and 2 of section 1; also by striking out the words "in said chapter," in line 1, section 2 and inserting the words "of the code" in lieu thereof.

Mr. Secor moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Boysen, Calderwood, Cassel, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, English, Fleniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hughes, Jaeger, Jones, Kendall, Kerr, Kling, Kolthoff, Koontz, Larrabee, Lyman, McClure, McClurkin, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—65.

The nays were:

None.

Absent or not voting.

Messrs. Bailey, Bealer, Black, Blakemore, Buchanan, Campbell, Carden, Carter, Cheney, Cowles, Cruikshank, Dodds, Fields, Gilchrist, Head, Hertert, Hilsinger, Hufschmidt, Hurn, Jenks, Keagy, Langan of Clinton, Langan of Crawford, Leech, McNie, Marshall, Meservey, Payne, Pritchard, Stuckslager, Townsend, Utterback, Walden, Walters, Whiting—35.

So the bill passed.

Mr. Secor moved to amend the title by inserting the words "sixteen hundred and seventy-two" and "sixteen hundred and seventy-three" before the figures "1672" and "1673," and by enclosing the figures in brackets; also, amend by striking out the words "chapter 3" and "title IX".

Adopted and the title, as amended, was agreed to.

The Speaker announced as the committee to draft resolutions on the life, death and public services of the Hon. W. J. Cochran, in accordance with the motion of Anderson of Warren, Messrs. Anderson of Warren, Temple of Clarke, Dodds of Des Moines.

The speaker announced as the committee on conference on the Senate concurrent resolution on the Hoar bill, Messrs. Clarke of Dallas, Hawk of Jasper, Graff of Page.

On motion of Temple, of Clarke, House file No. 401, a bill for an act to amend section fifty hundred ninety-six (5096) of the code, relating to bail after conviction of certain crimes, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Temple moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Boysen, Calderwood, Cassel, Christianson, Clarke, Colclo, Crouse, Cruikshank, Cummings, Dav-enport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Flen-niken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hughes, Jaeger, Jones, Kendall,

Kerr, Kolthoff, Koontz, Larrabee, Lyman, McClure, McClurkin, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple, Walters, Warren, Whiting, Willett, Wilson if Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—68.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Black, Blakemore, Buchanan, Campbell, Carden, Carter, Cheney, Coburn, Cowles, Fields, Gilchrist, Head, Hertert, Hufschmidt, Hurn, Jenks, Keagy, Kling, Langan of Clinton, Langan of Crawford, Leech, McNie, Marshall, Meservey, Payne, Pritchard, Stuckslager, Townsend, Utterback, Walden—32.

So the bill passed and the title was agreed to.

On motion of Wilson of Washington, House file No. 153, a bill for an act making appropriations for the erection of a state arsenal and adjutant general's building, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Wilson moved the adoption of the committee amendments.

Adopted.

Mr. Wilson moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Boysen, Calderwood, Cassel, Christianson, Clarke, Coburn, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, English, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hughes, Hurn, Jaeger, Jones, Kendall, Kerr, Kolthoff, Koontz, Langan of Clinton, Larrabee, Lyman, McClure, McClurkin, Mattes, Moore, Nagle, Nichols, Patton, Payne, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Townsend,

Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—70.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Black, Blakemore, Buchanan, Campbell, Carden, Carter, Cheney, Cowles, Eiker, Fields, Gilchrist, Head, Hertert, Hufschmidt, Jenks, Keagy, Kling, Langan of Crawford, Leech, McNie, Marshall, Meservey, Mordhorst, Pritchard, Stuckslager, Temple, Utterback, Walden—30.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Mr. Graff of Page, from the committee on Hospital for the Insane, submitted the following report:

MR. SPEAKER—Your committee on Hospital for the Insane, to whom was referred House file No. 376, a bill for an act to repeal section two thousand two hundred fifty-three (2253) of the code, and enact a substitute in lieu thereof, in relation to hospitals for the insane, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

Ordered placed on file.

V. GRAFF,  
*Chairman.*

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your committee on enrolled bills respectfully report that they have this day sent to the governor, for his approval, House file No. 266, a bill for an act to amend sections fifteen hundred twenty-eight (1528), fifteen hundred thirty-three (1533), fifteen hundred fifty-four (1554) of the code, and for the repeal of section fifteen hundred forty-two (1542) and enacting a substitute therefor relative to the levying, certifying and collection of road tax.

Also, House file No. 111, a bill for an act to amend section number two hundred fifty-five (255) of the code, relating to superior courts.

Also, House file No. 12, a bill for an act to amend chapter nine (9), title twelve (12) of the code, in relation to mines and mining.

Also, House file No. 13, a bill for an act to amend section twenty four hundred eighty-two (2482) of the code, relating to mines and mining.

Also, House file No. 148, a bill for an act to amend section four hundred twenty-three (423) of the code, relating to the powers of boards of supervisors.

Also, House file No. 378, a bill for an act legalizing acts of the county auditor and of the board of supervisors of Lyon county.

Also, House file No. 47, a bill for an act to amend section three thousand four hundred thirty-nine (3439) of the code, relating to the limitation of actions on judgments.

J. P. LYMAN,  
*Chairman.*

March 24, 1902.

Adopted.

Barkley of Boone moved that the House adjourn until 9 o'clock A. M. to-morrow, March 25, 1902.

Carried, and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Tuesday, March 25, 1902. }

The House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. J. E. Groendyke of Perry, Iowa.

REPORTS OF COMMITTEES.

Cummings of Marshall submitted the following report:

MR. SPEAKER—Your committee on Soldiers' and Orphans' Homes, to whom was referred Senate file No. 267, a bill for an act to amend section 2604 of the code, relating to the appointment of officers for the Soldiers' home, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

B. F. CUMMINGS,  
*Chairman.*

Ordered passed on file.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 163, a bill for an act relating to the transfer by the treasurer of state to his successor of funds of the state and liabilities incident thereto, and providing for the satisfaction of judgments adverse to the treasurer of state in suits brought for the recovery of taxes or fees, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by the adoption of the following substitute.

SUBSTITUTE FOR SENATE FILE NO. 163.

A bill for an act relating to the defense of the treasurer of state in certain cases in suits brought to recover taxes or fees unlawfully collected, and providing for the payment and satisfaction of judgments rendered against him in such cases.

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

Section 1. Whenever any taxes or fees have been collected by the treasurer of state of this state, acting under the authority of the code, or any act of the general assembly, and covered into the state treasury, and any suit or action is brought against said treasurer, either as such, or as an individual, to recover back such taxes or fees so collected and covered into the treasury of the state, whether the term of office of such treasurer has expired or not, it shall be the duty of the attorney-general, upon the request of the defendant, to appear and make defense to such action. If, upon final hearing of such suit or action, it shall be determined that such taxes or fees were wrongfully collected and covered into the state treasury, it shall be the duty of the attorney-general to appeal said suit or action to the supreme court, unless in his opinion such an appeal would be useless, in which case he shall render his opinion, with a copy of the proceedings had in court, to the executive council, who may either order the appeal to be taken, and that the attorney-general shall proceed therewith, or accept the decision, and their order shall be final. If appeal be taken by the defendant it shall supercede execution, without bond.

Sec. 2. In case the executive council shall decide that no appeal shall be taken, or in case an appeal shall be taken and result in an affirmance, then the attorney-general shall prepare and present before the executive council a transcript of the judgment with costs, under the seal of the court in which the same is rendered, and the said council shall cause the same to be entered of record, and shall, by order duly entered of record, direct the auditor of state to draw his warrant on the treasurer of state for a sum sufficient to satisfy the judgment, which said warrant shall, by the treasurer of state, be paid to the attorney-general, who shall therewith satisfy said said judgment, taking duplicate receipts from the clerk of the court in which the final judgment is had, and he shall file one of said receipts with the executive council and one with the treasurers of state.

Sec. 3. Nothing herein contained shall be construed to give the plaintiff in such action any other or greater rights than he might have if this act were not in existence.

Sec. 4. This act is hereby made to apply to suits brought or that may be brought, as defined in section one thereof, against any treasurer of state whose term of office has expired prior to the enactment thereof.

Sec. 5. There is hereby appropriated out of any funds not otherwise appropriated sufficient to pay all such judgments as may come within the provisions of this act.

Sec. 6. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Daily Capital, newspapers published in the city of Des Moines, Iowa, and when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 155, a bill for an act fixing the rules of descent in respect to the property or estate of children by adoption, who die intestate, without issue, and the substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the substitute do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 271, a bill for an act to legalize the publication of notice and vote for the incorporated town of Gravity, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 423, a bill for an act to legalize the acts of the officials of the town of Hillsdale, Mills county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the title be amended to read as follows:

“A bill for an act to legalize the election held in the town of Hillsdale, Mills county, Iowa, on the eighteenth day of March, 1901, and to legalize all ordinances, acts and proceedings of the officers elected at said election.”

And when so amended that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 403, a bill for an act to regulate corporations organized under the laws of any state, territory or country, other than the state of Iowa beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.



Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 318, a bill for an act appropriating money to pay certain expenses in the case of the State of Iowa v. McFarland and others, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be referred to the committee on Claims.

G. W. CLARKE,  
*Chairman.*

Report adopted and the bill was so referred.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 156, a bill for an act to amend section 3253 of the code, relating to the rights and duties and relations between parent and child by adoption, and the substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the substitute do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 127, a bill for an act to amend chapter 17, title 12 of the code, requiring the secretary of the state board of medical examiners to give an official bond and for other purposes, and the substitute therefor, being entitled, a bill for an act to amend section 2581 of the code, in relation to revoking certificates and distribution of fees from itinerant licenses, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Report adopted and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 420, a bill for an act providing for the better protection of the owners and operators of threshing machines and corn shellers in securing compensation for their service, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Report adopted and the bill was indefinitely postponed.

Also:

**MR. SPEAKER**—Your committee on Judiciary, to whom was referred House file No. 413, a bill for an act to provide for the election of mayor *pro tem* in cities or incorporated towns, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out section 2, being the publication clause, and when so amended the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Report adopted and the bill was indefinitely postponed.

On motion of Powers of Floyd, leave of absence was granted Walden of Wayne until tomorrow.

On motion of Meservey of Webster, leave of absence was granted Calderwood of Scott until this afternoon.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

Senate file No. 67, a bill for an act to amend section twenty-seven hundred ninety-four (2794) of the code, relating to the organization of independent districts.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 187, a bill for an act to amend section 1870 of the code, in relation to limit of liabilities of banks.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 129, a bill for an act relating to notice and proof of loss of personal property insured.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 239, a bill for an act amendatory of chapter 4, title 10 of the code, to enable the United States of America to take private property for public improvements.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 340, a bill for an act to amend section 2, chapter 25, acts of the Twenty-eighth General Assembly, relative to disbursements of tax money levied and collected for and on account of waterworks.

GEO. A. NEWMAN,  
*Secretary.*

#### INTRODUCTION OF BILLS.

By Utterback of Keokuk, House file No. 424, a bill for an act to legalize the incorporation of the town of Kinross, in the county of Keokuk, and the official acts of the officers of said town and all ordinances and resolutions adopted by the council of said town.

Read first and second time and referred to committee on Judiciary.

#### SENATE MESSAGES CONSIDERED.

Senate file No. 220, a bill for an act to amend chapter 83 of the acts of the Twenty-eighth General Assembly, in relation to the inspection and use of the products of petroleum.

Read first and second time and referred to committee on Public Health.

Senate file No. 221, a bill for an act to amend section twenty-five hundred eight (2508) of the code, in relation to the inspection and use of the products of petroleum.

Read first and second time and referred to committee on Public Health.

Senate file No. 175, a bill for an act to amend section twenty-seven hundred thirty-eight of the code, in relation to the duties of county superintendents.

Read first and second time and referred to committee on Schools and Text-Books.

Senate file No. 190, a bill for an act to amend section three hundred thirty-seven (337) of the code, relating to grand and petit jury lists.

Read first and second time and referred to committee on Judiciary.

#### BILLS ON THEIR PASSAGE.

On motion of Huges of Iowa, House joint resolution No. 3, for an application to the congress of the United States of America in behalf of the state of Iowa, for the calling of a convention for proposing amendments to the constitution of the United States of America, as provided in article 5 of said constitution, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Langan of Clinton in the chair.

Sweeley of Woodbury moved to amend as follows:

Amend joint resolution No. 3 by striking out all after the word "vote" in the third line of the resolution, as printed in the House Journal, down to and including the word "senators" in the seventh line of said resolution, and also by striking out the words "and an application for the calling of a convention" in the first and second lines of the second paragraph of said resolution.

Lost.

Mr. Hughes moved that the rules be suspended, that the joint resolution be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the joint resolution was read a third time.

On the question, Shall the joint resolution be adopted?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Buchanan, Carden, Carter, Cheney, Christianson, Clarke, Colclo, Crouse, Cummings, Davenport, Dodds, Edwards, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hasselquist, Hawk, Hertert, Hufschmidt, Hughes, Jaeger, Jones, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, McClurkin, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Stratton, Sweet, Teachout, Townsend, Utterback, Walters, Warren, Whiting, Wise, Wright, Mr. Speaker—67.

The nays were:

Messrs. Boysen, Coburn, Dunham, Hamann, Hilsinger, Hurn, Keagy, Lyman, McClure, Meservey, Pritchard, Sweeley, Temple, Willett, Wilson of Buena Vista, Wilson of Washington—16.

Absent or not voting:

Messrs. Calderwood, Campbell, Cassel, Cowles, Cruikshank, Donahue, Eiker, Gilchrist, Head, Jenks, Langan of Crawford, McNie, Marshall, Payne, Springer, Stuckslager, Walden—17.

So the joint resolution was adopted.

Speaker Eaton in the chair.

#### SPECIAL ORDER NO. 19.

On motion of Teachout of Polk, House file No. 366, a bill for an act providing for the organization of trust companies and loan and trust companies, defining their powers and providing for their examination and control, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Teachout the amendments of the committee were adopted.

Sweeley of Woodbury moved to amend House file No. 366 by inserting the words "and personal" after the word "real" in line 9, section 5.

Adopted.

Sweeley of Woodbury moved to amend House file No. 366 by substituting for section 6 thereof, the following:

Sec. 6. The capital of every such corporation shall be invested in bonds and mortgages on unincumbered real property, worth at least twice the amount loaned thereon, in stocks or in bonds of any state or the United States, or of any counties, cities or towns in this state duly authorized by law to be issued; provided, however, that a portion of the capital may be invested in the lot and building in which the business of the corporation is conducted. The moneys received by any such corporation in trust may, in its discretion, be invested in securities of the same kind in which its capital and other funds are required to be invested.

Nagle of Van Buren moved to amend the amendment to section 6 by striking out the words "in stocks or."

Adopted.

Amendment of Mr. Sweeley, as amended, adopted.

Dunham of Delaware moved that the bill be committed to the committee on Banks and Banking, and retain its place on the calendar.

Carried.

On motion of Warren of Marion, special order No. 20, being House file No. 417, a bill for an act to create a state department of insurance, and providing for the appointment of a commission of insurance, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Warren the amendments of the committee were adopted.

Mr. Warren moved that House file No. 417 be referred to the committee on Appropriations and retain its place in the calendar.

Carried.

On motion of Moore of Davis, House file No. 137, a bill for an act to legalize the Iowa State Poultry association, to define certain duties of said association, to make an annual appropriation therefor, and to fix a penalty for misappropriation of any money hereby granted, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Moore moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its

passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barkley, Bealer, Black, Boysen, Buchanan, Carden, Carter, Cheney, Christianson, Clarke, Colclo, Cowles, Crouse, Cruikshank, Cummings, Donahue, Dunham, Edwards, Eiker, English, Flenniken, Freeman, Furry, Greeley, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Hughes, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Roome, Secor, Sokol, Stratton, Stuckslager, Sweet, Temple, Townsend, Warren, Whiting, Wilson of Washington, Wise, Wright, Mr. Speaker—70.

The nays were:

Messrs. Bailey, Barker, Fields, Graff, McClure, Sweeley, Utterback, Wilson of Buena Vista—8.

Absent or not voting:

Messrs. Blakemore, Calderwood, Campbell, Cassel, Coburn, Davenport, Dodds, Frudden, Gilchrist, Head, Hertert, Hufschmidt, Hurn, Jenks, Langan of Crawford, Mordhorst, Robinson, Springer, Teachout, Walden, Walters, Willett—22.

So the bill passed and the title was agreed to.

Barkley of Boone moved that when the House adjourn, that it adjourn until 1:30 o'clock P. M.

Carried.

On motion of Temple of Clarke, Senate file No. 157, a bill for an act to validate certain conveyances of real estate in which the husband or wife conveyed the contingent dower interest of the other spouse, with Senate amendments to House amendments thereto, was taken up and considered.

Mr. Temple moved that the House concur in Senate amendments to House amendments to Senate file No. 157.

On the question, Shall the motion prevail?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boy-sen, Buchanan, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, English, Fields, Flen-niken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hassel-quist, Hawk, Hilsinger, Hughes, Hurn, Jaeger, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Temple, Townsend, Utterback, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—80.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Calderwood, Campbell, Coburn, Eiker, Gil-christ, Hamann, Head, Hertert, Hufschmidt, Jenks, Jones, Langan of Crawford, Marshall, Mordhorst, Robinson, Teachout, Walden, Walters, Willett—20.

So the House concurred in Senate amendments to House amendments to Senate file No. 157.

On motion of Temple of Clarke, Senate joint resolution No. 2, for an amendment to the constitution of the state of Iowa, proposing the repeal of sections 34, 35, 36 of article three (3) of said constitution, and proposing to adopt the following in lieu thereof and as a substitute therefor, with report of committee recom-mending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Temple the amendments of the committee were adopted.

Mr. Temple moved that the rules be suspended, that the joint resolution be read a third time now, and placed upon its passage, which motion prevailed, and the joint resolution was read a third time.



## SENATE JOINT RESOLUTION NO. 2.

For an amendment to the constitution of the state of Iowa, proposing the repeal of sections thirty-four (34), thirty-five (35), thirty-six (36) of article three (3) of said constitution and proposing to adopt the following in lieu thereof and as a substitute therefor.

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

That sections thirty-four (34), thirty-five (35) and thirty-six (36) of article three (3) of the constitution of the state of Iowa be repealed, and the following be adopted in lieu thereof:

Section 34. The senate shall be composed of fifty members, to be elected from the several senatorial districts established by law, and at the next session of the general assembly, held following the taking of the state and national census, they shall be apportioned among the several counties or districts of the state, according to population as shown by the last preceding census.

Sec. 35. The House of Representatives shall consist of not more than one hundred and eight members. The ratio of representation shall be determined by dividing the whole number of the population of the state as shown by the last preceding state or national census, by the whole number of counties then existing or organized, but each county shall constitute one representative district and be entitled to one representative, but each county having a population in excess of the ratio number, as herein provided, of three-fifths or more of such ratio number, shall be entitled to one additional representative, but said addition shall extend only to the nine counties having the greatest population.

Sec. 36. The general assembly shall, at the first regular session held, following the adoption of this amendment, and at each succeeding regular session held next after the taking of such census, fix the ratio of representation, and apportion the additional representatives as hereinbefore required.

Be it further resolved; That this resolution and the amendment to the constitution therein contained and proposed be and the same is hereby referred to the next succeeding general assembly for action. And the secretary of state is hereby directed to cause the same to be published for three months previous next preceding the day of election of members of the next general assembly, as provided by law.

On the question, Shall the joint resolution be adopted?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Boysen, Cheney, Clarke, Colclo, Cowles, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hasselquist, Hawk, Hertert, Hilsinger, Jaeger, Keagy, Kerr, Kling, Kolthoff, Langan of Clinton, Larrabee, Leech, McClure, McClurkin,

McNie, Marshall, Mattes, Meservey, Moore, Nagle, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Sweet, Temple, Townsend, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—69.

The nays were:

Messrs. Bealer, Christianson, English, Hughes, Jones, Teachout—6.

Absent or not voting:

Messrs. Blakemore, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Coburn, Cruikshank, Gilchrist, Hamann, Head, Hufschmidt, Hurn, Jenks, Kendall, Koontz, Langan of Crawford, Lyman, Mordhorst, Nichols, Springer, Stuckliger, Utterback, Walden—25.

So the joint resolution was adopted.

Temple of Clarke moved that Senate joint resolution No. 2, as amended, be printed in today's Journal, preceding the roll call.

Carried.

Eiker of Decatur moved that calendar No. 453, House file No. 176, be made a special order for Thursday, March 27th, at 10:30 A. M.

Carried.

On motion of Sweet of Bremer, Senate file No. 141, a bill for an act authorizing the district court to appoint trustees to manage, control and invest funds donated for, and on account of cemetery purposes, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Barkley of Boone moved to amend section 1 by adding the words: "so far as consistent with the regulations governing the association owning or controlling the ground where the lot is located."

Adopted.

Mr. Sweet moved that the rules be suspended, and that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Greeley, Greene, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—85.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Calderwood, Campbell, Carter, Gilchrist, Graff, Hamann, Head, Hurn, Jenks, Langan of Crawford, Mordhorst, Nagle, Payne, Walden—15.

So the bill passed and the title was agreed to.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILL.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 70, a bill for an act to repeal section nine hundred fifty-three (953) of the code, and section two (2) of chapter twenty-eight (28) of the acts of the Twenty-seventy (27th) General Assembly, and amend subdivision six (6) of section one thousand five (1005) of the code, relating to the subject of assessment of taxes for library purposes in cities acting under special charters.

Also, Senate file No. 188, a bill for an act to amend section one thousand six hundred eleven (1611) of the code, relating to the authorized indebtedness of certain corporations.

Also, Senate file No. 272, a bill for an act to legalize the election held in the county of Osceola and state of Iowa, on the 5th day of November, 1901, and the propositions submitted at said election for the purpose of building

a courthouse and jail at Sibley in said county, and borrowing money and issuing bonds therefor, and the manner of payment of said bonds issued for said purpose, and all of the proceedings of the board of supervisors of said county with reference to said matter.

Also, joint resolution No. 5, proposing to amend the constitution of the state of Iowa, so as to provide for biennial elections.

J. P. LYMAN,  
*Chairman House Committee:*  
 E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

The Speaker announced that he had signed in the presence of the House the following bills: Senate files Nos. 70, 138, 272 and Senate joint resolution No. 5.

On motion of Eiker of Decatur the House adjourned.

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### AFTERNOON SESSION.

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The House met pursuant to adjournment, with Speaker Eaton in the chair.

#### REPORT OF COMMITTEE.

Barkley of Boone submitted the following report:

MR. SPEAKER—Your committee on Public Libraries, to whom was referred House file No. 84, a bill for an act to amend section 1, chapter 110 of the laws of the Twenty-eighth General Assembly, relating to the establishment of libraries, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. J. BARKLEY,  
*Chairman.*

Ordered passed on file.

House file No. 336, a bill for an act to amend section 2406 of the code, relating to actions to abate nuisances, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 70, a bill for an act to amend section 2394 of the code, relating to the sale of intoxicating liquors by permit holders, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Teachout of Polk, House file No. 322, a bill for an act to appropriate money to pay for paving the state's portion of East Walnut street, between Fourteenth and Fifteenth streets adjoining the state's property, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Teachout moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barkley, Bealer, Black, Boysen, Buchanan, Carter, Cassel, Cheney, Christianson, Colclo, Cruikshank, Cummings, Davenport, Dodds, Edwards, Eiker, English, Freeman, Frudden, Furry, Greeley, Greene, Hasselquist, Hawk, Hilsinger, Hughes, Jaeger, Jones, Kendall, Kerr, Kling, Kolthoff, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Secor, Sokol, Sweet, Teachout, Walden, Warren, Willett, Wilson of Buena Vista, Wright, Mr. Speaker—58.

The nays were:

Messrs. Crouse, Donahue, Fields, Graff, Roome—5.

Absent or not voting:

Messrs. Anderson, Barker, Blakemore, Calderwood, Campbell, Carden, Clarke, Coburn, Cowles, Dunham, Flenniken, Gilchrist, Hamann, Head, Hertert, Hufschmidt, Hurn, Jenks, Keagy, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Marshall, Mordhorst, Payne, Springer, Stratton, Stuckslager, Sweeley, Temple, Townsend, Utterback, Walters, Whiting, Wilson of Washington, Wise—37.

So the bill passed and the title was agreed to.

On motion of Buchanan of Wapello, the committee on Labor was granted leave of absence for the balance of the afternoon session.

Carter of Sioux moved that House file No. 255 be recommitted to the committee on Municipal Corporations and retain its place on the calendar.

Sweeley of Woodbury and Langan of Clinton demanded the yeas and nays on this motion.

On the question, Shall the motion prevail?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Cassel, Christianson, Clarke, Colclo, Crouse, Cummings, Davenport, Donahue, Eiker, Freeman, Furry, Greeley, Greene, Hamann, Hasselquist, Hertert, Hilsinger, Hughes, Kendall, Kerr, Kolthoff, Leech, Lyman, McClure, McNie, Meservey, Moore, Nagle, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Stuckslager, Sweet, Teachout, Temple, Townsend, Walden, Wilson of Buena Vista, Wright—51.

The nays were:

Messrs. Carter, Cheney, Cowles, Dodds, Edwards, English, Fields, Graff, Hufschmidt, Hurn, Koontz, Langan of Clinton, Larrabee, Patton, Sokol, Springer, Stratton, Sweeley, Utterback, Warren, Whiting, Willett—23.

Absent or not voting:

Messrs. Buchanan, Calderwood, Campbell, Carden, Coburn, Cruikshank, Dunham, Flenniken, Frudden, Gilchrist, Hawk Head, Jaeger, Jenks, Keagy, Kling, Langan of Crawford, McClurkin, Marshall, Mattes, Mordhorst, Nichols, Walters, Wilson of Washington, Wise, Mr. Speaker—26.

Motion prevailed and the bill was rereferred to committee on Municipal Corporations.

On motion of Furry of Hardin, House file No. 376, a bill for an act to repeal section 2253 of the code and enact a substitute in lieu thereof, in relation to hospitals for the insane, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Furry moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Davenport, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Hamann, Hasselquist, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jones, Kendall, Kerr, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClure, McNie, Meservey, Moore, Patton, Payne, Pipher, Powers, Pritchard, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wright, Mr. Speaker—74.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Campbell, Cruikshank, Cummings, Dodds, Dunham, Gilchrist, Greene, Hawk, Head, Jaeger, Jenks, Keagy, Kling, Langan of Crawford, McClurkin, Marshall, Mattes, Mordhorst, Nagle, Nichols, Robinson, Stuckslager, Walters, Wilson of Washington, Wise—26.

So the bill passed and the title was agreed to.

#### INTRODUCTION OF BILLS.

By Hamann of Scott, House file No. 425, a bill for an act authorizing the executive council to sell and convey two islands newly formed by accretion in the Mississippi river and located in sections 3 and 4 in township 77, north of range 3 east of the 5th p. m. in Scott county, the same being west of the main channel of said Mississippi river and adjacent to the Iowa shore.

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

By Nagle of Van Buren, by unanimous consent, House file No. 426, a bill for an act making appropriations for the payment of the costs in the cases of the State v. Milton Remley, attorney general.

Read first and second time and, on motion of Mr. Nagle, referred to committee on Judiciary, without reference to the committee on Appropriations.

By Hilsinger of Jackson, House file No. 427, a bill for an act to amend section 1406 of the code in relation to the collection of taxes by distress and sale, and providing for the garnishment of persons indebted to the delinquent taxpayer.

Read first and second time and referred to committee on Ways and Means.

By Meservey of Webster, House file No. 428, a bill for an act to amend section 2755 of the code of 1897, as amended by chapter 105 of the acts of the Twenty-eighth General Assembly, relating to the registration of voters for school elections.

Read first and second time and referred to committee on Elections.

On motion of Temple of Clarke, House adjourned until 9 A. M. tomorrow, Wednesday, March 26th.



HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Wednesday, March 26, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. Enoch Hill of Woodbine, Iowa.

On motion of Meservey of Webster, leave of absence was granted Wilson of Buena Vista and Calderwood of Scott until tomorrow morning.

REPORTS OF COMMITTEES.

Buchanan of Wapello offered the following report:

MR. SPEAKER—Your committee on Labor, to whom was referred Senate file No. 3, a bill for an act regulating employment of children at labor or service, and to provide punishment for the violation thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

Section 1 of the original bill be amended by striking out the words "more than six hours each day", in the fourth line of said section.

Also, by adding as section 7 to said bill, the following: "No child under the age of fourteen years shall be employed in any coal mine."

And when so amended the same do pass.

A. W. BUCHANAN,  
*Chairman.*

Ordered passed on file.

Jones of Mahaska, from the committee on Police Regulations, submitted the following report:

MR. SPEAKER—Your committee on Police Regulations, to whom was referred House file No. 7, a bill for an act for the better protection of life and property against injury or damage resulting from the operation of steam engines and boilers by incompetent engineers and others, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommend-

ation that the committee recommend that in addition to the amendment adopted by the House, that section 1 be further amended by adding after the word "inch" before the word "and" in the eighth line, the words "all traction and portable engines;" also, that section nine (9) be amended by striking out the word "four" in fourth line thereof and inserting the word "three" in lieu thereof; also, that section 13 be amended by striking out the word "three" in the fifth line and inserting the word "one" in lieu thereof; also, by striking out the letter "s" from word "months" and also by striking out all the said section 13 after the word "month," in said line five.

And when so amended the same do pass

W. G. JONES,  
*Chairman.*

Ordered passed on file.

Kendall of Monroe, from the committee on Mines and Mining, submitted the following report:

MR. SPEAKER—Your committee on Mines and Mining, to whom was referred House file No. 355, a bill for an act to amend chapter 82 of the acts of the Twenty-eighth General Assembly, relating to competency of persons employed in coal mines, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Cruikshank of Lee, from the committee on Fish and Game, submitted the following report:

MR. SPEAKER—Your committee on Fish and Game, to whom was referred House file No. 301, a bill for an act to amend chapter 15, title 12 of the code, repealing sections 2540, 2542, 2544, 2551, 2552, 2554, 2556 of the code, and enacting substitute therefor, amending section 2561, making further provisions additional to said chapter 15, relating to the care and propagation of fish and protection of birds and game, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. P. CRUIKSHANK,  
*Chairman.*

Ordered passed on file.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 98, a bill for an act to amend chapter five (5) sections seven hundred and thirty

five (745), seven hundred and forty-six (746), seven hundred and forty-seven (747) and seven hundred and forty-eight (748) of the code, relating to letting contracts for the purchase or erection of waterworks in cities of first class.

Also House file No. 409, a bill for an act ceding to the United States exclusive jurisdiction over certain lands or lots acquired by the United States for public purposes within this state, and authorizing the acquisition thereof.

Also, House file No. 400, a bill for an act to authorize cities which have voted taxes to aid any corporation organized under the laws of this state for the construction of a highway or combination bridge across any navigable boundary river, to vote additional taxes for the purchase of such bridge.

Also, House file No. 349, a bill for an act to legalize the incorporation of the town of Rudd, Floyd county, and the ordinances thereof.

Also, House file No. 141, a bill for an act to repeal section five hundred nine (509) and section five hundred ten (510) of the code, in reference to the compensation of sheriffs and deputy sheriffs, and to fix the salary of such officers.

Also, House file No. 336, a bill for an act to legalize the acts of the Independent School district of Stanwood, Cedar county, in voting bonds at a special election, held September 16, 1901, for the rebuilding of a school-house in said independent school district, and to enable such district to issue such bonds and to validate all the official acts and proceedings of the board of directors of said school district relative thereto.

J. P. LYMAN,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 199, a bill for an act to amend section seven hundred and forty-five (745) of the code of Iowa, as amended by the acts of the Twenty-seventh General Assembly, relating to the purchase and construction of waterworks.

Also, Senate file No. 286, a bill for an act to legalize the acts of boards of waterworks trustees in cities of the first class and cities acting under special charters under appointment made by the district courts of Iowa.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

## MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the President of the Senate has announced on the part of the Senate the following Senators as members of the conference committee on the Hoar resolution: Senators Hobart, Garst, Porter.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following substitute for House file No. 128, in which the concurrence of the House is asked:

Substitute for House file No. 128, a bill for an act to amend chapter 1, title 8 of the code, relating to the organization of the supreme court.

GEO. A. NEWMAN,  
*Secretary.*

## INTRODUCTION OF BILLS.

By Cassel of Jefferson, House file No. 429, a bill for an act to amend chapter 1, title 7, of the code, relating to assessment of taxes.

Read first and second time and referred to committee on Ways and Means.

By Jaeger of Des Moines, House file No. 430, a bill for an act to amend chapter 9, title 9 of the code, relating to fraternal orders.

Read first and second time and referred to committee on Insurance.

## SENATE MESSAGES CONSIDERED.

Senate file No. 274, a bill for an act to amend section one hundred sixty-four (164) and section one hundred sixty-five (165) of the code, relating to powers and duties of the executive council.

Read first and second time and referred to committee on Judiciary.

Senate file No. 236, a bill for an act to amend section seven-hundred seventy-one (1771) of the code, in relation to stock or premium notes.

Read first and second time and referred to committee on Insurance.

Senate file No. 187, a bill for an act to amend section 1870, chapter 12, code of 1897, relating to savings banks.

Read first and second time and referred to committee on Banks and Banking.

Senate file No. 299, a bill for an act amendatory of chapter four (4), title ten (10) of the code, to enable the United States of America to take private property for public improvements.

Read first and second time and referred to committee on Judiciary.

Senate file No. 167, a bill for an act to amend section twenty-seven hundred ninety-four (2794) of the code, relating to the organization of independent districts.

Read first and second time and referred to committee on Schools and Text-Books.

Senate file No. 129, a bill for an act relating to notice of proof of loss of personal property insured.

Read first and second time and passed on file.

Senate file No. 254, a bill for an act repealing section one hundred sixty-one of the code and enacting a substitute therefor, providing for the appointment of an expert accountant and an assistant and appropriating money to pay the same, and granting to the executive council power to determine systems of records and accounts to be kept by state officers under certain conditions.

Read first and second time and referred to committee on Judiciary.

Senate file No. 194, a bill for an act to amend section one hundred twenty (120) of the code, relating to printing and binding.

Read first and second time and referred to committee on Printing.

Senate file No. 340, a bill for an act to amend section 2, chapter 25, acts of the Twenty-eighth General Assembly, relative to disbursements of tax moneys levied and collected for and on account of waterworks.

Read first and second time and referred to committee on Municipal Corporations.

Substitute Senate file No. 72, a bill for an act to amend sections 1370, 1371, 1372 and 1373, relating to the equalization of taxes and appeals from the local board of review, applicable to cities acting under special charter.

Read first and second time and referred to committee on Municipal Corporations.

Senate file No. 337, a bill for an act defining the crime of sodomy.

Read first and second time.

On motion of Buchanan of Wapello, by unanimous consent, Senate file No. 337, which was just read first and second time, was taken up and considered.

Mr. Buchanan moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed by a two-thirds vote, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Carden, Carter, Cassel, Cheney, Christianson, Coburn, Colclo, Cowles, Crouse, Cummings, Davenport, Dodds, Donahue, Edwards, Eiker, English, Fields, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Leech, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sweeley, Sweet, Townsend, Utterback, Walden, Warren, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—74.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Calderwood, Campbell, Clarke, Cruikshank, Dunham, Edwards, Flenniken, Gilchrist, Head, Jaeger, Jenks, Langan of Clinton, Langan of Crawford, Larrabee, Lyman,

Marshall, Payne, Sokol, Springer, Stratton, Stuckslager, Teach-out, Temple, Walters, Whiting, Wilson of Buena Vista—26.

So the bill passed and the title was agreed to.

Hamann of Scott desired that the record show that had it been possible for him to have been present on yesterday during the consideration of Senate joint resolution No. 2, that he would have voted "no" on said joint resolution.

Kendall of Monroe desired the record to show that had it been possible for him to have been present on yesterday during the consideration of Senate joint resolution No. 2, that he would have voted "no" on said joint resolution.

On motion of Leech of Cedar, House file No. 314, a bill for an act authorizing the publication and sale, and directing the purchase of the laws of Iowa, relating to townships and to township officers, other than justices of the peace and constables, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Leech moved to adopt the report of the committee recommending amendments.

Adopted.

Leech of Cedar moved to strike from fifth line of section 1 of substitute as amendment, the word "enforce" and insert in lieu thereof the words "in force"; also in second line of section 2, the same correction:

Carried.

Cummings of Marshall moved to amend section 3 of the printed substitute by striking out of line three thereof the words "prepared by S. H. Fairall and".

Adopted.

Moore of Davis moved to amend by striking out of the third line of section 7 of the printed bill, as shown on page 674 of the Journal, the word "shall", and insert in lieu thereof the words "may upon resolution of the board of supervisors."

Adopted.

Jones of Mahaska moved to amend substitute for House file No. 314 by inserting after the word "auditor", in the first

line of section 9, the words "when so ordered by the board of supervisors."

Adopted.

Kendall of Monroe moved to amend section 6 by striking from the seventh line thereof the words "when such requirements were", and insert in lieu thereof the words "if such requirements have been."

Adopted.

Jones of Mahaska moved to amend the printed substitute by striking from section 9, next to the last line, the word "future", and substitute in lieu thereof the word "official."

Adopted.

Mr. Leech moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Blake-more, Boysen, Buchanan, Carden, Carter, Cassel, Cheney, Christianson, Coburn, Cowles, Crouse, Cruikshank, Cummings, Dodds, Donahue, Edwards, Eiker, Fields, Freeman, Greeley, Greene, Hasselquist, Hawk, Hertert, Hughes, Hurn, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Powers, Sokol, Sweet, Warren, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—61.

The nays were:

Messrs. Colclo, Dunham, English, Frudden, Hamann, McClure, Secor, Stratton, Utterback, Walden—10.

Absent or not voting:

Messrs. Black, Calderwood, Campbell, Clarke, Davenport, Flenniken, Furry, Gilchrist, Graff, Head, Hilsinger, Hufschmidt, Jenks, Lyman, Marshall, Mordhorst, Payne, Pipher, Pritchard,



Roome, Springer, Stuckslager, Sweeley, Teachout, Temple, Townsend, Walters, Whiting, Wilson of Buena Vista—29.

So the bill passed and the title was agreed to.

On motion of Nagle of Van Buren, House file No. 258, a bill for an act to amend section 2414 of the code, relating to intoxicating liquors, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Wilson of Washington moved that this bill, House file No. 258, be referred to the committee on Judiciary, and that it retain its place on the calendar.

Carried, and the bill was so referred

On motion of Hurn of Cerro Gordo, House file No. 268, a bill for an act to amend the law relating to public health; an act to amend sections 2564, 2565, 2568, 2571, 2574, 2575 of the code, and chapter 67, acts of the Twenty-seventh General Assembly, with report of committee on Public Health recommending passage as amended and with report of committee on Appropriations recommending passage, was taken up, considered and the reports of the committees adopted.

On motion of Mr. Hurn the amendments of the committee on Public Health were adopted.

Wise of Black Hawk moved to amend the bill by adding to section 5, the words, "and by striking out all after the word 'physician' in the thirty-fourth line thereof."

Adopted.

Mr. Hurn moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Bealer, Black, Blakemore, Boysen, Buchanan, Carden, Carter, Cassel, Cheney, Christianson, Coburn, Cowles, Crouse, Cummings, Davenport, Dunham, Edwards, Eiker, English, Fields, Freeman, Frudden, Furry, Graff, Greeley,

Greene, Hamann, Hasselquist, Hawk, Hertert, Hufschmidt, Hughes, Hurn, Jenks, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Leech, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Pritchard, Robinson, Roome, Secor, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Walters, Warren, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—74.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Barkley, Calderwood, Campbell, Clarke, Colclo, Cruikshank, Dodds, Donahue, Flenniken, Gilchrist, Head, Hilsinger, Jaeger, Jones, Langan of Crawford, Larrabee, Lyman, Payne, Powers, Sokol, Springer, Utterback, Walden, Whiting, Wilson of Buena Vista—26.

So the bill passed.

Mr. Hurn moved to amend the title by striking out of the first line the words "to amend the law relating to public health an act", and by striking out the period and parenthesis at the end, and adding the words "relating to public health," and by striking out of the fourth line the words "twenty-five hundred seventy (2570)."

Adopted and the title, as amended, was agreed to.

On motion of Bealer of Linn, House file No. 350, a bill for an act to amend section 65, chapter 1 of the code of 1897, in relation to the salary of the governor and the secretary to the governor, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Bealer moved that the amendments of the committee be adopted.

Adopted.

Robinson of Emmet moved to reconsider the vote just taken that he might offer an amendment to substitute recommended, by the committee making the salary of the governor \$6,000 instead of \$5,000, as reported by the committee.

Lost.

Jones of Mahaska moved to amend by striking out all of section 1 after the word "Thousand", in line 3, and also by striking out the semicolon after said word "thousand" and inserting in lieu thereof a period.

On the amendment Messrs. Boysen and Bealer demanded the roll call, which resulted as follows:

On the question, Shall the amendment be adopted?

The yeas were:

Messrs. Bailey, Barker, Blakemore, Carden, Cassel, Coburn, Cowles, Crouse, Davenport, Donahue, Freeman, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Jones, Keagy, Kendall, Kerr, Kling, Langan of Crawford, Lyman, McClure, McClurkin, Moore, Nagle, Nichols, Patton, Powers, Roome, Springer, Sweeley, Utterback, Walden, Walters, Whiting—41.

The nays were:

Messrs. Barkley, Bealer, Black, Boysen, Buchanan, Cheney, Christianson, Cummings, Edwards, Eiker, English, Flenniken, Frudden, Furry, Hughes, Kolthoff, Leech, McNie, Mattes, Meservey, Pipher, Robinson, Secor, Stuckslager, Sweet, Teachout, Temple, Townsend, Warren, Wilson of Washington, Wise, Wright, Mr. Speaker—33.

Absent or not voting:

Messrs. Anderson, Calderwood, Campbell, Carter, Clarke, Colclo, Cruikshank, Dodds, Dunham, Fields, Gilchrist, Head, Hurn, Jaeger, Jenks, Koontz, Langan of Clinton, Larrabee, Marshall, Mordhorst, Payne, Pritchard, Sokol, Stratton, Willett, Wilson of Buena Vista—26.

So the amendment was adopted.

Mr. Bealer moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Bealer, Black, Boysen, Buchanan, Carden, Cassel, Cheney, Christianson, Coburn, Crouse, Cruikshank, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Keagy, Kendall, Kerr, Kling, Koontz, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Patton, Pipher, Powers, Robinson, Roome Secor, Sokol, Springer, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wise, Wright, Mr. Speaker—77.

The nays were:

Messrs. Barkley, Blakemore, Colclo, Cowles, Jones, Nichols—6.

Absent or not voting:

Messrs. Anderson, Calderwood, Campbell, Carter, Clarke, Dodds, Gilchrist, Head, Jenks, Kolthoff, Langan of Clinton, Larabee, Payne, Pritchard, Stratton, Wilson of Buena Vista, Wilson of Washington—17.

So the bill passed.

Fields of Plymouth moved to amend the title by striking out the words "of 1897."

Adopted.

Hasselquist of Lucas moved to amend the title by striking out the words "and the secretary to the governor."

Adopted.

The title as amended was agreed to.

Committee on Claims asked and obtained leave to sit during the remainder of the forenoon session.

On motion of Fields of Plymouth, House file No. 225, a bill for an act to amend section 308 of the code, relative to compensation of county attorney, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Fields the amendments of the committee were adopted.

Robinson of Emmet moved to amend the bill by striking out the last word of section 2 and inserting in lieu thereof the word "six."

Adopted.

Sweeley of Woodbury moved to amend by striking out the word "amended" and inserting in lieu thereof the word "that," in line 1 of section 2, also by inserting after the figures "308" the words "of the code be amended."

Adopted.

Wise of Black Hawk moved to add to the bill, as amended by the committee, the following:

Section 3. That section 308 of the code be amended by striking out the word "five", where it first occurs in line 7, and inserting the word "six" in lieu thereof.

Adopted.

Wilson of Washington moved to amend by striking out of the second line of the substitute, as printed on page 663 of the House Journal, the words: "the county attorney thereof with his approval".

Lost.

Mr. Fields moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Boysen, Buchanan, Carden, Christianson, Coburn, Colclo, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Furry, Greeley, Greene, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Keagy, Kerr, Kling, Koontz, Langan of Clinton, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple,

Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—67.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Black, Blakemore, Calderwood, Campbell, Carter, Carsel, Cheney, Clarke, Cowles, Davenport, Frudden, Gilchrist, Graff, Head, Jenks, Jones, Kendall, Kolthoff, Langan of Crawford, Larrabee, Leech, Mordhorst, Payne, Powers, Pritchard, Stuckslager, Townsend, Utterback, Walden, Walters, Warren, Wilson of Buena Vista—33.

So the bill passed and the title was agreed to.

On motion of Carden of Henry, House adjourned till 2 P. M.

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#### AFTERNOON SESSION.

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House met pursuant to adjournment, with Speaker Eaton in the chair.

On motion of Freeman of Pottawattamie, leave of absence was granted Jenks of Pottawattamie until tomorrow.

On motion of Keagy of Dubuque, House file No. 388, a bill for an act to amend section 5 of chapter 43, act of the Twenty-eighth General Assembly, relating to the taxing of insurance corporations, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Keagy the amendments recommended by the committee were adopted.

Mr. Keagy moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Blakemore, Buchanan, Carden, Coburn, Cruikshank, Dodds, Donahue, Dunham, Edwards, Fields Flenniken, Frudden, Hawk, Hertert, Hughes, Hurn, Jaeger, Jones, Keagy, Kerr, Kling, Koontz, Leech, McClurkin, McNie, Marshall, Mattes, Meservey, Patton, Payne, Roome, Secor, Stratton, Stuckslager, Sweeley, Sweet, Temple, Walters, Warren, Whiting, Wilson of Washington, Wise, Mr. Speaker—46.

The nays were:

Messrs. Barkley, Black, Carter, Cassel, Cheney, Christianson, Colclo, Crouse, Davenport, Eiker, English, Freeman, Graff, Greeley, Greene, Hasselquist, Kendall, Kolthoff, Langan of Clinton, Langan of Crawford, Larrabee, Lyman, McClure, Moore, Mordhorst, Nagle, Nichols, Pipher, Powers, Pritchard, Robinson, Utterback, Walden, Wright—34.

Absent or not voting:

Messrs. Bealer, Boysen, Calderwood, Campbell, Clarke, Cowles, Cummings, Furry, Gilchrist, Hamann, Head, Hilsinger, Hufschmidt, Jenks, Sokol, Springer, Teachout, Townsend, Willett, Wilson of Buena Vista—20.

So the bill, having failed to receive a constitutional majority, was declared lost.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

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

Senate file No. 298, a bill for an act to appropriate money to pay the custodian's employes for the month of March, A. D., 1902.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Wilson of Washington, the committee on Pardons was granted unanimous consent to sit during the balance of the afternoon session.

The Speaker announced that he had signed the following bills in the presence of the House: House files Nos. 349, 326, 98, 400, 141, 409, and Senate files Nos. 199, 286.

## INTRODUCTION OF BILLS.

By Lyman of Poweshiek, House file No. 431, a bill for an act to amend section 654 of the code, relating to the appointing of a police matron.

Read first and second time and referred to committee on Judiciary.

## REPORTS OF COMMITTEES.

Graff of Page, from the committee on Hospitals for the Insane, submitted the following report:

MR. SPEAKER—Your committee on Hospitals for Insane, to whom was referred House file No. 375, a bill for an act to amend section twenty-eight (28) of chapter one hundred eighteen (118) of the laws of the Twenty-seventh General Assembly, in relation to insane patients, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

V. GRAFF,  
*Chairman.*

Ordered passed on file.

Coburn of Cherokee, from the committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House file No. 261, a bill for an act to amend section five hundred eighty-five (585) of the code, relating to the condemnation of land for gravel for roads, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by substitute hereto attached, and when so amended that the same do pass.

GEO. F. COBURN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House file No. 313, a bill for an act to amend section two thousand one hundred fifty-eight (2158) of the code, relating to the right-of-way of telegraph and telephone companies on public roads, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by the substitute hereto attached, and when so amended that the same do pass.

GEO. F. COBURN,  
*Chairman.*

Ordered passed on file.



## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Lyman of Poweshiek, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 98, a bill for an act to amend chapter five (5), sections seven hundred and forty-five (745), seven hundred and forty-six (746), seven hundred and forty-seven (747) and seven hundred and forty-eight (748) of the code, relating to letting contracts for the purchase or erection of waterworks in cities of first class.

Also, House file No. 409, a bill for an act ceding to the United States exclusive jurisdiction over certain lands or lots acquired by the United States for public purposes within this state, and authorizing the acquisition thereof.

Also, House file No. 400, a bill for an act to authorize cities which have voted taxes to aid any corporation organized under the laws of this state for the construction of a highway or combination bridge across any navigable boundry river, to vote additional taxes for the purchase of such bridge.

Also, House file No. 349, a bill for an act to legalize the incorporation of the town of Rudd, Floyd county, Iowa, and the ordinances thereof,

Also, House file No. 141, a bill for an act to repeal section five hundred and nine (509) and section five hundred and ten (510) of the code, in reference to the compensation of sheriffs and deputy sheriffs, and to fix the salaries of such officers.

Also, House file No. 326, a bill for an act to legalize the acts of the Independent School district of Stanwood, Cedar county, in voting bonds at a special election held September 16, 1901, for the rebuilding of a school-house in said independent school district, and to enable such district to issue such bonds and to validate all the official acts and proceeding of the board of directors of said school district relative thereto.

J. P. LYMAN,

*Chairman House Committee.*

E. K. WINNE,

*Chairman Senate Committee.*

Adopted.

## SENATE MESSAGE CONSIDERED.

Senate file No. 298, a bill for an act to appropriate money to pay the custodian's employes for the month of March, A. D. 1902

Read first and second time and referred to committee on Appropriations.

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote whereby House file No. 888 was lost on passage; also the vote by which it passed to its third reading.

R. C. LANGAN.

I second the motion.

C. W. CARTER.

On motion of Meservey of Webster, House file No. 112, a bill for an act relating to the time in which actions or proceedings may be brought for the recovery of taxes alleged to be due on personal property omitted, not listed, withheld or overlooked, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

On motion of Mr. Meservey, the amendments recommended by the committee were adopted.

On motion of Kendall of Monroe, House adjourned till 7:15 P. M.

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#### EVENING SESSION.

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House met pursuant to adjournment, Speaker Eaton in the chair.

After listening to remarks by members of the board of control, the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Thursday, March 27, 1902. }

The House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. W. V. Whitten of Chariton, Iowa.

The Journal of Monday, March 24th, was corrected and approved.

The Journal of Tuesday, March 25th, was corrected and approved.

On motion of Buchanan of Wapello, leave of absence was granted Kendall of Monroe indefinitely.

On motion of Freeman of Pottawattamie leave of absence was granted Jenks of Pottawattamie indefinitely.

#### REPORTS OF COMMITTEES.

Hughes of Iowa, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 308, a bill for an act appropriating money to reimburse Samuel Purcell for losses in the suppression of the Sioux Indian insurrection in Cherokee county, Iowa, upon the 5th day of August, 1861, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 357, a bill for an act appropriating money to pay the custodian's employes for the month of March, A. D. 1902, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN HUGHES, JR.,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 298, a bill for an act to appropriate money to pay the custodian's employes for the month of March, A. D. 1902, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 417, a bill for an act to create a state department of insurance and providing for the appointment of a commissioner of insurance, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations to whom was referred House file No. 399, a bill for an act to provide for the inspection, recognition and supervision of schools for the instruction and training of teachers for the common schools, and providing for the licensing of the graduates of the same, as amended by committee on Schools and Text-Books, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out of line four (4), section five (5), the compound word "twenty-five" and inserting in lieu thereof the word "fifteen", and that when so amended the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Clarke of Dallas, from committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 299, a bill for an act amendatory of chapter 4, title 10 of the code, to enable the United States of America to take private property for public improvements, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,

*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 426, a bill for an act making an appropriation for the payment of the costs in the state of Iowa *ex rel* Milton Remley attorney-general, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be referred to the committee on Claims.

G. W. CLARKE,

*Chairman.*

Report adopted, and the bill was referred to the committee on Claims.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 431, a bill for an act to amend section 654 of the code, relating to the appointment of police matrons, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,

*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 37, a bill for an act to amend section 1272 of the code, in relation to filling vacancies in elective city offices, and the substitute therefor beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out all after the enacting clause in the substitute, and insert the following in lieu thereof:

Section 1. That all of section one thousand two hundred seventy-two (1272) of the code, commencing with the words "the office", in the eighteenth line thereof, and ending with the word "practicable", in the last line of said section, be repealed, and the following enacted in lieu thereof:

Any elective office in any city or town shall be filled by the council at its first regular meeting after such vacancy occurs, or as soon thereafter as practicable, and such appointee shall be of the same political party as the person whom he is appointed to succeed. In all appointive offices in cities or towns, unless otherwise provided by law, in the same manner as the original appointment was made.

And when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 190, a bill for an act to amend section 337 of the code, relating to grand and petit jury lists, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 254, a bill for an act repealing section 161 of the code and enacting a substitute therefor, providing for the appointment of an expert accountant and an assistant and appropriating money to pay the same, and granting to the executive council power to determine systems of records and accounts to be kept by state officers under certain conditions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 274, a bill for an act to amend section 164 and section 165 of the code, relating to powers and duties of the executive council, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 188, a bill for an act to legalize certain instruments in writing which were defectively acknowledged and the substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out of the substitute all after the enacting clause, and insert the following in lieu thereof:

“Section 1. That the acknowledgments of all deeds, mortgages or other instruments in writing, taken and certified previous to the passage of this act, and which have been duly recorded in the proper counties in this state, and which are defective only in the form of the certificate of the officer taking the same be, and are hereby, declared to be as legal and valid for all purposes as if the form of the certificate had been made in accordance with law,” and when so amended the same do pass,

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 424, a bill for an act to legalize the incorporation of the town of Kinross, in the county of Keokuk and state of Iowa, and the official acts of the officers of said town and all ordinances and resolutions adopted by the council of said town, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 358, a bill for an act to amend section 2414 of the code, relating to intoxicating liquors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Report adopted, and the bill was indefinitely postponed.

Dunham of Delaware, from the committee on Schools and Text-Books, submitted the following report:

MR. SPEAKER—Your committee on Schools and Text-Books submits herewith House file No. 432, a bill for an act to amend section twenty-six, hundred twenty-nine (2629) of the code, relating to examinations of applicants for state certificates and diplomas, beg leave to report that they have

had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. W. DUNHAM,  
*Chairman.*

Read first and second times and passed on file.

Carter of Sioux, from the committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 253, a bill for an act for the protection of cities and to regulate contracts for public purposes involving the use of streets and alleys, public squares and highways in such cities, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 406, a bill for an act to amend section five hundred sixty-five (565) of the code, relating to township assessors where cities are included in the township and making said section applicable to cities under special charters, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 404, a bill for an act to amend section thirteen hundred seventy (1370) of the code, relating to local boards of review and making said section apply to cities acting under special charters, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 405, a bill for an act to make section thirteen hundred fifty (1350) of the code applicable to cities under special charters, beg leave to report that they have had the same under consideration and



have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 416, a bill for an act to amend sections seven hundred and seventy-one, seven hundred and seventy-three and seven hundred and seventy-four of chapter six, title five of the code, relating to the construction of viaducts over or under railroads on public streets and highways and to the compensation of owners of property abutting on such streets and highways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended, and when so amended that the same do pass.

Amend section 1 by striking out all after the word "towit", in the third line thereof and adding after said word the following: "or in cities of a population of 50,000 or over, from any other fund or funds legally available therefor."

Further amend section 3 by inserting after the word "section", in the tenth line thereof, the words "two thousand one hundred and nineteen", and by inclosing the figures "2119" in brackets.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By committee on Schools and Text Books, House file No. 432, a bill for an act to amend section twenty-six hundred twenty-nine (2629) of the code, relating to examinations of applicants for state certificates and diplomas.

Read first and second times and passed on file.

By Hughes of Iowa, House file No. 433, a bill for an act to amend section 2724 of the code, relating to admission to the Iowa School for the Deaf at Council Bluffs.

Read first and second time and referred to committee on School for the Deaf and Dumb.

By McClurkin of Louisa, House file No. 434, a bill for an act to amend section 2773 of the code, relating to the minimum length of time that school must be taught and the establishment of school holidays.

Read first and second time and referred to committee on Schools and Text-Books.

## MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate concurred in House amendments to Senate File No. 141, a bill for an act authorizing the district court to appoint trustees to manage, control and invest funds donated for and on account of cemetery purposes.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 152, a bill for an act making an appropriation, and providing for the erection of monuments in memory of the Iowa troops on Lookout Mountain and Missionary Ridge, the battles of Chattanooga.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 275, by special committee, a bill for an act to amend chapter 167, laws of the Twenty-eighth General Assembly of Iowa, entitled: "An act to provide for the erection of monuments to mark the positions occupied by the Iowa volunteers at the battle of Shiloh, Tennessee, and to make an appropriation to pay the expenses of the commissioners.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House concurrent resolution relative to a bill known as House resolution No. 8335, before the congress of the United States, in relation to swamp lands.

GEO. A. NEWMAN,  
*Secretary.*

## BILLS ON THEIR PASSAGE.

On motion of Cummings of Marshall, Senate file No. 267, a bill for an act to amend section 2604 of the code, relating to the appointment of officers for the Soldiers' Home, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Cummings moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were :

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Buchanan, Campbell, Carden, Cassel, Cheney, Christianson, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Leech, Lyman, McClure, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—80.

The nays were:

None.

Absent or not voting:

Messrs. Boysen, Calderwood, Carter, Clarke, Coburn, Cowles, Gilchrist, Hamann, Hilsinger, Jenks, Kendall, Langan of Crawford, Larrabee, McClurkin, Marshall, Stuckslager, Teachout, Temple, Townsend, Wilson of Buena Vista—20.

So the bill passed and the title was agreed to.

On motion of Buchanan of Wapello, Senate file No. 268, a bill for an act to amend section 586 of the code, relating to the care and maintenance of cemeteries by boards of township trustees, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Buchanan moved that the rules be suspended, that the bill be read a third time now, and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Buchanan, Campbell, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings,

Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greene, Hassequist, Hawk, Head, Hufschmidt, Hughes, Jaeger, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Langan of Crawford, Larrabee, Leech, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—78.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Boysen, Calderwood, Carter, Gilchrist, Greeley, Hamann, Hertert, Hilsinger, Hurn, Jenks, Kendall, Langan of Clinton, Lyman, McClure, Marshall, Payne, Stuckslager, Teachout, Temple, Townsend, Wilson of Buena Vista—22.

So the bill passed and the title was agreed to.

On motion of Black of Mills, House file No. 142, a bill for an act to reimburse F. M. Powell for money paid by him to secure the vacation of a public road for the benefit of the Institution for Feeble-Minded Children at Glenwood, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Lyman of Poweshiek moved to amend the bill by striking out the publication clause.

Adopted.

Mr. Black moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barkley, Black, Buchanan, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue,

Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Barker, Bealer, Blakemore, Boysen, Calderwood, Coburn, Dunham, Gilchrist, Greeley, Hilsinger, Jenks, Kendall, Marshall, Payne, Teachout, Temple, Townsend, Wilson of Buena Vista—19.

So the bill passed and the title was agreed to.

On motion of Bealer of Linn, House file No. 155, with the Senate amendments thereto, was taken up and considered.

Mr. Bealer moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Utterback, Walden, Walters, Warren,

Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—85.

The nays were:

None.

Absent or not voting:

Messrs. Calderwood, Coburn, Cowles, Dunham, Gilchrist, Hilsinger, Jenks, Kendall, Marshall, Payne, Springer, Teachout, Temple, Townsend, Wilson of Buena Vista—15.

So the House concurred in the Senate amendments.

Hurn of Cerro Gordo in the chair.

On motion of Clarke of Dallas, Senate file No. 195, a bill for an act to amend section 3225 of the code, relating to the support of persons adjudged to be insane, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Clarke moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Cowles, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Utterback, Walden, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright—81.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Boysen, Buchanan, Calderwood, Colclo, Davenport, Gilchrist, Jenks, Kendall, Marshall, Powers, Pritchard, Sweet, Teachout, Temple, Townsend, Walters, Wilson of Buena Vista, Mr. Speaker—19.

So the bill passed and the title was agreed to.

Speaker Eaton in the chair.

The time having arrived for special order No. 22, on motion of Eiker of Decatur, House file No. 176, a bill for an act to provide a department in one of the hospitals for the insane for the detention and treatment of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Greene of Madison moved to amend by striking out the period at the close of the eighteenth line of section 3 and inserting a comma in lieu thereof, and adding the following: "except it be a moderate use of tobacco.

Adopted.

Wise of Black Hawk moved to amend by striking out the words "superintendent of said institution", in the second and third lines of section 3, and inserting after the word "charge", in line 2 of section 3, the following: "superintendent of said institution"; also inserting after the word "the", in the second line of section 3, the word "governor".

Adopted.

Wise of Black Hawk moved to strike out from section 2, in next to the last line in the printed bill, the words "superintendent of said institution", and inserting the word "governor" in lieu thereof.

Adopted.

Dunham of Delaware moved to amend by striking out the word "may", being the last word in the next to the last line of section 2, and also the word "may", appearing in the fourth line of section 3, and inserting in lieu of said words in each case the word "shall".

Adopted.

Eiker of Decatur moved to amend ninth line of section 3 by striking out the words "superintendent of said institution" and inserting the word "governor".

Adopted.

Mr. Eiker moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Carter, Cassel, Christianson, Clarke, Coburn, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dunham, Edwards, Eiker, English, Fields, Frudden, Furry, Graff, Greene, Hamann, Hasselquist, Head, Hilsinger, Hughes, Keagy, Kerr, Kling, Kolthoff, Koontz, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Warren, Wilson of Washington, Wise, Wright, Mr. Speaker—70.

The nays were:

Messrs. Blakemore, Freeman, Hawk, Hertert, Hufschmidt, Jaeger, Langan of Clinton, Marshall, Mordhorst, Springer, Utterback, Walden—12.

Absent or not voting:

Messrs. Carden, Cheney, Colclo, Dodds, Donahue, Flenniken, Gilchrist, Greeley, Hurn, Jenks, Jones, Kendall, Langan of Crawford, Walters, Whiting, Willett, Wilson of Buena Vista—18.

So the bill passed and the title was agreed to.

Buchanan of Wapello called up his motion to reconsider the vote by which the concurrent resolution to adjourn April 3d passed the House.

The motion to reconsider prevailed.



Buchanan moved to amend by making the date April 5.

Carried.

Temple of Clarke moved to reconsider the vote by which the amendment was adopted.

On motion of Cowles of Kossuth the resolution was laid on the table.

On motion of Meservey of Webster, the House took up further consideration of House file No. 112, a bill for an act relating to the time in which actions or proceedings may be brought for the recovery of taxes alleged to be due on personal property omitted, not listed, withheld or overlooked, which was pending at adjournment on yesterday.

Barker of Howard offered the following amendment as a substitute for House file No. 112. Amend by striking out section 2 of the pending bill and enacting in lieu thereof the following:

Section 2. That section two (2) of chapter forty-seven (47) of the acts of the Twenty-eighth General Assembly be repealed and the following be substituted therefor:

“The auditor may correct any error in the assessment or tax list and may assess and list for taxation any omitted property for the current year, and while such tax lists are in his possession; but before assessing and listing for taxation any omitted property he shall notify by registered letter any person, firm, corporation or administrator or other person in whose name the property is taxed, to appear before him at his office within twenty days from the time said notice is received and show cause why such correction or such assessment should not be made, and should party feel aggrieved at the action of said auditor, he shall have the right to appeal therefrom to the district court.”

Adopted.

English of Polk moved to amend the bill by striking out the word “three,” in line six of section 1 and inserting the word “five” in lieu thereof.

Adopted.

Nagle of Van Buren moved to amend by striking out section 3.

On motion of Warren of Marion, House adjourned until 2 o'clock p. m.

## AFTERNOON SESSION.

House met at 2 P. M., Speaker Eaton in the chair.

## REPORT OF COMMITTEE.

Hughes of Iowa, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 189, a bill for an act making an appropriation and providing for the erection of monuments in memory of the Iowa troops on Lookout Mountain and Missionary Ridge, the battles of Chattanooga, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by adding to section one (1) the following: "Not more than five thousand dollars (\$5,000) of the total amount hereby appropriated shall be drawn during the biennial period commencing July 1, 1901", and that when so amended the same do pass.

JOHN HUGHES, R.,  
*Chairman.*

## REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, House file No. 98, a bill for an act to amend chapter five (5), section seven hundred and forty-five (745), seven hundred and forty-six (746), seven hundred and forty-seven (747) and seven hundred and forty-eight (748) of the code, relating to letting of contracts for the purchase or erection of waterworks in cities of first class.

Also, House file No. 409, a bill for an act ceding to the United States exclusive jurisdiction over certain lands or lots acquired by the United States for public purposes within this state, and authorizing the acquisition thereof.

Also, House file No. 400, a bill for an act to authorize cities, which have voted taxes to aid any corporation organized under the laws of this state for the construction of a highway or combination bridge across any navigable boundary river, to vote additional taxes for the purchase of such bridge.

Also, House file No. 349, a bill for an act to legalize the incorporation of the town of Rudd, Floyd county, and the ordinances thereof.

Also, House file No. 141, a bill for an act to repeal section five hundred nine (509) and section five hundred ten (510) of the code in reference to the compensation of sheriffs and deputy sheriffs, and to fix the salaries of such officers.

Also:

House file No. 326, a bill for an act to legalize the acts of the Independent School district of Stanwood, Cedar county, Iowa, in voting bonds at a special election held September 16, 1901, for the rebuilding of a schoolhouse in said independent district, and to enable such district to issue such bonds and to validate all the official acts and proceedings of the board of directors of said school district relative thereto.

J. P. LYMAN,  
*Chairman.*

March 27, 1902.

Adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate asks to recall the concurrent resolution relating to swamp lands.

GEO. A. NEWMAN,  
*Secretary.*

Consent granted, and the resolution was returned.

INTRODUCTION OF BILLS.

By Langan of Clinton, House file No. 435, a bill for an act to amend section six hundred ten (610) of the code, relating to the submission to a vote of the question of extending the limits of cities and towns.

Read first and second time and referred to committee on Judiciary.

By Hurn of Cerro Gordo, House file No. 436, a bill for an act authorizing the commander-in-chief to organize naval militia of Iowa and prescribing regulation therefor.

Read first and second time and referred to committee on Military.

Temple of Clarke offered the following resolution, which was laid over under rule 34:

*Resolved*, By the House of Representatives of the Twenty-ninth General Assembly, that from and after the passage of this resolution no farther bills shall be received or referred except by unanimous consent of the House.

Temple of Clarke offered the following resolution, which was laid over under rule 34.

*Be it Resolved by the House of Representatives of the Twenty-ninth General Assembly:*

That when the day for final adjournment has been fixed by resolution, it shall be the duty of the Speaker of the House to appoint a committee of seven members of the House to whom shall be referred all bills, except appropriation bills, and that thereafter no bills, except appropriation bills, shall be considered, unless the same are recommended by the said committee.

The House resumed consideration of House file No. 112, pending at the noon adjournment.

The amendment of Nagle of Van Buren to strike out section 2 was lost.

Head of Greene moved to amend substitute for House file No. 112 by striking out the words "when apprised thereof" in the fifth and sixth lines of section 1, page 757 of the House Journal.

Adopted.

Fields of Plymouth moved to amend by striking out the word "county" in line 4 of section 3 and inserting in lieu thereof the word "state".

Adopted.

Teachout of Polk moved to indefinitely postpone the bill.

Barker of Howard and Dunham of Delaware demanded a roll call.

On the question, Shall the motion prevail?

The yeas were:

Messrs. Bailey, Bealer, Boysen, Calderwood, Cowles, Crouse, Eiker, English, Flenniken, Furry, Greene, Hasselquist, Head, Hufschmidt, Jones, Keagy, Kolthoff, Larrabee, Leech, Nagle, Nichols, Patton, Powers, Pritchard, Sokol, Stratton, Teachout, Wright—28.

The nays were:

Messrs. Barker, Barkley, Black, Buchanan, Carden, Carter, Casel, Cheney, Christianson, Clarke, Coburn, Colclo, Cruikshank, Cummings, Davenport, Dunham, Edwards, Fields, Freeman, Frudden, Greeley, Hawk, Hertert, Hilsinger, Hughes, Hurn, Jaeger, Kerr, Kling, Koontz, Langan of Clinton, Langan of Craw-

ford, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Payne, Pipher, Robinson, Roome, Secor, Springer, Stuckslager, Sweeley, Sweet, Temple, Townsend, Utterback, Walden, Walters, Warren, Wilson of Buena Vista, Wilson of Washington, Wise, Mr. Speaker—59.

Absent or not voting:

Messrs. Anderson, Blakemore, Campbell, Dodds, Donahue, Gilchrist, Graff, Hamann, Jenks, Kendall, Marshall, Whiting, Willett—13.

So the motion was lost.

Greene of Madison moved to amend House file No. 112 by striking out from the fourth line of section 3 of printed substitute the words and figures "eighteen (18)" and substituting in lieu thereof the words and figures "two (2)."

Lost.

Mr. Meservey moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Barker, Barkley, Bealer, Black, Blakemore, Campbell, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cruikshank, Cummings, Davenport, Dunham, Edwards, Fields, Freeman, Frudden, Greeley, Hawk, Hertert, Hilsinger, Hufschmidt, Hurn, Kling, Koontz, Langan of Clinton, Larrabee, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Pipher, Robinson, Roome, Secor, Springer, Stuckslager, Sweeley, Sweet, Temple, Townsend, Utterback, Walden, Walters, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Mr. Speaker—57.

The nays were:

Messrs. Anderson, Bailey, Boysen, Buchanan, Calderwood, Carden, Cowles, Crouse, Eiker, English, Flenniken, Furry, Graff, Greene, Hasselquist, Head, Hughes, Jaeger, Jones, Keagy, Kerr, Kolthoff, Leech, Nagle, Nichols, Patton, Payne, Powers, Sokol, tratton, Teachout, Warrehiting, Wright—34.

Absent or not voting:

Messrs. Dodds, Donahue, Gilchrist, Hamann, Jenks, Kendall, Langan of Crawford, Marshall, Pritchard—9.

So the bill passed and the title was agreed to.

On motion of Sweeley of Woodbury, House file No. 237, a bill for an act to amend sections 1182, 1188, 1189 and 1190 of the code, to require county supervisors to give official bonds and providing for the approval thereof, with report of committee recommending passage, as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Sweeley the amendments recommended by the committee were adopted.

Mr. Sweeley moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Black, Buchanan, Calderwood, Campbell, Carden, Carter, Cheney, Christianson, Clarke, Coburn, Colclo, Cummings, Dunham, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greene, Hawk, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Leech, Lyman, McNie, Meservey, Moore, Mordhorst, Pipher, Pritchard, Robinson, Roome, Secor, Sweeley, Sweet, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—57.

The nays were:

Messrs. Blakemore, Boysen, Cassel, Cowles, Davenport, Donahue, Edwards, Hamann, Hasselquist, Head, Hilsinger, Keagy, McClure, Mattes, Nagle, Nichols, Patton, Powers, Sokol, Stratton, Utterback, Walden, Warren—23.

Absent or not voting:

Messrs. Anderson, Crouse, Cruikshank, Dodds, Gilchrist, Greeley, Jenks, Jones, Kendall, Koontz, Larrabee, McClurkin,

Marshall, Payne, Springer, Stuckslager, Teachout, Temple, Townsend, Walters—20.

So the bill passed and the title was agreed to.

On motion of English of Polk, House adjourned until 9 A. M. tomorrow, Friday, March 28, 1902.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Friday, March 28, 1902. }

The House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. J. P. Nesbit of Morning Sun, Iowa.

The Journal of Wednesday, March 26th, was corrected and approved.

On motion of Jaeger of Des Moines, leave of absence was granted Dodds of Des Moines until Monday morning.

#### REPORT OF COMMITTEE.

MR. SPEAKER—Your committee on Telegraph, Telephone and Express, to whom was referred House file No. 411, a bill for an act to amend section two thousand one hundred and sixty-one (2161) of the code, relating to connecting telegraph and telephone lines, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

M. F. EDWARDS,  
*Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By Clarke of Dallas, by request, House file No. 437, a bill for an act to amend section 165 of the code, providing for the sale of furniture and stores that are of no further use to the state.

Read first and second time.

On motion of Mr. Clarke, by unanimous consent, this bill, House file No. 437, was taken up and considered.

Mr. Clarke moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon



its passage, which motion prevailed by a two-thirds vote, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Carden, Cassel, Cheney, Clarke, Colclo, Cowles, Crouse, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, English, Fields, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hertert, Hufschmidt, Hughes, Jaeger, Jones, Keagy, Kerr, Kling, Kolt-hoff, Koontz, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Payne, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Sweet, Utterback, Walden, Warren, Whiting, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—73.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Campbell, Carter, Christianson, Coburn, Cruikshank, Dodds, Flenniken, Gilchrist, Head, Hilsinger, Hurn, Jenks, Kendall, Langan of Clinton, Langan of Crawford, Marshall, Mordhorst, Pipher, Springer, Stuckslager, Teachout, Temple, Townsend, Walters, Willett, Wilson of Washington—27.

So the bill passed and the title was agreed to.

On motion of Hughes of Iowa, Senate file No. 298, a bill for an act to appropriate money to pay the custodian's employes for the month of March, A. D. 1902, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Hughes moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Cassel, Clarke, Coburn, Colclo, Cowles, Crouse, Cummings, Davenport, Dunham, Edwards, Eiker, English, Flenniken, Freeman, Frudden, Furry, Greeley, Greene, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Sweet, Teachout, Townsend, Utterback, Walden, Warren, Whiting, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—77.

The nays were:

None.

Absent or not voting:

Messrs. Campbell, Carter, Cheney, Christianson, Cruikshank, Dodds, Donahue, Fields, Gilchrist, Graff, Head, Hurn, Jaeger, Kendall, Langan of Crawford, Marshall, Nagle, Springer, Stuckslager, Temple, Walters, Willett, Wilson of Washington—23.

So the bill passed and the title was agreed to.

Edwards of Butler called up his motion of March 17th, to reconsider the vote by which House file No. 392 was lost on passage, and the vote whereby it went to its third reading.

The motion to reconsider carried.

English of Polk moved to amend the bill by striking out all of section one and numbering section two, section one.

Carried.

The motion that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Campbell, Carter, Cassel, Cheney, Colclo, Cummings, Donahue, Dunham, Edwards, English, Freeman

Greene, Hamann, Hertert, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kling, Leech, McClure, McNie, Mattes, Moore, Nagle, Nichols, Patton, Payne, Pipher, Powers, Secor, Sweeley, Sweet, Teachout, Temple, Townsend, Walden, Warren, Wise, Wright, Mr. Speaker—51.

The nays were:

Messrs. Barker, Clarke, Cowles, Crouse, Davenport, Fields, Flenniken, Furry, Gilchrist, Graff, Greeley, Hasselquist, Hawk, Kerr, Kolthoff, Koontz, Langan of Crawford, Larrabee, Meservey, Pritchard, Robinson, Roome, Sokol, Stratton, Utterback, Walters, Whiting, Wilson of Buena Vista—28.

Absent or not voting:

Messrs. Buchanan, Carden, Christianson, Coburn, Cruikshank, Dodds, Eiker, Frudden, Head, Hilsinger, Hurn, Kendall, Langan of Clinton, Lyman, McClurkin, Marshall, Mordhorst, Springer, Stuckslager, Willett, Wilson of Washington—21.

So the bill passed.

English of Polk moved to amend the title by striking out the words and figures "one thousand and sixty-two (1062) and", and also the words "sheriff's proclamation and the".

Adopted and the title, as amended, was agreed to.

On motion of Hawk of Jasper, House file No. 159 was indefinitely postponed.

On motion of Hawk of Jasper, House file No. 397, a bill for for an act to appoint a commission of land titles, to define its duties and to provide for the publication of its reports, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Hawk, the amendments recommended by the committee were adopted.

Hughes of Iowa moved to amend the bill by striking out from section 5 thereof the words "three cents per mile for distance actually traveled and".

Adopted.

Mr. Hawk moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon

its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Boysen, Buchanan, Calderwood, Campbell, Clarke, Colclo, Cummings, Davenport, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Greeley, Greene, Hasselquist, Hawk, Hilsinger, Hughes, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Patton, Payne, Powers, Pritchard, Roome, Secor, Springer, Stuckslager, Sweeley, Sweet, Teachout, Utterback, Walden, Warren, Wise, Wright—61.

The nays were:

Messrs. Barker, Black, Carden, Coburn, Crouse, Graff, Hamann, Hertert, Koontz, Pipher, Robinson, Sokol, Stratton, Whiting, Wilson of Buena Vista, Wilson of Washington—16.

Absent or not voting:

Messrs. Barkley, Bealer, Blackemore, Carter, Cassel, Cheney, Christianson, Cowles, Cruikshank, Dodds, Dunham, Head, Hufschmidt, Hurn, Jaeger, Kendall, Langan of Clinton, Marshall, Nichols, Temple, Townsend, Willett, Mr. Speaker—23.

So the bill passed and the title was agreed to.

#### INTRODUCTION OF BILLS.

By Cheney of Clay, House file No. 438, a bill for an act to amend section 3305 of the code, relating to limitations of time for granting letters of administration of estates of decedents.

Read first and second time and referred to committee on Judiciary.

By Fields of Plymouth, House file No. 439, a bill for an act to regulate the employment and assignment of committee clerks.

Read first and second time and referred to committee on Judiciary.

By Hamann of Scott, House file No. 440, a bill for an act to amend sections 430, 431 and 433 of the code, relating to dependent soldiers and sailors tax and making sections apply to dependent United States volunteer soldiers, sailors and marines of the late Spanish-American war.

Read first and second time and referred to committee on Judiciary.

English of Polk called up the motion to reconsider the vote on House file No. 8, covering the votes whereby the bill was lost; whereby it was passed to its third reading; by which the previous question was ordered; by which section 1½ was adopted; by which amendment to section 1 by Jones of Mahaska was adopted; also, by which amendment to section 13 by Hurn was adopted.

On the motion to reconsider Messrs. Jones and Hamann demanded the roll call, which resulted as follows:

On the question, Shall the motion prevail?

The yeas were:

Messrs. Anderson, Black, Campbell, Carden, Carter, Cassel, Cowles, Cummings, Donahue, Edwards, English, Fields, Flenniken, Freeman, Furry, Greeley, Greene, Hasselquist, Hawk, Hughes, Jenks, Kerr, Kling, Larrabee, Lyman, McClurkin, Mattes, Nichols, Payne, Pipher, Pritchard, Robinson, Roome, Secor, Sweeley, Teachout, Townsend, Warren, Willett, Mr. Speaker—40.

The nays were:

Messrs. Bailey, Bealer, Boysen, Calderwood, Cheney, Clarke, Coburn, Crouse, Cruikshank, Davenport, Frudden, Gilchrist, Hamann, Hertert, Hilsinger, Hufschmidt, Jaeger, Jones, Keagy, Kolthoff, Koontz, Langan of Clinton, Leech, McClure, McNie, Moore, Mordhorst, Nagle, Patton, Powers, Sokol, Springer, Stratton, Stuckslager, Sweet, Temple, Utterback, Walden, Whiting, Wilson of Washington, Wise, Wright—42.

Absent or not voting:

Messrs. Barker, Barkley, Blakemore, Buchanan, Christianson, Colclo, Dodds, Dunham, Eiker, Graff, Head, Hurn, Kendall, Langan of Crawford, Marshall, Meservey, Walters, Wilson of Buena Vista—18.

So the motion to reconsider was lost.

REPORTS OF COMMITTEES.

Mr. Temple, from the committee on Ways and Means, submitted the following report:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 427, a bill for an act to amend section fourteen hundred and six (1406) of the code, in relation to the collection of taxes by distress and sale, and providing for the garnishment of persons indebted to the delinquent taxpayer, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred Senate file No. 290, a bill for an act amending section thirteen hundred thirty-four (1334) of the code, and repealing section thirteen hundred thirty-five (1335) and section thirteen hundred thirty-six (1336) of the code and enacting substitutes therefor, in relation to railway taxation and providing for the publication of the proceedings of said council and directing the payment of expenses provided for by this act, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

M. L. TEMPLE,  
*Chairman.*

Cowles of Kossuth offered the following:

MR. SPEAKER—The undersigned members of the committee on Ways and Means, to whom was referred Senate file No. 290, a bill for an act amending section thirteen hundred thirty-four (1334) of the code, and repealing section thirteen hundred thirty-five (1335) and section thirteen hundred thirty-six (1336) of the code, and enacting substitutes therefor, in relation to railway taxation, and providing for the publication of proceedings of said council, and directing the payment of expenses provided for by this act, would respectfully report that they cannot concur in the recommendation of the majority of said committee in favor of the indefinite postponement of said bill, and would recommend that said bill do pass the House.

(Signed) JOHN HUGHES, JR.  
GARDNER COWLES,  
N. E. KENDALL,  
WM. LARRABEE, JR.  
WILL C. WHITING.

Temple of Clarke moved the adoption of the report of the committee on Senate file No. 290.

Cowles of Kossuth moved that further consideration of this bill, Senate file No. 290, be deferred till next Wednesday, April 2d, at 10:30 A. M.

Messrs. Hughes of Iowa and Whiting of Monona demanded the roll call on this question, which resulted as follows:;

On the question, Shall the motion prevail?

The yeas were:

Messrs. Anderson, Bailey, Barker, Black, Campbell, Carter, Cheney, Colclo, Cowles, Cruikshank, Fields, Gilchrist, Greene, Hawk, Hertert, Hufschmidt, Hughes, Jaeger, Jenks, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Larrabee, McNie, Mattes, Mordhorst, Nichols, Powers, Springer, Sweeley, Townsend, Utterback, Warren, Whiting, Willett—36.

The nays were:

Messrs. Barkley, Bealer, Blakemore, Boysen, Buchanan, Calderwood, Carden, Cassel, Clarke, Coburn, Crouse, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, English, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Hamann, Hasselquist, Hilsinger, Hurn, Jones, Keagy, Kerr, Koontz, Leech, Lyman, McClure, McClurkin, Meservey, Moore, Nagle, Patton Payne, Pipher, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweet, Teachout, Temple, Walden, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—58.

Absent or not voting:

Messrs. Christianson, Dodds, Head, Kendall, Marshall, Walters—6.

So the motion was lost.

Cowles of Kossuth moved that the report submitted by a minority of the committee be substituted for the report of the committee recommending indefinite postponement.

On this question the roll call was demanded by Messrs. Cowles and Jenks.

On the question, Shall the motion prevail?

The yeas were:

Messrs. Anderson, Barker, Black, Campbell, Carter, Cheney, Colclo, Cowles, Cruikshank, Dunham, Fields, Gilchrist, Hawk, Hughes, Jenks, Jones, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Larrabee, McNie, Mattes, Meservey, Springer, Sweeley, Utterback, Walters, Warren, Whiting—30.

The nays were:

Messrs. Bailey, Barkley, Bealer, Blakemore, Boysen, Buchanan, Calderwood, Carden, Cassel, Clarke, Coburn, Crouse, Cummings, Davenport, Donahue, Edwards, Eiker, English, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hertert, Hilsinger, Hufschmidt, Hurn, Jaeger, Keagy, Kerr, Koontz, Leech, Lyman, McClure, McClurkin, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweet, Temple, Townsend, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—62.

Absent or not voting:

Messrs. Christianson, Dodds, Head, Kendall, Marshall, Teachout, Walters, Willett—8.

So the motion was lost.

On the question, shall the report of the committee recommending indefinite postponement be adopted, Messrs. Cowles of Kossuth, and Larrabee of Fayette demanded the yeas and nays, which resulted as follows:

The yeas were:

Messrs. Bailey, Barkley, Bealer, Blakemore, Boysen, Buchanan, Calderwood, Carden, Cassel, Clarke, Coburn, Crouse, Cummings, Davenport, Donahue, Edwards, Eiker, English, Flenniken, Freeman, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hilsinger, Keagy, Kerr, Kling, Koontz, Leech, Lyman, McClure, McClurkin, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweet, Teachout, Temple, Townsend, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—61.



**The nays were:**

Messrs. Anderson, Barker, Black, Campbell, Carter, Cheney, Colclo, Cowles, Cruikshank, Dunham, Fields, Gilchrist, Hertert, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Kolthoff, Langan of Clinton, Langan of Crawford, Larrabee, McNie, Mordhorst, Springer, Sweeley, Utterback, Walden, Warren, Whiting—30.

**Absent or not voting:**

Messrs. Christianson, Dodds, Frudden, Head, Hurn, Kendall, Marshall, Walters, Willett—9.

So the motion prevailed and the bill was indefinitely postponed.

**MESSAGES FROM THE SENATE.**

**The following messages were received from the Senate:**

**MR. SPEAKER**—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 487, a bill for an act to amend section 165 of the code, providing for the sale of furniture and stores that are of no further use to the state.

GEO. A. NEWMAN,  
*Secretary.*

**Also:**

**MR. SPEAKER**—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

Substitute for House file No. 286, a bill for an act to amend sections one thousand and seventy-five (1075), one thousand one hundred and thirty (1130), one thousand five hundred and twenty-eight (1528), one thousand five hundred and thirty-three (1533), one thousand five hundred and forty-two (1542), one thousand five hundred and forty-five (1545), one thousand five hundred and fifty-one (1551) and one thousand five hundred and fifty-four (1554) of the code, and to repeal sections one thousand five hundred and thirty-two (1532), one thousand five hundred and forty (1540) and one thousand five hundred and fifty (1550) of the code and enact substitutes therefor, and to repeal sections one thousand five hundred and forty-one (1541), one thousand five hundred and forty-six (1546), one thousand five hundred and fifty-three (1553) and one thousand five hundred and sixty-seven (1567) of the code, relative to the duties of township trustees; the duties of township clerks; the election, qualification, duties, compensation

and payment of road supervisors; the consolidation of road districts and the levy and collection of road tax.

GEO. A. NEWMAN,  
*Secretary.*

Keagy of Dubuque called up his motion to reconsider the vote whereby House file No. 388 was lost on passage and the vote whereby it went to its third reading.

The motion to reconsider carried.

The motion that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Black, Blackemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cheney, Christianson, Crouse, Cruikshank, Cummings, Donahue, Dunham, Edwards, Eiker, Fields, Flenniken, Furry, Gilchrist, Greene, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jones, Keagy, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Leech, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Temple, Townsend, Walden, Walters, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—72.

Absent or not voting:

Messrs. Barker, Bealer, Cassel, Clarke, Coburn, Colclo, Cowles, Davenport, Dodds, English, Freeman, Frudden, Graff, Greeley Head, Hurn, Jenks, Kendall, Kolthoff, Larrabee, Lyman, Marshall, Mordhorst, Sweeley, Sweet, Teachout, Utterback, Whiting—28.

So the bill passed and the title was agreed to.

On motion of Secor of Winnebago, House file No. 114, a bill for an act to encourage the planting of forest and fruit trees, with report of committee recommending passage as amended by substitute, was taken up, considered and the report of the committee adopted.

On motion of Mr. Secor the substitute as amendment, recommended by the committee, was adopted.

Furry of Hardin in the chair.

Mr. Secor moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Buchanan, Calderwood, Campbell, Carden, Cassel, Christianson, Clarke, Colclo, Cowles, Cruikshank, Cummings, Dunham, Edwards, English, Fields, Flenniken, Furry, Gilchrist, Graff, Greeley, Greene, Hasselquist, Hertert, Hilsinger, Hughes, Kerr, Kling, Koontz, Larrabee, Leech, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Pritchard, Robinson, Roome, Secor, Stuckslager, Sweeley, Sweet, Townsend, Walden, Walters, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright—60.

The nays were:

Messrs. Blakemore, Cheney, Coburn, Jenks, Utterback—5.

Absent or not voting:

Messrs. Boysen, Carter, Crouse, Davenport, Dodds, Donahue, Eiker, Freeman, Frudden, Hamann, Hawk, Head, Hufschmidt, Hurn, Jaeger, Jones, Keagy, Kendall, Kolthoff, Langan of Clinton, Langan of Crawford, Lyman, McClure, McClurkin, Marshall, Mordhorst, Payne, Powers, Sokol, Springer, Stratton, Teachout, Temple, Wilson of Buena Vista, Mr. Speaker—35.

So the bill passed and the title was agreed to.

Coburn of Cherokee called up substitute for House file No. 286, just messaged from the Senate with amendments thereto.

Mr. Coburn moved that the House concur in the Senate amendments.

Temple of Clarke moved that House file No. 286 be referred to the committee on Judiciary.

Lost.

English of Polk moved the previous question.

Carried.

On the question, Shall the House concur?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Crouse, Cruikshank, Cummings, Donahue, Dunham, Edwards, Eiker, English, Flenniken, Furry, Gilchrist, Graff, Greene, Hasselquist, Hughes, Jenks, Keagy, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, McNie, Mattes, Moore, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Stratton, Stuckslager, Sweeley, Townsend, Walden, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—62.

The nays were:

Messrs. Barker, Calderwood, Colclo, Cowles, Davenport, Fields, Hawk, Hertert, Hufschmidt, Jaeger, Jones, Meservey, Sokol, Springer, Utterback—15.

Absent or not voting:

Messrs. Dodds, Freeman, Frudden, Greeley, Hamann, Head, Hilsinger, Hurn, Kendall, Langan of Crawford, Lyman, McClure, McClurkin, Marshall, Mordhorst, Payne, Secor, Sweet, Teachout, Temple, Walters, Warren, Wilson of Washington—23.

So the House concurred.

Speaker Eaton in the chair.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

House file No. 170, a bill for an act to provide for compulsory education.

GEO. A. NEWMAN,

*Secretary.*

Also:

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

Senate file No. 349, a bill for an act to amend section 1908 of the code, relating to depot grounds of railway corporations.

Geo. A. NEWMAN,  
*Secretary.*

Dunham of Delaware called up House file No. 170, just messaged from the Senate, with amendments thereto, and moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Furry, Gilchrist, Greene, Hasselquist, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Kerr, Kling, Kolthoff, Langan of Clinton, Larrabee, Leech, Lyman, McNie, Mattes, Meservey, Moore, Nagle, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Townsend, Utterback, Walden, Warren, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—70.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Cruikshank, Dodds, Freeman, Frudden, Graff, Greeley, Hamann, Hawk, Head, Hilsinger, Keagy, Kendall, Koontz, Langan of Crawford, McClure, McClurkin, Marshall, Mordhorst, Nichols, Payne, Springer, Stuckslager, Sweet, Teachout, Temple, Walters, Whiting, Willet, Wilson of Washington—30.

So the House concurred.

On motion of Wright of Guthrie, Senate file No. 217, a bill for an act to amend section eight (8) of chapter fifty-eight (58) of the acts of the Twenty-eighth General Assembly, relating to the construction of street railways upon the state fair grounds, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Wright moved that the rules be suspended, that the bill be read a third time now, and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Cruikshank, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Furry, Gilchrist, Graff, Greene, Hasselquist, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Kerr, Kling, Kolthoff, Langan of Clinton, Larrabee, Leech, Lyman, McNie, Mattes, Meservey, Moore, Nagle, Patton, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Temple, Townsend, Utterback, Walden, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—71.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Calderwood, Crouse, Dodds, Freeman, Frudden, Greeley, Hamann, Hawk, Head, Hilsinger, Jones, Keagy, Kendall, Koontz, Langan of Crawford, McClure, McClurkin, Marshall, Mordhorst, Nichols, Payne, Pipher, Springer, Stuckslager, Sweet, Teachout, Walters, Willett—29.

So the bill passed and the title was agreed to.

SENATE MESSAGE CONSIDERED.

Senate file No. 349, a bill for an act to amend section 1998 of the code, relating to depot grounds of railway corporations.

Read first and second time and referred to committee on Railroads and Commerce.

On motion of Meservey of Webster, leave of absence was granted Payne of Appanoose indefinitely.

On motion of Pritchard of Wright, leave of absence was granted Head of Greene indefinitely on account of sickness.

On motion of Roome of Winneshiek, leave of absence was granted Graff of Page until Tuesday.

On motion of Secor of Winnebago, leave of absence was granted McClure of Adair until Monday.

Wise of Black Hawk moved that when the House adjourn on Wednesday next, at noon, that it adjourn until 2 o'clock P. M.

Carried.

On motion of Fields of Plymouth, the House adjourned until 2 o'clock P. M.

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### AFTERNOON SESSION.

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The House met pursuant to adjournment, Speaker Eaton in the chair.

Walters of Tama offered the following resolution and moved its adoption:

#### CONCURRENT RESOLUTION.

WHEREAS, The disposition of sewerage has become a serious matter in the state of Iowa, and

WHEREAS, The methods of disposition and purification are little known and understood, and

WHEREAS, The law governing and controlling the disposition of sewerage is somewhat vague, ambiguous and deficient, therefore, be it

*Resolved*, By the House, the Senate concurring, That the state board of health be and it is hereby appointed a commission, without additional compensation, to investigate the question of the disposition of sewerage, the purification thereof, the condition of our laws governing and controlling the question of sewerage, and report its findings to the next general assembly, together with such recommendations as it may deem wise, and be it further

*Resolved*, That said board of health may pay any necessary expenses incurred by it in making the investigation herein contemplated out of any funds in its hands not otherwise disposed of by law.

The rules were suspended and the resolution was adopted.

#### SENATE MESSAGE CONSIDERED.

Concurrent resolution relative to the interstate commerce law.

Read first and second time and referred to committee on Federal Relations.

On motion of Clarke of Dallas, Senate file No. 163, a bill for an act relating to transfer by treasurer of state to successor of

funds of the state, and liabilities incident thereto, and providing for the satisfaction of judgments adverse to the treasurer of state in suits brought for the recovery of taxes or fees, with report of committee recommending passage as amended by substitute, was taken up, considered and the report of the committee adopted.

On motion of Mr. Clarke the substitute recommended by the committee, as amendment, was adopted.

Mr. Clarke moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassel, Cheney, Clarke, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Furry, Gilchrist, Greeley, Hamann, Hasselquist, Hawk, Hilsinger, Hufschmidt, Hughes, Hurn, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Patton Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Temple, Utterback, Walden, Warren, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—75.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Carter, Christianson, Coburn, Dodds, Freeman, Frudden, Graff, Greene, Head, Hertert, Jaeger, Kendall, Langan of Crawford, Larrabee, McClure, Marshall, Mordhorst, Nichols, Payne, Teachout, Townsend, Walters, Whiting, Willett—25.

So the bill passed and the title was agreed to.

On motion of Clarke of Dallas, Senate file No. 299, a bill for an act amendatory of chapter four (4), title ten (10) of the code, to



enable the United States of America to take private property for public improvements, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Clarke the amendments of the committee were adopted.

Mr. Clarke moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassel, Cheney, Clarke, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dunham, Edwards, Eiker, English, Fields, Flenniken, Furry, Gilchrist, Greeley, Greene, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—77.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Carter, Christianson, Coburn, Dodds, Donahue, Freeman, Frudden, Graff, Head, Hurn, Jaeger, Kendall, Langan of Crawford, Larrabee, McClure, Marshall, Mordhorst, Nichols, Payne, Teachout, Temple, Townsend—23.

So the bill passed and the title was agreed to.

On motion of Kling of Harrison, House file No. 399, a bill for an act to provide for the inspection, recognition and supervision of schools for the instruction and training of teachers for the common schools, and providing for the licensing of the graduates of the same, with reports of committees recommending passage as amended, was taken up and considered.

Mr. Kling moved the adoption of the report of the committee on Schools and Text-Books.

Adopted.

Mr. Kling moved the adoption of the amendments recommended by the committee on Schools and Text-Books.

Adopted.

Mr. Kling moved the adoption of the report of the committee on Appropriations.

Adopted.

Mr. Kling moved the adoption of the amendments recommended by the committee on Appropriations.

Adopted.

Pipher of Cass moved to amend the bill by striking out sections 5 and 6.

Lost.

Furry of Hardin moved to amend by inserting after the word "section" and before the figures "2634", in section 2, the words "twenty-six hundred and thirty-four" and enclosing the figures "2634" in parentheses.

Adopted.

Jones of Mahaska moved to amend by striking out the period at the end of section 5 and inserting a semicolon in lieu thereof and adding the following:

*Provided*, that in case the number entitled to receive such aid should exceed fifteen (15) in any one year, then those showing the largest annual average attendance shall receive such aid.

Adopted.

Mr. Kling moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassel, Cheney, Christianson, Colclo, Crouse, Cummings, Donahue, Dunham, Edwards, Eiker,

Fields, Flenniken, Furry, Greeley, Hasselquist, Hawk, Hilsinger, Hughes, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Moore, Patton, Pipher, Powers, Pritchard, Robinson, Secor, Sokol, Sweeley, Temple, Townsend, Walden, Walters, Warren, Whiting, Willett, Wilson of Washington, Wright, Mr. Speaker—61.

The nays were:

None.

Absent or not voting:

Messrs. Barkley, Bealer, Blakemore, Carter, Clarke, Coburn, Cowles, Cruikshank, Davenport, Dodds, English, Freeman, Frudden, Gilchrist, Graff, Greene, Hamann, Head, Hertert, Hufschmidt, Hurn, Jaeger, Kendall, Larrabee, McClure, Marshall, Mordhorst, Nagle, Nichols, Payne, Roome, Springer, Stratton, Stuckslager, Sweet, Teachout, Utterback, Wilson of Buena Vista, Wise—39.

So the bill passed.

Kling of Harrison moved to amend the title by adding: "and making an appropriation for accredited schools entitled to state recognition therefor."

Adopted and the title, as amended, agreed to.

On motion of Cassel of Jefferson, House file No. 313, a bill for an act to amend section 2158 of the code, relating to the right-of-way of telegraph and telephone companies on public roads, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Cassel moved the adoption of the amendment as recommended by the committee.

Adopted.

Mr. Cassel moved to amend by adding the following:

And if in the construction of such telegraph or telephone line it is found that the fence of an adjoining land owner is placed in the highway, such telegraph or telephone line shall be constructed along the true line of the highway, as far as practicable, and for this purpose such person, firm or corporation may place its poles inside of such fence, and in case of a dispute

as to what is the true line of the highway, the question shall be determined by the fence viewers of the township.

Adopted.

Mr. Cassel moved that further consideration of the bill be deferred until next Tuesday, April 1st, when it be made a special order for 10:30 o'clock A. M., and that the substitute be printed in today's Journal.

Carried.

SUBSTITUTE AS AMENDMENT BY COMMITTEE FOR HOUSE FILE NO. 313.

A bill for an act to amend section two thousand one hundred fifty-eight (2158) of the code, relating to the right-of-way of telegraph and telephone companies on public roads.

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

Section 1. That section two thousand one hundred fifty-eight (2158) of the code be and the same is hereby amended by adding after the period at the end of the last line thereof, the following: "Provided, however, that each person, firm or corporation owning or operating a telegraph or telephone line shall be restricted to the use of only one side of the public roads at any one point; and that all poles used in the construction or operation of said line or lines shall be placed, as far as practicable, on the outside line of said roads; and that where said line or lines cross a public or private road the same shall be placed at least twenty (20) feet above the ground.

On motion of Meservey of Webster, Senate file No. 274, a bill for an act to amend section 164 and section 165 of the code, relating to powers and duties of the executive council, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Meservey moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Cassel, Cheney, Christianson, Colclo, Crouse, Cruikshank, Cummings, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Furry, Gilchrist, Greeley, Greene, Hamann, Hasselquist, Hertert Hilsinger, Hufschmidt, Hughes, Hurn, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Leech, Lyman, McNic,

Mattes, Meservey, Moore, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer Stratton, Sweeley, Sweet, Teachout, Utterback Walden, Walters, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wright, Mr. Speaker—72.

The nays were:

None.

Absent or not voting:

Messrs. Campbell, Clarke, Coburn, Cowles, Davenport, Dodds, Freeman, Frudden, Graff, Hawk, Head, Jaeger, Kendall, Langan of Clinton, Langan of Crawford, Larrabee, McClure, McClurkin, Marshall, Mordhorst, Nagle, Nichols, Payne, Stuckslager, Temple, Townsend, Willett, Wise—28.

So the bill passed and the title was agreed to.

On motion of Dunham of Delaware, Senate file No. 200, a bill for an act to amend section eight hundred ninety-four (894) of the code, as amended by the Twenty-sixth General Assembly, relating to the levy of special taxes by cities, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr Dunham moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Black, Blakemore Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Casel, Cheney, Christianson, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dunham, Edwards, Eiker, English, Fields, Flenniken, Furry, Gilchrist, Greeley, Greene, Hamann, Hasselquist, Hertert, Hilsinger, Hufschmidt, Hughes, Jenks, Jones, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McNie, Marshall, Mattes, Meserve, Moore, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Washington, Wright, Mr. Speaker—74.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Clarke, Coburn, Davenport, Dodds, Donahue, Freeman, Frudden, Graff, Hawk, Head, Hurn, Jaeger, Keagy, Kendall, Langan of Crawford, McClure, McClurkin, Mordhorst, Nagle, Nichols, Payne, Stuckslager, Townsend, Wilson of Buena Vista, Wise—26.

So the bill passed and the title was agreed to.

On motion of Wilson of Washington, Senate file No. 203, a bill for an act to amend section eight hundred and twenty-three (823) of the code of Iowa, relating to notice of the levy of special assessments, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Wilson moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Colclo, Cowles, Crouse, Cruikshank, Cummings, Donahue, Dunham, Edwards, Eiker, English, Flenniken, Furry, Gilchrist, Greene, Hamann, Hasselquist, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, McNie, Mattes, Moore, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—75.

The nays were:

None.

Absent or not voting:

Messrs. Clarke, Coburn, Davenport, Dodds, Fields, Freeman, Frudden, Graff, Greeley, Hawk, Head, Jaeger, Kendall, Langan of Crawford, Lyman, McClure, McClurkin, Marshall, Meservey, Mordhorst, Nagle, Nichols, Payne, Stuckslager, Townsend—25.

So the bill passed and the title was agreed to.

On motion of Dunham of Delaware, Senate file No. 201, a bill for an act to amend section six hundred fifty-eight (658) of the code, relating to the powers and duties of mayors of cities, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Dunham moved that the rules be suspended, and that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Casel, Cheney, Christianson, Colclo, Crouse, Cruikshank, Cummings Donahue, Dunham, Edwards, Eiker, English, Flenniken, Furry Gilchrist, Greene, Hamann, Hasselquist, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jenks, Jones, Keagy, Kerr, Kling, Koontz, Langan of Clinton, Leech, McNie, Mattes, Moore, Patton, Pipher, Powers, Pritchard, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Temple, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—68.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Clarke, Coburn, Cowles, Davenport, Dodds, Fields, Freeman, Frudden, Graff, Greeley, Hawk, Head, Jaeger, Kendall, Kolthoff, Langan of Crawford, Larrabee, Lyman, McClure, McClurkin, Marshall, Meservey, Mordhorst, Nagle, Nichols, Payne, Robinson, Stuckslager, Teachout, Townsend, Walters—32.

So the bill passed and the title was agreed to.

## REPORTS OF COMMITTEES.

Stuckslager of Linn, from the committee on Claims, submitted the following report:

**MR. SPEAKER**—Your committee on Claims, to whom was referred House file No. 226, a bill for an act providing for paying Mrs. Mary Sullivan and Mrs. Maggie J. Edwards damages for personal injuries suffered by them at the State College of Agriculture and Mechanic Arts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed, for the reason that we have not had sufficient evidence before us to determine its merits, and not time enough at this session to investigate it by a subcommittee.

Re-referred to Judiciary committee.

W. C. STUCKSLAGER,

*Chairman.*

Report adopted and the bill so referred.

Dunham of Delaware, from the committee on Schools and Text-Books, submitted the following report:

**MR. SPEAKER**—Your committee on School and Text-Books to whom was referred Senate file No. 167, a bill for an act to amend section 2794 of the code of Iowa, relating to the organization of independent districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. W. DUNHAM,

*Chairman.*

Ordered passed on file.

Carter of Sioux, from the committee on Municipal Corporations, submitted the following report:

**MR. SPEAKER**—Your committee on Municipal Corporations, to whom was referred the substitute for House file No. 255, a bill for an act to amend section seven hundred and twenty-five (725) of the code, relating to the powers of cities and towns and to authorize cities and towns to supervise and control telephone plants or systems, to prescribe regulations relating thereto and to fix and regulate telephone rates and service, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by substituting the substitute hereto attached for substitute for said bill, and when so amended that the same do pass.

SUBSTITUTE FOR SUBSTITUTE FOR HOUSE FILE NO. 255.

A bill for an act to give to cities having a population exceeding thirty-three thousand (33,000), as shown by the last preceding national or state census, power to require the furnishing of telephones and telephone service, and to regulate and fix reasonable maximum rates therefor.



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

Section 1. Any city having a population exceeding thirty-three thousand (33,000), as shown by the last preceding national or state census, shall have power to require any individual, association or private corporation operating within the city a telephone exchange, subject to reasonable rules and regulations, to furnish any applicant therefor telephones and telephone service, and to regulate and fix reasonable maximum rates for telephones and service so furnished; but nothing herein contained shall authorize any city to change the rates fixed by any existing franchise heretofore granted by such city to a person, association or corporation owning or operating such exchange, or the plant or system to which the same belongs.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred substitute bill for Senate file No. 72, a bill for an act to make sections thirteen hundred seventy (1370), thirteen hundred seventy-one (1371) as amended, thirteen hundred seventy-two (1372) as amended, and thirteen hundred seventy-three (1373), relating to the equalization of taxes, and appeals from the local board of review, applicable to cities acting under special charters, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the substitute bill do pass.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate file No. 340, a bill for an act to amend section two (2) of chapter twenty-five (25) of the acts of the Twenty-eighth General Assembly, relative to disbursement of tax money levied and collected for and on account of waterworks, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate file No. 11, a bill for an act amending section seven hundred twenty-one (721) of the code, relating to the publication of notice of questions submitted to the voters of cities and incorporated towns, beg leave to report that they have had the same under consideration, and

have instructed me to report the same back to the House with the recommendation that the same do past.

C. W. CARTER,  
*Chairman.*

Ordered passed on file.

Warren of Marion, from the committee on Insurance, submitted the following report:

MR. SPEAKER—Your committee on Insurance, to whom was referred Senate file No. 236, a bill for an act to amend section seventeen hundred and seventy-one (1771) of the code, in relation to stock or premium notes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. L. WARREN,  
*Chairman.*

Ordered passed on file.

Cruikshank of Lee, from the committee on Fish and Game submitted the following report:

MR. SPEAKER—Your committee on Fish and Game, to whom was referred House file No. 361, a bill for an act to amend chapter 15, title 12 of the code, repealing sections 2540, 2542, 2544, 2551, 2552, 2554, 2556 of the code, and enacting substitutes therefor; amending section 2561 making further provisions additional to said chapter 15, relating to the care and propagation of fish and the protection of birds and game, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. P. CRUIKSHANK,  
*Chairman.*

Report adopted, and the bill was indefinitely postponed.

#### INTRODUCTION OF BILLS.

By Carter of Sioux, House file No. 441, a bill for an act fixing the number of senators in the general assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the state into senatorial districts.

Read first and second time and referred to committee on Senatorial Districts.

By Wilson of Buena Vista, House file No. 442, a bill for an act to apportion the state into representative districts and declare the ratio of representation.

Read first and second time and referred to committee on Representative Districts.

By Edwards of Butler, House file No. 443, a bill for an act to amend section 1721 of the code, in relation to insurance companies.

Read first and second time and referred to committee on Insurance.

On motion of Leech of Cedar, leave of absence was granted Nichols of Muscatine and Coburn of Cherokee until Monday noon.

On motion of Hertert of Shelby, leave of absence was granted Jaeger of Des Moines until Tuesday noon.

On motion of Sweeley of Woodbury, leave of absence was granted Cheney of Clay until Tuesday noon.

On motion of Jenks of Pottawattamie, leave of absence was granted Freeman of Pottawattamie until Tuesday noon.

Temple of Clarke called up his resolution relative to no further bills being received or referred, except by unanimous consent, which had been laid over under rule 34, and moved its adoption.

Adopted.

Temple of Clarke called up his resolution relative to the appointing of a sifting committee, which had laid over under rule 34, and moved its adoption.

Adopted.

On motion Senate file No. 175 was recalled from the committee on Schools and Text-Books and referred to committee on Printing.

On motion of Wise of Black Hawk, the House adjourned until 9 o'clock A. M., tomorrow, March 29th.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, Saturday, March 29, 1902. }

The House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. E. J. Pike of Williamsburg, Iowa.

The Journal of Thursday, March 27th, was corrected and approved.

On motion the following named members were excused for the time specified: Patton of Franklin, Nichols of Muscatine, Coburn of Cherokee and Hamann of Scott until Monday; Secor of Winnebago, Dunham of Delaware, Nagle of Van Buren, Flenniken of Clayton, Greene of Madison, Powers of Floyd, Kolthoff of Chickasaw, Mordhorst of Clinton, Frudden of Dubuque, Bailey of Ringgold, Cruikshank of Lee, until Tuesday; Sweet of Bremer, until Wednesday. Willett of Woodbury, indefinitely.

Eiker of Decatur moved that when the House adjourn today at noon, it adjourn until 9 A. M. Tuesday.

Barker of Howard moved to amend by making the hour 2 o'clock P. M. Monday.

Hughes of Iowa moved to amend the amendment by making the hour 9 A. M. Monday.

Lost.

Amendment of Barker of Howard adopted.

Original motion as amended by Barker of Howard carried.

PETITIONS AND MEMORIALS.

Kling of Harrison presented petition of citizens of Harrison county, relative to the time limit of petitions of consent.

Referred to committee on Suppression of Intemperance.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Lyman of Poweshiek, from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 182, a bill for an act to amend section two thousand and twenty-eight (2028) of the code, relating to the taking of private property for works of internal improvement.

Also, House file No. 396, a bill for an act requiring the keeping of accounts in cities and towns and requiring that publicity be given thereto.

Also, House file No. 407, a bill for an act to legalize the contract made by the incorporated town of Spirit Lake, Iowa, for the construction of a sewer therein, and for the levy of a tax of five mills made by said town in payment therefor.

J. P. LYMAN,  
*Chairman.*

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Lyman of Poweshiek, [from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 268, a bill for an act to amend section five hundred and eighty-six (586) of the code, relating to the care and maintenance of cemeteries by boards of township trustees.

Also, Senate file No. 267, a bill for an act to amend section twenty-six hundred and four (2604) of the code, relating to the appointment of officers for the Soldiers' Home.

Also, Senate file No. 195, a bill for an act to amend section three thousand two hundred and twenty-five (3225) of the code, relating to the support of families of persons adjudged to be insane.

Also, Senate file No. 141, a bill for an act authorizing the district court to appoint trustees to manage, control and invest funds donated for and on account of cemetery purposes.

Also, Senate file No. 337, a bill for an act defining the crime of sodomy.

Also, Senate file No. 157, a bill for an act to validate certain conveyances of real estate in which the husband or wife conveyed the inchoate right of dower of the other spouse.

J. P. LYMAN,  
*Chairman House Committee:*  
 E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

Also:

Lyman of Poweshiek, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 182, a bill for an act to amend section two thousand twenty-eight (2028) of the code, relating to the taking of private property for works of internal improvement,

Also, House file No. 396, a bill for an act requiring the keeping of accounts in cities and towns and requiring that publicity be given thereto.

Also, House file No. 407, a bill for an act to legalize the contract made by the incorporated town of Spirit Lake, Iowa, for the construction of a sewer therein, and for the levy of a tax of five mills made by said town in payment therefor.

J. P. LYMAN,  
*Chairman House Committee.*  
 E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

#### REPORTS OF COMMITTEES.

Warren of Marion, from the committee on Insurance, submitted the following report:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 279, a bill for an act relating to the business of fire insurance and to increase the public revenue, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. L. WARREN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 448, a bill for an act to amend section one thousand seven

hundred twenty-one (1721) of the code, in relation to insurance companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. L. WARREN,  
*Chairman*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 356, a bill for an act to amend chapter four (4), title nine (9) of the code, and providing for a uniform policy and contract of fire insurance, to be known as the Iowa standard policy, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by the attached substitute offered by the committee, and that when so amended the same do pass.

COMMITTEE SUBSTITUTE FOR HOUSE FILE NO. 356.

A bill for an act providing for a uniform policy to be used by all fire insurance companies doing business in the state of Iowa.

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

Section 1. It shall be unlawful for any fire insurance company to issue any policy of insurance upon any property in this state other or different from the standard form of fire insurance policy herein set forth, except:

1. It may print in its policy its name, location, date of incorporation, amount of its paid up capital stock, names of its officers and agents, the number and date of the policy, the amount under a dollar mark for which it is issued, and if issued through an agent the words, "This policy shall not be valid until countersigned by the duly authorized agent of this company at ....."

2. It may print or use in its policy printed forms or slips of the description and specifications of the property insured, including permits for the use of electricity, gasoline, or storage of other extra hazardous products or materials; also for repairs, improvements, for the operation or ceasing to operate, and for the vacancy of the insured premises; also a mortgagee's or loss payable clause as follows: "Loss, if any; under this policy to be payable to ..... as ..... interest may appear at date of loss, subject to the conditions of this policy."

3. It may also by written or printed clause provide that a policy shall cover any loss or damage caused by lightning, tornadoes, cyclones, or windstorms, not exceeding the sum insured or the interest of the insured in the property; providing, if there shall be other valid insurance on such property, whereby the same is insured against loss by lightning, tornadoes, cyclones or windstorms, this company shall be liable only pro

rata with such other valid and collectable insurance for any such loss by lightning, tornadoes, cyclones or windstorms.

4. Any company formed or incorporated in this state, or authorized to do business herein, may, with the approval of the auditor or insurance commissioner, print in its policy any provisions which it is required by law to insert therein, if such provisions are not in conflict with the laws of this state or of the United States; but such provisions shall be printed apart from the other conditions and agreements of the policy and under a separate title, as follows: "Provisions required by law to be stated in this policy."

5. It may print upon its policy issued in compliance with the preceding provisions of this section, the words: "Iowa Standard Policy."

Section 2. The standard form of policy shall be plainly printed and no part thereof shall be in type smaller than long primer; the conditions thereof shall be printed in double column form, and such policy shall be in its terms and conditions as follows:

In consideration of the stipulations herein named and of ..... dollars premium, does insure.... for the term of ..... from the.....day of.....190.., at noon, to the.....day of ..... 190.., at noon, against all direct loss or damage by fire, except as herein-after provided, to an amount not exceeding.....dollars, to the following described property, while located and contained as described herein, and not elsewhere, to-wit:

.....  
.....

The company shall not be liable beyond [the actual cash value of the property nor the interest of the insured at the time any loss or damage occurs, and the loss or damage shall be ascertained or estimated according to such actual cash value, with proper deduction for depreciation however caused, and shall in no event exceed what it would then cost the insured to repair or replace the same with material of like kind and quality; said ascertainment or estimate may be made by the insured and this company, or, if they differ, then by appraisers, as hereinafter provided; and, the amount of loss or damage having thus been determined, the sum for which this company is liable pursuant to this policy shall be payable sixty days after due notice, ascertainment, estimate, and proof of the loss have been received by this company in accordance with the laws of Iowa. It shall be optional, however, with this company to take all, or any part, of the articles at an agreed or appraised value, and also to repair, rebuild, or replace the property lost or damaged with other of like kind and quality within a reasonable time on giving notice of its intention so to do, within thirty days after the receipt of the proof herein required, except in case of total loss of the building insured or when the amount of the loss upon the request of the insurance company has been submitted to arbitration; but there can be no abandonment to this company of the property described.

This policy shall be void if the insured has concealed or misrepresented any material fact or circumstance concerning this insurance or the subject



thereof; or if the interest of the insured in the property be not truly stated herein; or in case of any fraud or false swearing by the insured touching any matter relating to this insurance or the subject thereof, whether before or after a loss.

If the insured now has or shall hereafter make or procure any other contract of insurance, valid or invalid, on the property covered in whole or in part by this policy; or if the subject of insurance be a manufacturing establishment and be operated in whole or in part at night later than ten o'clock, or if it cease to be operated for more than ten consecutive days, or if mechanics be employed in building, altering or repairing the within described premises for more than fifteen days at any one time; or if the interest of the insured be other than unconditional and sole ownership; or if the subject of insurance be a building on ground not owned by the insured in fee simple; or if the property insured be or become encumbered by mortgage, lien or otherwise, created by voluntary act of the insured, or within his control; or if, with the knowledge of the insured, foreclosure proceedings be commenced or notice be given of sale of any property covered by this policy, by virtue of any mortgage or trust deed thereon; or if any change, other than by death of the insured, whether by legal process, judgment, voluntary act of the insured, or otherwise, take place in the interest, title, possession or use of the property insured, or if the same be removed to a place other than where insured, if such change in the interest, title, possession, use or removal makes the risk more hazardous; or if this policy be assigned before loss; or if illuminating gas or vapor be generated in the described building or adjacent thereto for use therein; or if there be kept, used or allowed on the premises above described, benzine, benzole, dynamite, ether, fireworks, gasoline, Greek fire, gunpowder, exceeding twenty-five pounds in quantity, naphtha, nitroglycerine, phosphorus, petroleum, or any of its products of greater inflammability than kerosene oil of the United States standard, which last named article may be used for lights and kept for sale according to law in quantities not exceeding five barrels; or if the hazard be increased by any means within the control of the insured; or if the building herein described, whether intended for occupancy by owner or tenant, be or become vacant and unoccupied and so remain for ten days; unless it shall be shown that a failure on the part of the insured to comply with any of the above named conditions did not contribute to a loss under this policy, or unless otherwise provided by an agreement endorsed hereon and added hereto, or if this policy be forfeited or suspended for non-payment of any premium, assessment or installment provided for in this policy, and a loss occurs hereunder during such forfeiture or suspension, this policy shall be void.

This company shall not be liable for loss caused directly or indirectly by invasion, insurrection, riot, civil war or military or usurped power or by theft; or by neglect of the insured to use all reasonable means to save and preserve the property at and after a fire, or when the property is endangered by fire in neighboring premises; or (unless fire ensued and in that event for the damage by fire only) by explosion of any kind; or lightning, but liability for direct damage by lightning may be assumed by specific agreement hereon.

If a building or any part thereof fall, except as a result of a fire, all insurance by this policy on such building or its contents shall immediately cease.

This company shall not be liable for loss to accounts, bills, currency, deeds, evidences of debt, money, notes or securities; nor, unless liability is specially assumed hereon, for loss to awnings, bullion, casts, curiosities, drawings, dies, implements, jewels, manuscripts, medals, models, patterns, pictures, scientific apparatus, signs, store or office furniture or fixtures, sculpture, tools, or property held on storage or for repairs, nor beyond the actual value destroyed by fire, for loss occasioned by ordinance or law regulating construction or repair of buildings, or by interruption of business, manufacturing processes, or otherwise.

Any application, survey, plan, or description of property made by the insured and referred to in this policy shall, when a copy is attached hereto, be a part of this contract, and a warranty by the insured.

This policy may by a renewal be continued under the original stipulations, in consideration of premium for the renewed term, provided that any increase of hazard must be made known to this company at the time of renewal or this policy shall be void.

This policy shall be canceled at any time at the request of the insured; or by the company by giving five days' notice of such cancellation. If this policy shall be canceled as hereinbefore provided or become void or cease, the premium having been actually paid, the unearned portion shall be returned on surrender of this policy or last renewal, this company retaining the customary short rate; except that when this policy is canceled by this company by giving notice it shall retain only the pro rata premium.

If, with the consent of this company, an interest under this policy shall exist in favor of a mortgagee or of any person or corporation having an interest in the subject of insurance other than the interest of the insured as described herein, the conditions hereinbefore contained shall apply in the manner expressed in such provisions and conditions of insurance to the interest of such mortgagee, person or corporation, which interest shall be written upon, attached or appended hereto.

If property covered by this policy is so endangered by fire as to require removal to a place of safety, and is so removed, that part of this policy in excess of its proportion of any loss and of the value of property remaining in the original location, shall, for the ensuing five days only, cover the property so removed in the new location; if removed to more than one location, such excess of this policy shall cover therein for such five days in the proportion that the value in any one such new location bears to the value in all such new locations; but this company shall not, in any case of removal, whether to one or more locations; be liable beyond the proportion that the amount hereby insured shall bear to the total insurance on the whole property at the time of fire, whether the same cover in new location or not.

If fire occur the insured shall give immediate notice of any loss thereby in writing to this company, protect the property from further damage,

forthwith separate the damaged and undamaged personal property, put it in the best possible order, make a complete inventory of the same, stating the quantity and cost of each article and the amount claimed thereon; and, within sixty days after the fire, unless such time is extended in writing by this company, render a statement to this company, signed and sworn to by said insured, stating the knowledge and belief of the insured as to the time and origin of the fire; the interest of the insured and of all others in the property; the cash value thereof and the amount of loss thereon; all incumbrances thereon; all other insurance, whether valid or not, covering any of said property; and a copy of all the descriptions and schedules in all policies; any changes in the title, use, occupation, location, possession, or exposure of said property since the issuing of this policy; by whom and for what purpose any building herein described and the several parts thereof were occupied at the time of fire; and shall furnish so far as possible, if required, verified plans and specifications of any building, fixtures, or machinery destroyed or damaged.

The insured, as often as required, shall exhibit to any person designated by this company all that remains of any property herein described and submit to examination under oath by any person named by this company and subscribe the same; and, as often as required, shall produce for examination all books of account, bills, invoices and other vouchers, or certified copies thereof if originals be lost, at such reasonable place as may be designated by this company or its representative, and shall permit extracts and copies thereof to be made.

In the event of disagreement as to the amount of loss, the same may by agreement between this company and the insured, be ascertained by two competent and disinterested appraisers, the insured and this company each selecting one, and the two so chosen shall first select a competent and disinterested umpire, the appraisers together shall then estimate and appraise the loss, stating separately sound value and damage, and failing to agree, shall submit their differences to the umpire; and the award in writing of any two shall determine the amount of such loss; the parties thereto shall pay the appraiser respectfully selected by them and shall bear equally the expenses of the appraisal and umpire.

This company shall not be held to have waived any provisions or condition of this policy or any forfeiture thereof by examination herein provided for; and the losses shall not become payable until sixty days after the notice, ascertainment, estimate, and proof of the loss herein required have been received by this company, including an award by appraisers when appraisal has been made.

This company shall not be liable under this policy for a greater proportion of any loss on the described property, or for loss by an expense of removal from premises endangered by fire, than the amount hereby insured shall bear to the whole amount of valid and collectable insurance covering such property.

If this company shall claim that the fire was caused by the act or neglect of any person or corporation, private or municipal, this company shall, on payment of the loss, be subrogated to the extent of such payment to all

right of recovery by the insured for the loss resulting therefrom, and such right shall be assigned to this company by the insured on receiving such payment.

No suit or action on this policy, for the recovery of any claim thereon shall be sustainable in any court of law or equity until after compliance by the insured with the foregoing requirements, for unless commenced within twelve months next after the right of action for the loss accrues.

Wherever in this policy the word "insured" occurs, it shall be held to include the legal representative of the insured, and wherever the word "loss" occurs, it shall be deemed the equivalent of "loss or damage."

If this policy be made by a mutual or other company having special regulations lawfully applicable to its organization, membership, policies or contracts of insurance, such regulations shall apply to and form a part of this policy as the same may be written or printed upon, attached, or appended hereto.

This policy is made and accepted subject to the foregoing stipulations and conditions, together with such other provisions, agreements, or conditions authorized by law as may be endorsed hereon or added hereto, and no officer, agent, or other representative of this company shall have power to waive any provision or condition of this policy except such as by the terms of this policy may be the subject of agreement indorsed hereon or added hereto, nor shall any privilege or permission affecting the insurance under this policy exist or be claimed by the insured unless so written or attached.

In witness whereof, this company has executed and attested these presents, but this policy shall not be valid until countersigned by the duly authorized agent of the company at.....

.....,Secretary. ....President.

Countersigned at.....this ..... day of.....190..

.....Agent.

Sec. 3. Any insurance company, its officers or agents, or either of them, violating any provisions of this act by making, issuing, delivering or offering to deliver any policy of fire insurance on property in this state, except as herein provided, shall be guilty of a misdemeanor, and upon complaint made by the auditor or insurance commissioner, or by any citizen of this state, shall, upon conviction thereof, be punished by a fine of not less than fifty dollars nor more than one hundred dollars for the first offense, and of not less than one hundred dollars nor more than two hundred dollars for each subsequent offense, but any policy so made, issued and delivered shall, nevertheless, be binding upon the company issuing the same, and such company shall, until the payment of such fine, be disqualified from doing any insurance business in this state.

Sec. 4. Nothing contained in this act, nor any provision or condition in the standard form of policy provided for herein, shall prevent any insurance company issuing such policy, from waving any of the provisions or condi-

tions contained therein, if the waiver of such provision or condition shall be in the interest of the insured.

Sec. 5. All acts and parts of acts in conflict herewith are hereby repealed.

J. L. WARREN,  
*Chairman.*

Ordered passed on file.

Wise of Black Hawk, from the committee on Railroads and Commerce, submitted the following report:

MR. SPEAKER—Your committee on Railroads and Commerce, to whom was referred Senate file No. 140, a bill for an act to require railway companies to keep posted in their passenger stations bulletins giving the time of arrival and departure of trains, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. A. WISE,  
*Chairman*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 430, a bill for an act to amend chapter nine (9), title nine (9) of the code, relating to fraternal beneficiary orders, respectfully asks leave to report that it has had the same under consideration, and has agreed to recommend the accompanying substitute for the bill, and that the same, as amended by the adoption of such substitute, do pass.

SUBSTITUTE FOR HOUSE FILE NO. 430

A bill for an act to amend chapter nine (9), title nine (9) of the code, relating to fraternal beneficiary orders.

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

Section 1. Section eighteen hundred thirty-four (1835) of the code, is hereby amended by adding thereto the following: "Provided, nevertheless, that it shall be lawful for any of the fraternities operating under this chapter to permit any of its aged or decrepit members who shall have been members thereof for ten years to enter into a valid and binding contract with any legally incorporated home for the aged, for the care and support of such member during the remainder of his natural life, upon such terms as to an interest in the fraternity's beneficiary certificate held by such member as may be agreed upon between the parties; provided, further, that any such fraternity may reserve to itself the right to pass upon any such contract before the same shall be binding. And provided further, that any contract made under the provisions of this act may also provide for the similar care and support of the spouse of such member.

Sec. 2. Said contract may be terminated at any time, by the member

of said fraternity making the contract as herein provided, upon giving thirty days' notice of his or her intention so to do and reimbursing said home for any money necessarily spent by it for his or her support, or advanced to perpetuate the beneficiary certificate, with interest thereon.

Sec. 3. This act, being deemed of immediate importance, shall take effect and be in force on and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

J. L. WARREN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Railroads and Commerce to whom was referred Senate file No. 349, a bill for an act to amend section nineteen hundred and ninety-eight (1998) of the code, relating to the depot grounds of railway corporations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. A. WISE,  
*Chairman.*

Ordered passed on file.

Cowles of Kossuth, from the committee on Elections, submitted the following report:

MR. SPEAKER—Your committee on Elections, to whom was referred Senate file No. 228, a bill for an act to amend section ten hundred eighty-two (1082) of the code, relating to registration on election day, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

GARDNER COWLES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Elections, to whom was referred House file No. 251, a bill for an act limiting the amount of money to be expended by candidates for nomination and election to public office, providing for its enforcement and prescribing penalties for its violation and abuse, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

GARDNER COWLES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Elections, to whom was referred

House file No. 428, a bill for an act to amend section twenty-seven hundred fifty-five (2755) of the code of 1897, as amended by chapter one hundred five (105) of the acts of the Twenty-eighth General Assembly, relating to the registration of voters for school elections, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by the adoption of the attached substitute, and when so amended that the same do pass.

COMMITTEE SUBSTITUTE AS AMENDMENT FOR HOUSE FILE NO. 428.

A bill for an act to amend section twenty-seven hundred fifty-five (2755) of the code, relating to the registration of voters for school elections.

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

Section 1. That section two thousand seven hundred fifty-five (2755) of the code be and the same is hereby amended by substituting a period for the semicolon after the word "elections," at the end of line thirteen, and by inserting after the period following said word "elections," the following: "The board of directors of such school corporation, on or before the first Monday preceding such election, shall appoint two suitable persons to be registrars in each of the election precincts of such school corporation for the registration of the voters therein, who shall have the same qualifications as registrars appointed for general elections, and shall qualify in the same manner, and receive the same compensation, to be paid by the school corporation. The registrars shall meet on the day of election at the voting place in the precinct in which they have been appointed, and shall hold continuous sessions from nine o'clock in the forenoon until seven o'clock in the afternoon. Any person claiming to be a voter, and who is not already registered in the proper precinct, may appear before them in the election precinct where he claims he is entitled to vote and make and subscribe under oath a statement in the registry book, which oath and statement shall be of the same general character as that prescribed by section one thousand seventy-seven (1077) of the code, and shall thereupon be granted a certificate of registration," followed by a period.

Sec. 2. That said section two thousand seven hundred fifty-five (2755) of the code be further amended by striking out the word "but" in the fourteenth line there .

GARDNER COWLES,  
*Chairman.*

Ordered passed on file.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 430, a bill for an act to regulate the employment and assignment of committee clerks, beg leave to report that they have had the same under consideration and have instructed me to report the same

back to the House with the recommendation that the same be referred to the committee on Retrenchment and Reform.

G. W. CLARKE,  
*Chairman.*

Report adopted and the bill so referred.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 325, a bill for an act to amend section 3308 of the code, relating to the release and discharge of liens by foreign administrators, executors and guardians, and to empower them to assign such liens, and to empower trustees under foreign wills to execute such releases and assignments, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by adopting the following substitute:

SUBSTITUTE FOR HOUSE FILE NO. 325.

A bill for an act to repeal section three thousand three hundred and eight (3308) of the code, relating to the powers of foreign administrators, executors, trustees under foreign wills and guardians, and to enact a substitute therefor.

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

Section 1. That section three thousand three hundred and eight (3308) of the code be repealed, and that there be enacted in lieu thereof, the following:

A copy of the record of the appointment and qualification of any administrator, executor, trustee under a foreign will, or guardian, in any other state or country, duly attested and authenticated in the manner provided by law in case of judicial records, may be recorded in the proper probate record in any county in this state, and shall be presumptive evidence of such appointment and qualification. Any foreign administrator, executor, trustee under a foreign will, or guardian, is authorized to assign, release or discharge of record, in any manner and by any instrument authorized by law, to the same extent as any such officer appointed under the laws of this state could do, any judgment or any mortgage or deed of trust given as a mortgage belonging to the estate represented by him, and may also release and discharge any property in this state from the lien of such judgment, mortgage or deed of trust; but appended to, and as a part of, such release or assignment, shall be the certificate of the judge or clerk of the proper court, that said administrator, executor, trustee or guardian was, at the date thereof, still acting in that capacity under authority of said court.

Nothing herein contained shall authorize any administrator, trustee under a foreign will, or guardian, of another state or country, to assign, release or discharge, any judgment, mortgage, deed of trust or other lien in this state while any administrator, executor, trustee or guardian of the estate to which such judgment, mortgage, deed of trust or other lien



belongs, is authorized to act by virtue of appointment and qualification under the laws of this state.

And when so amended that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 425, a bill for an act authorizing the executive council to sell and convey two islands newly formed by accretion in the Mississippi river, and located in sections 3 and 4, in township seventy-seven, north of range three, east of the fifth P. M. in Scott county, the same being west of the main channel of said Mississippi river and adjacent to the Iowa shore, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Report adopted.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 389, a bill for an act to create a state board of managers for educational institutions, and to provide for the management and control of the State university, State College of Agriculture and Mechanic Arts, and State Normal school, etc., beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the following resolution:

WHEREAS, House file No. 389, providing for the creation of a state board of managers for educational institutions, and for the management and control of the State university, State College of Agriculture and Mechanic Arts and State Normal school, was presented late in the session, and the required time does not now remain to give a measure of so much importance the necessary consideration; and

WHEREAS, In the opinion of the Judiciary committee, the bill possesses elements of very great merit and should be carefully and fully considered; therefore, be it

*Resolved*, That, in the judgment of this committee, said bill should be reported back to the House without suggestion as to its passage at this session of the legislature, but with the earnest recommendation that the same, or a bill of like import, be taken up early in the session of the Thirtieth General Assembly, and then given such consideration and action as its importance justly demands.

G. W. CLARKE,  
*Chairman.*

Adopted.

Hughes of Iowa, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations to whom was referred House file No. 329, a bill for an act to make an appropriation and providing for the erection of an equestrian statue on the capitol grounds of the late Major General Francis J. Herron, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN HUGHES, JR.,  
*Chairman.*

Report adopted and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 232, a bill for an act to provide for the establishment of a state park and camping grounds for the state militia, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN HUGHES, JR.,  
*Chairman.*

Adopted and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 231, a bill for an act authorizing the purchase of lot "A" of the plat of Pillsbury Point park and historical relics; the appointment of a custodian thereof at an annual salary; and appropriating the sum of \$5,000 for such purchase, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN HUGHES, JR.,  
*Chairman.*

Adopted and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 302, a bill for an act making appropriations for the fish and game commission of the state of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out of line nine the numeral "4" and inserting in lieu thereof the numeral "3".

And that when so amended the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Also:

**MR. SPEAKER**—Your committee on Appropriations, to whom was referred House file No. 277, a bill for an act to provide for the encouragement of the live stock interests of the state and to appropriate money therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

Section 2. The secretary of the association shall preserve all papers read and shall report the same to the governor, together with a full report of all business transacted, including an itemized statement of all expenditures of money, and shall publish in pamphlet form not less than one thousand copies of said report, which shall be distributed according to the laws providing for the distribution of the reports of the department of agriculture.

Sec. 3. If any member or officer of said association shall convert any of the moneys hereby appropriated to his own use, or shall suffer any of said moneys that may come into his possession by reason of his official position, to be lost or expended in any other way or manner or for any other purpose than is designated by law, such officer or member shall be deemed guilty of embezzlement, and upon conviction thereof shall be punished by imprisonment in the penitentiary not less than one nor more than three years.

And they further recommend that when so amended the same do pass.

JOHN HUGHES, JR.,

*Chairman.*

Ordered passed on file.

Also:

**MR. SPEAKER**—Your committee on Appropriations, to whom was referred Senate file No. 166, a bill for an act to amend section one thousand six hundred seventy-five (1675) of the code, in relation to farmers' county institutes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,

*Chairman.*

Ordered passed on file.

Also:

**MR. SPEAKER**—Your committee on Appropriations, to whom was referred House file No. 234, a bill for an act making appropriations to the Iowa State Historical society, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,

*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 107, a bill for an act to amend section 2608 of the code, and provide additional support for the Soldiers' Home at Marshalltown, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 293, a bill for an act to legalize the conveyance of certain real estate to the township trustees of Fox River township, Davis county, for graveyard and church purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Adopted.

On motion of Mr. Clarke, the bill, House file No. 293, was taken up and considered.

Mr. Clarke moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Christianson, Clarke, Colclo, Crouse, Cummings, Davenport, Donahue, Eiker, English, Fields, Furry, Gilchrist, Greeley, Hasselquist, Hawk, Head, Hufschmidt, Hughes, Jenks, Jones, Kerr, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Moore, Pipher, Pritchard, Robinson, Roome, Sokol, Springer, Stratton, Stuck-slager, Sweeley, Teachout, Temple, Townsend, Utterback, Walden, Whiting, Wilson of Washington, Wise, Wright, Mr. Speaker

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Boysen, Cheney, Coburn, Cowles, Cruikshank, Dodds, Dunham, Edwards, Flenniken, Freeman, Frudden, Greene, Hamann, Hertert, Hilsinger, Hurn, Jaeger, Keagy, Kendall, Kolthoff, McClure, Marshall, Mordhorst, Nagle, Nichols, Patton, Payne, Powers, Secor, Sweet, Walters, Warren, Willett, Wilson of Buena Vista—36.

So the bill passed and the title was agreed to.

On motion of Utterback of Keokuk, House file No. 424, a bill for an act to legalize the incorporation of the town of Kinross, county of Keokuk, and state of Iowa, and the official acts of the officers of said town, and all ordinances and resolutions adopted by the council of said town, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Utterback moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Black, Buchanan, Calderwood, Campbell, Carden, Cassel, Christianson, Clarke, Colclo, Crouse, Cummings, Davenport, Eiker, English, Fields, Furry, Gilchrist, Greeley, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Jenks, Jones, Kerr, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Moore, Pipher, Pritchard, Robinson, Roome, Sokol, Springer, Stratton, Stuckslager, Sweeley, Temple, Townsend, Utterback, Walden, Whiting, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—59.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Bealer, Blakemore, Boysen, Carter, Cheney,

Coburn, Cowles, Cruikshank, Dodds, Donahue, Dunham, Edwards, Flenniken, Freeman, Frudden, Graff, Greene, Hamann, Hertert, Hurn, Jaeger, Keagy, Kendall, Kling, Kolt-hoff, McClure, Marshall, Mordhorst, Nagle, Nichols, Patton, Payne, Powers, Secor, Sweet, Teachout, Walters, Warren, Willett, Wilson of Washington—41.

So the bill passed and the title was agreed to.

On motion of Black of Mills, House file No. 423, a bill for an act to legalize the acts of the officials of the town of Hillsdale, Mills county, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Black the amendments recommended by the committee were adopted.

Mr. Black moved to amend by striking out section 2, the publication clause.

Adopted.

Mr. Black moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Black, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Christianson, Clarke, Colclo, Crouse, Cummings, Davenport, Donahue, Eiker, Fields, Furry, Gilchrist, Greeley, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Jenks, Jones, Kerr, Kling, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClurkin, Mattes, Meservey, Moore, Pipher, Robinson, Roome, Sokol, Springer, Stratton, Stuckslager, Sweeley, Temple, Utterback, Walden, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—59.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Bealer, Blakemore, Boysen, Cheney, Coburn, Cowles, Cruikshank, Dodds, Dunham, Edwards, English, Flenniken, Freeman, Frudden, Graff, Greene, Hamann, Herterst, Hura, Jaeger, Keagy, Kendall, Kolthoff, Langan of Crawford, McClure, McNie, Marshall, Mordhorst, Nagle, Nichols, Patton, Payne, Powers, Pritchard, Secor, Sweet, Teachout, Townsend, Walters, Willett—41.

So the bill passed and the title was agreed to.

On motion of Eiker of Decatur, Senate file No. 291, a bill for an act to amend chapter ninety-three (93) of the acts of the Twenty-eighth General Assembly, relating to the practice of veterinary medicine, surgery and dentistry, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Hawk of Jasper in the chair.

Mr. Eiker moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Casel, Christianson, Clarke, Colclo, Crouse, Cummings, Davenport, Donahue, Eiker, English, Fields, Furry, Gilchrist, Greeley, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Kerr, Kling, Koontz, Langan of Clinton, Leech, Lyman, McClurkin, Mattes, Meservey, Moore, Pipher, Pritchard, Robinson, Roome, Sokol, Stratton, Sweeley, Teachout, Temple, Townsend, Utterback, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—60.

The nays were:

Mr. Jenks.

Absent or not voting:

Messrs. Blakemore, Cheney, Coburn, Cowles, Cruikshank, Dodds, Dunham, Edwards, Flenniken, Freeman, Frudden, Graff,

Greene, Hamann, Hertert, Hurn, Jaeger, Jones, Keagy, Kendall, Kolthoff, Langan of Crawford, Larrabee, McClure, McNie, Marshall, Mordhorst, Nagle, Nichols, Patton, Payne, Powers, Secor, Springer, Stuckslager, Sweet, Walden, Walters, Willett—39.

So the bill passed and the title was agreed to.

Warren of Marion moved that 300 copies of substitute for House file No. 356 be printed for the use of the House.

Carried.

On motion of Lyman of Poweshiek, House file No. 431, a bill for an act to amend section 651 of the code, relating to the appointment of police matron, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Lyman of Poweshiek moved to make the bill a special order for 11 o'clock A. M., Tuesday, April 1st.

Carried.

Clarke of Dallas moved to refer Senate file No. 129 to the committee on Judiciary.

Carried and the bill was so referred.

Speaker Eaton in the chair.

On motion of Head of Greene, House file No. 402, a bill for an act requiring administrators, executors and guardians to file certificate of the clerk of the court of the county of their appointment in any county where any judgment, mortgage or deed of trust released by them as such officers is executed, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Campbell of Fremont moved to amend by inserting after the word "trust." in the eighth line of section 1 of the printed bill the words, "provided the lien, mortgage, judgment, or deed of trust is paid."

Lost.

Mr. Head moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.



On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Black, Boysen, Buchanan, Calderwood, Campbell, Carter, Cassel, Christianson, Clarke, Colclo, Cowles, Cummings, Davenport, English, Fields, Furry, Gilchrist, Greeley, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Hurn, Jenks, Jones, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Mattes, Meservey, Moore, Pipher, Pritchard, Robinson, Roome, Sokol, Springer, Stratton, Sweeley, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting, Wilson of Washington, Wise, Wright, Mr. Speaker—58.

The nays were:

None.

Absent or not voting:

[Messrs. Bailey, Bealer, Blakemore, Carden, Cheney, Coburn, Crouse, Cruikshank, Dodds, Donahue, Dunham, Edwards, Eiker, Flenniken, Freeman, Frudden, Graff, Greene, Hamann, Hertert, Jaeger, Keagy, Kendall, Kolthoff, Leech, Lyman, McClure McClurkin, McNie, Marshall, Mordhorst, Nagle, Nichols, Patton, Payne, Powers, Secor, Stuckslager, Sweet, Walters, Willett, Wilson of Buena Vista—42.

So the bill passed and the title was agreed to.

On motion of Teachout of Polk, House file No. 416, a bill for an act to amend sections seven hundred seventy-one (771), seven hundred seventy-three (773), and seven hundred seventy-four (774) of chapter six (6), title five (5) of the code, relating to the construction of viaducts over or under railroads on public streets and highways, and to the compensation of owners of property abutting on such streets and highways, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Teachout of Polk moved to adopt the amendment recommended by the committee.

Adopted.

English of Polk moved to amend House file No. 416 by

inserting in the first line of section 1 the numerals "771" in parentheses after the words "seven hundred and seventy-one"; also, in the first line of section 2 the numerals "773" in parentheses after the words "seven hundred and seventy-three"; also in the first line of section 3, the numerals "774" in parentheses after the words "seven hundred and seventy-four".

Adopted.

Sweeley of Woodbury moved to amend by striking out the publication clause.

Adopted.

Mr. Teachout moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barkley, Black, Boysen, Buchanan, Calderwood, Campbell, Carter, Cassel, Christianson, Colclo, Cummings, Davenport, Donahue, English, Fields, Gilchrist, Greeley, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Hurn, Kerr Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Lyman, McClurkin, Mattes, Moore, Pritchard, Robinson, Roome, Sokol, Springer, Stratton, Sweeley, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting, Wilson of Washington, Wise, Wright, Mr. Speaker—53.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Barker, Bealer, Blakemore, Carden, Cheney, Clarke, Coburn, Cowles, Crouse, Cruikshank, Dodds, Dunham, Edwards, Eiker, Flenniken, Freeman, Frudden, Furry, Graff, Greene, Hamann, Hertert, Jaeger, Jenks, Jones, Keagy, Kendall, Kolthoff, Leech, McClure, McNie, Marshall, Meservey, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Secor, Stuckslager, Sweet, Walters, Willet, Wilson of Buena Vista—47.

So the bill passed.

English of Polk moved to amend the title by striking out the words, "Chapter six, title five," in the third line; also by inserting the numerals, "771" in parentheses in the first line after the words "seven hundred and seventy-one;" also by inserting the numerals, "773," in parentheses in the second line after the word "three;" also by inserting the numerals, "774," in parentheses in the third line after the word "four."

Adopted.

The title as amended was agreed to.

On motion of Cummings of Marshall, Senate file No. 188, a bill for an act to legalize certain instruments in writing which were defectively acknowledged, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Cummings the amendments recommended by the committee were adopted.

Mr. Cummings moved that the rules be suspended, that the bill be read a third time now, and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Christianson, Colclo, Cowles, Cummings, Davenport, Donahue, English, Greeley, Hasselquist, Head, Hilsinger, Hufschmidt, Hughes, Hurn, Jones, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Lyman, McClurkin, Mattes, Moore, Pritchard, Robinson, Roome, Sokol, Springer, Stratton, Sweeley, Teachout, Townsend, Utterback, Walden, Warren, Whiting, Wilson of Washington, Wright, Mr. Speaker—52.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Blakemore, Cheney, Clarke, Coburn, Crouse, Cruikshank, Dodds, Dunham, Edwards, Eiker, Fields,

Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hawk, Hertert, Jaeger, Jenks, Keagey, Kendall, Kolt-hoff, Leech, McClure, McNie, Marshall, Meservey, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Secor, Stuck-slager, Sweet, Temple, Walters, Willett, Wilson of Buena Vista, Wise—48.

So the bill passed and the title was agreed to.

The Speaker announced that he had signed, in the presence of the House, the following bills: House files Nos. 182, 396, 407, Senate files Nos. 268, 267, 195, 141, 337, 157.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

**MR. SPEAKER**—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill, in which the concurrence of the Senate was asked:

House file No. 383, a bill for an act to amend section 371 of the code, relating to reports.

GEO. A. NEWMAN,  
*Secretary.*

Also:

**MR. SPEAKER**—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 48, a bill for an act to fix the compensation of appraisers of property.

GEO. A. NEWMAN,  
*Secretary.*

Also:

**MR. SPEAKER**—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 167, a bill for an act providing for the condemnation of real estate by the state for the use and benefit of institutions of the United States and the payment therefor.

GEO. A. NEWMAN,  
*Secretary.*

Also:

**MR. SPEAKER** I am directed to inform your honorable body that the

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

Senate file No. 327, a bill for an act to legalize acknowledgments taken and certified according to the form and provisions of the code of 1873, and by the officers therein authorized to take and certify acknowledgments.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 283, a bill for an act to legalize copy of certified record of the supreme court of the United States in case of the Burlington & Missouri River Railroad company, plaintiff in error v. Fremont county, Iowa, in error to the supreme court of Iowa.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 311, a bill for an act to amend section 3 of chapter 58 of the acts of the Twenty-eighth General Assembly, relating to membership in the annual convention of the department of agriculture.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill, in which the concurrence of the Senate was asked:

House file No. 206, a bill for an act providing for the appointment of public examiners, defining the duties and fixing the compensation therefor and providing for a uniform system of keeping the books of county treasurers, auditors and clerks.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 328, a bill for an act to legalize the ordinances of the town of Shannon City, situated in Union and Ringgold counties.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked.

House file No. 376, a bill for an act to repeal section two thousand two hundred fifty-three (2253) of the code and enact a substitute in lieu thereof, in relation to hospitals for the insane.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 251, a bill for an act to authorize the improvement and to regulate the use of the Governor's square in the city of Des Moines for park purposes.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 275, a bill for an act to amend section 2711 of the code, in regard to the discharge or parole of inmates of the industrial schools.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in the following concurrent resolution, in which the concurrence of the Senate was asked:

Concurrent resolution relative to the distribution of the code supplement to members and officers of the Twenty-ninth General Assembly.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 289, a bill for an act to amend section 2501 of the code in relation to annual reports and bulletins to be published by the state.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill, in which the concurrence of the Senate was asked:

House file No. 6, a bill for an act relating to the assessment and collection of collateral inheritance tax, repealing chapter 4 of title 7 of the code and chapter 37 of the acts of the Twenty-seventh General Assembly and chapter 51 of the acts of the Twenty-eighth General Assembly.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 269, a bill for an act to amend section 2604 of the code, relating to the compensation to be allowed to the adjutant, quartermaster and surgeon of the Iowa Soldiers' Home.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 303, a bill for an act to amend chapter 92 of the acts of the Twenty-eighth General Assembly, in relation to pension money of members of the Iowa Soldiers' Home at Marshalltown, Iowa.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Concurrent resolution relative to the distribution of the "Hand Book of Iowa Soldier's and Sailor's Monument."

Preamble and concurrent resolution authorizing the executive council to distribute the Hand Book for the Iowa Soldier's and Sailor's Monument.

WHEREAS, There are in the hands of the executive council about fifteen hundred copies of the Hand Book of the Iowa Soldier's and Sailor's Monument for which there is no provision of law for the distribution of the same and which are valuable for the numerous public and school libraries of the state, the historical department, etc.; therefore,

*Resolved*, By the Senate, the House concurring: That the executive council is hereby directed to distribute the same as follows, to wit:

To the State university ten copies; to the Agricultural college ten copies;

to the State Normal school ten copies; to the curator of the historical department, for exchange purposes, 100 copies; to the State Historical society, twenty-five copies; to each member of the Twenty-ninth General Assembly, five copies; to the state library commission for distribution to public and school libraries of the state, one copy to each of said libraries; 500 copies and the remainder to be distributed to the department of Iowa Grand Army of the Republic.

GEO. A. NEWMAN,  
*Secretary.*

SENATE MESSAGES CONSIDERED.

Senate file No. 152, a bill for an act making an appropriation, and providing for the erection of monuments in memory of the Iowa troops on Lookout Mountain and Missionary Ridge, the battles of Chattanooga.

Read first and second time and referred to committee on Appropriations.

Senate File No. 327, a bill for an act to legalize acknowledgments taken and certified according to the form and provisions of the code of 1873, and by persons therein authorized to take and certify acknowledgments.

Read first and second time and referred to committee on Judiciary.

Senate file No. 275, a bill for an act to amend section 2711 of the code, in regard to the discharge or parole of inmates of the industrial schools.

Read first and second time and referred to committee on Industrial Schools.

Senate file No. 303, a bill for an act to amend chapter 98 of the acts of the Twenty-eighth General Assembly, in relation to pension money of members of the Iowa Soldiers' Home at Marshalltown, Iowa.

Read first and second time and referred to committee on Military.

Senate file No. 269, a bill for an act to amend section 2604 of the code, relating to the compensation to be allowed to the adjutant, quartermaster and surgeon of the Iowa Soldiers' Home

Read first and second time and referred to committee on Compensation of Public Officers.



Senate file No. 289, a bill for an act to amend section 2501 of the code, in relating to annual reports and bulletins to be published by the state.

Read first and second time and referred to committee on Printing.

Senate file No. 251, a bill for an act to authorize the improvement and to regulate the use of the Governor's square in the city of Des Moines for park purposes.

Read first and second time and referred to committee on Judiciary.

On motion of Whiting of Monona, House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Monday, March 31, 1903. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by Rev. Francis W. Russell of Marshalltown.

Journal of Friday, March 28th, corrected and approved.

Journal of Saturday, March 29th, corrected and approved.

The following named gentlemen were excused for the time set opposite their names: Messrs. Bealer of Linn, Nichols of Muscatine, Crouse of Adams, Coburn of Cherokee, English of Polk, Mattess of Sac, Pipher of Cass, Patton of Franklin, Meservey of Webster, Head of Greene, Jenks of Pottawattamie, all till tomorrow, Edwards of Butler till Tuesday, and Campbell of Fremont, Carter of Sioux, indefinitely on account of sickness.

#### PETITIONS AND MEMORIALS.

Stuckslager of Linn presented petition of physicians of Cedar Rapids, asking the passage of the committee substitute for the osteopathy bill.

Referred to committee on Public Health.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

Substitute for Senate file No. 230, a bill for an act for the preservation of life and the protection of property, to require the construction of fire escapes to certain buildings and enclosures now constructed or hereafter to

be erected; providing the manner of constructing the same, and imposing penalties for violation thereof.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill, in which the concurrence of the Senate was asked:

House file No. 93, a bill for an act to repeal section 2814 of the code and to enact a substitute therefor, relating to schoolhouse sites.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate refuses to recede from Senate amendments to House file No. 248, a bill for an act relating to, defining, regulating and conferring rights and powers upon interurban street railways, and amending section 2026 of the code, relating to such railways, and names as conference committee on the part of the Senate, Senators Courtright, Hazelton, Hubbard and Lambert.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 293, a bill for an act to legalize the conveyance of certain real estate to the township trustees of Fox River township, Davis county, for graveyard and church purposes.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 35, a bill for an act to amend section 254 of the code, relating to compensation of shorthand reporters.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 346, a bill for an act to amend section 3426 of the code, relating to binding minors as apprentices and appointment of guardians of minors in certain cases.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 162, a bill for an act to amend section twenty-five hundred seventy-one (2571) of the code, relating to the time of meetings for local boards of health.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 297, a bill for an act amending sections two thousand five hundred forty (2540), two thousand five hundred fifty-one (2551), two thousand five hundred fifty-six (2556) and two thousand five hundred sixty-one (2561) of the code; and section two thousand five hundred thirty-nine (2539) of the code as amended by chapter sixty-four (64) of the laws of the Twenty-seventh (27th) General Assembly; repealing section five (5) of chapter sixty-four (64) of the laws of the Twenty-seventh (27th) General Assembly, and making further provisions additional to said chapter fifteen (15), title twelve (12) of the code, relating to the care and propagation of fish and the protection of birds and game.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 367, a bill for an act to legalize the ordinances of the town of Swan, Marion county, Iowa, and the official acts of the mayor and recorder thereof, in the publication of said ordinances.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 408, a bill for an act to legalize the extension of the corporate limits of the town of Laurens, Iowa, and its ordinances and resolutions and the acts of officers and persons had in pursuance thereof, and to fix the limits of said town.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to the following bill, in which the concurrence of the Senate was asked:

Substitute for Senate file No. 168, a bill for an act relating to the defense of the treasurer of state in certain cases in suits brought to recover taxes or fees unlawfully collected and providing for the payment and satisfaction of judgments rendered against him in such cases.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 224, a bill for an act to provide safe means of egress from buildings.

GEO. A. NEWMAN,  
*Secretary.*

#### REPORTS OF COMMITTEES.

Wilson of Washington, from the committee on Pardons, submitted the following report:

MR. SPEAKER—Your committee on Pardons, to whom was referred the application for the pardon of Theodore Bushick, beg leave to report that they have had the said application under consideration and report the same back with the recommendation that the following resolution be adopted:

#### CONCURRENT RESOLUTION

Authorizing and recommending the conditional pardon of Theodore Bushick.

*Be it Resolved*, By the House of the Twenty-ninth General Assembly of the state of Iowa, the Senate concurring: That the governor be and he is hereby authorized to grant, and we advise and recommend that he grant a conditional pardon to Theodore Bushick, formerly of Mills county, and who is now confined in the state prison at Anamosa, Iowa, under a life sentence from the district court of Iowa in and for said county, upon such terms and conditions as the governor may prescribe.

C. J. WILSON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Pardons, to whom was referred the application for the pardon of Otto Otten, beg leave to report that they have had the said application under consideration and report the same back with the recommendation that the following resolution be adopted:

CONCURRENT RESOLUTION

Authorizing and recommending the conditional pardon of Otto Otten.

*Be it Resolved*, By the House of the Twenty-ninth General Assembly of the state of Iowa, the Senate concurring: That the governor be and he is hereby authorized to grant, and we advise and recommend that he grant a conditional pardon to Otto Otten, formerly of Pocahontas county, and who is now confined in the state prison at Anamosa, Iowa, under a life sentence from the district court of Iowa in and for said county, upon such terms and conditions as the governor may prescribe.

C. J. WILSON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Pardons, to whom was referred the application for the pardon of Joseph McCreary, beg leave to report that they have had the said application under consideration and report the same back with the recommendation that the following resolution be adopted:

CONCURRENT RESOLUTION

Authorizing and recommending the conditional pardon of Joseph McCreary.

*Be it Resolved*, By the House of the Twenty-ninth General Assembly of the state of Iowa, the Senate concurring: That the governor be and he is hereby authorized to grant, and we advise and recommend that he grant a conditional pardon to Joseph McCreary, formerly of Mills county, Iowa, and who is now confined in the state prison at Ft. Madison, Iowa, under a life sentence from the district court of Iowa in and for said county, upon such terms and conditions as the governor may prescribe.

C. J. WILSON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Pardons, to whom was referred the application for the pardon of George Stanley, beg leave to report that they have had the said application under consideration and report the same back with the recommendation that the following resolution be adopted:

## CONCURRENT RESOLUTION

Authorizing and recommending the conditional pardon of George Stanley.

*Be it Resolved*, By the House of the Twenty-ninth General Assembly of the state of Iowa, the Senate concurring: That the governor be and he is hereby authorized to grant, and we advise and recommend that he grant a conditional pardon to George Stanley, formerly of Story county, Iowa, and who is now confined in the state prison at Ft. Madison, Iowa, under a life sentence from the district court of Iowa in and for said county, upon such terms and conditions as the governor may prescribe.

C. J. WILSON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Pardons, to whom was referred the application for the pardon of William Young, beg leave to report that they have had the said application under consideration and report the same back with the recommendation that the following resolution be adopted:

## CONCURRENT RESOLUTION

Authorizing and recommending the conditional pardon of William Young.

*Be it Resolved*, By the House of the Twenty-ninth General Assembly of the state of Iowa, the Senate concurring: That the governor be and he is hereby authorized to grant, and we advise and recommend that he grant a conditional pardon to William Young, formerly of Woodbury county, Iowa, and who is now confined in the state prison at Anamosa, Iowa, under a life sentence from the district court of Iowa in and for said county, upon such terms and conditions as the governor may prescribe.

C. J. WILSON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Pardons, to whom was referred the application for the pardon of John Bellew beg leave to report that they have had the said application under consideration and report the same back with the recommendation that the following resolution be adopted:

## CONCURRENT RESOLUTION

Authorizing and recommending the conditional pardon of John Ballew.

*Be it Resolved*, By the House of the Twenty-ninth General Assembly of the state of Iowa, the Senate concurring: That the governor be and he is hereby authorized to grant, and we advise and recommend that he grant a conditional pardon to John Bellew, formerly of Webster county, Iowa, and who is now confined in the state prison at Anamosa, under a life

sentence from the district court of Iowa, in and for said county, upon such terms and conditions as the governor may prescribe.

C. J. WILSON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—A majority of your committee on Pardons, to whom was submitted the application of Betsey Smith, a convict now confined at Anamosa under life sentence from the district court of Polk county, state of Iowa, for the murder of her husband, beg leave to report that they have had said application under consideration and have instructed me to report the same back with the recommendation that her application for executive clemency be at this time denied.

C. J. WILSON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Pardons, to whom was submitted the application of Thomas W. Watson, a convict now confined at Anamosa under life sentence from the district court of Mills county, state of Iowa, for the murder of one Shelley, beg leave to report that they have had said application under consideration and have instructed me to report the same back with the recommendation that his application for executive clemency be at this time denied.

C. J. WILSON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Pardons, to whom was submitted the application of Byron Guinn, a convict now confined at Ft. Madison under life sentence from the district court of Lucas county, Iowa, for the murder of his brother-in-law, beg leave to report that they have had said application under consideration, and have instructed me to report the same back with the recommendation that his application for executive clemency be at this time denied.

C. J. WILSON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Pardons, to whom was submitted the application of Christina Behrens, a convict now confined at Anamosa under life sentence from the district court of Scott county, state of Iowa, for the murder of her husband, beg leave to report that they have had said application under consideration and have instructed me to report the same



back with the recommendation that her application for executive clemency be at this time denied.

C. J. WILSON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Pardons, to whom was submitted the application of William Tool, a convict now confined at Anamosa under life sentence from the district court of Sac county, state of Iowa, for the murder of his wife, beg leave to report that they have had said application under consideration and have instructed me to report the same back with the recommendation that his application for executive clemency be at this time denied.

C. J. WILSON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—A majority of your committee on Pardons, to whom was submitted the application of Jasper Mason, a convict now confined at Anamosa under life sentence from the district court of Dallas county, Iowa, for the murder of Mark Munday, beg leave to report that they have had said application under consideration and have instructed me to report the same back with the recommendation that his application for executive clemency be at this time denied.

C. J. WILSON,  
*Chairman.*

Ordered passed on file.

Wilson of Washington moved that consideration of the reports of the committee on Pardons just made, also one concerning the application for pardon of Wesley Elkins, which report has not yet been filed, be made a special order for Wednesday, April 2d, at 2 o'clock P. M.

Carried.

The Speaker announced Messrs. Hamann of Scott, Temple of Clarke, Jones of Mahaska and Koontz of Johnson, as House members of the conference committee on Senate file No. 248.

Moore of Davis submitted the following report:

MR. SPEAKER—Your committee on Military, to whom was referred House file No. 436, a bill for an act authorizing the commander-in-chief to organize naval militia of Iowa, and prescribing regulations therefor, beg leave to report that they have had the same under consideration, and have instructed

me to report the same back to the House with the recommendation that the same do pass.

S. A. MOORE,  
*Chairman.*

Ordered passed on file.

Wise of Black Hawk, from the committee on Banks and Banking, submitted the following report:

MR. SPEAKER—Your committee on Banks and Banking, to whom was referred Senate file No. 187, a bill for an act to amend section 1870 of the code, relating to savings banks, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out the words "savings banks", in the fourth line of section one (1), and inserting in lieu thereof the word "they"; and when so amended the same do pass.

A. J. WILSON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Banks and Banking, to whom was referred House file No. 366, a bill for an act providing for the organization of trust companies and loan and trust companies, defining their powers and providing for their examination and control, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by substituting therefor the following:

And when so amended that the same do pass.

COMMITTEE SUBSTITUTE FOR HOUSE FILE NO. 366.

A bill for an act providing for the organization of trust companies and loan and trust companies, and providing for their examination and control.

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

Section 1. Trust companies or loan and trust companies may be hereafter organized by not less than five persons of lawful age, who shall, prior to the commencement of business, sign, acknowledge and file articles of incorporation such as are required to be signed and acknowledged by persons organizing state banks under section eighteen hundred sixty-three (1863) of the code, and give notice of incorporation as required in section eighteen hundred forty-two (1842) of the code, and shall as to amount of capital comply with the provisions of section eighteen hundred sixty-four (1864) of the code, in reference to state banks.

Sec. 2. Trust companies or loan and trust companies now existing under the laws of this state shall comply with all the provisions of this act and every such company shall within ninety days from the passage of this law furnish to the state auditor a sworn statement by its directors of its

condition, as required of savings banks, by section eighteen hundred seventy-two (1872) of the code, and when the auditor of state is satisfied that the amount of its capital is sufficient to comply with the requirements of section eighteen hundred sixty-four (1864) of the code, and that its business is being conducted in accordance with the requirements of this act, he shall issue to such association a certificate authorizing it to continue business, which it shall publish in the manner required by section eighteen hundred sixty-four (1864) of state banks.

Sec. 3. Every such corporation shall comply with the provisions and requirements of sections eighteen hundred sixty-four (1864), eighteen hundred sixty-five (1865), eighteen hundred sixty-six (1866), eighteen hundred seventy-two (1872), eighteen hundred seventy-three (1873), eighteen hundred seventy-four (1874), eighteen hundred seventy-five (1875), eighteen hundred seventy-six (1876), eighteen hundred seventy-seven (1877), eighteen hundred eighty-one (1881), eighteen hundred eighty-six (1886), eighteen hundred eighty-seven (1887), eighteen hundred eighty-eight (1888) of the code, referring to banks, and said sections are hereby made applicable to all trust companies and loan and trust companies.

A. J. WILSON,  
*Chairman.*

Ordered passed on file.

Coburn of Cherokee, from the committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House file No. 261, a bill for an act to amend section five hundred eighty-five (585) of the code, relating to the condemnation of land for gravel for roads, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by substitute hereto attached, and when so amended that the same do pass.

SUBSTITUTE BY COMMITTEE FOR HOUSE FILE NO. 261.

A bill for an act to empower township trustees to condemn land and the right-of-way thereto for the purpose of obtaining gravel and other suitable material for the purpose of gravelling and improving the highways.

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

Section 1. The township trustees of any township in this state are hereby empowered to condemn or purchase and pay for, out of the road fund, and enter upon and take, any lands, and the right-of-way thereto, over suitable ground (such right-of-way not to exceed twenty (20) feet in width) that will not interfere with, or damage any buildings, orchards or groves thereon, for the purpose of obtaining gravel, or other suitable material with which to gravel and improve the highways in such township or townships, in the same manner as is now provided for cities and towns.

GEO. F. COBURN,  
*Chairman.*

Ordered passed on file.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, House file No. 182, a bill for an act to amend section two thousand twenty-eight (2028) of the code, relating to the taking of property for works of internal improvement.

Also, House file No. 396, a bill for an act requiring the keeping of accounts in cities and towns and requiring that publicity be given thereto.

Also, House file No. 407, a bill for an act to legalize the contract made by the incorporated town of Spirit Lake, for the construction of a sewer therein, and for the levy of a tax of five mills made by said town, in payment therefor.

J. P. LYMAN,  
*Chairman.*

March 31, 1902.

Adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 275, a bill for an act to amend chapter one hundred and sixty seven (167), laws of the Twenty-eighth General Assembly of Iowa, entitled: "An act to provide for the erection of monuments to mark the positions occupied by the Iowa volunteers at the battle of Shiloh, Tennessee, and to make an appropriation to pay the expenses of the commissioners."

Also, House file No. 155, a bill for an act to provide for the erection of monuments and tablets on the Vicksburg National Military park to mark the positions occupied by Iowa brigades, regiments and batteries; to commemorate the valor and services of Iowa soldiers in the campaign and siege of Vicksburg, and to make an appropriation therefor.

Also, House file No. 437, a bill for an act to amend section one hundred sixty-five (165) of the code, providing for the sale of furniture and stores that are of no further use to the state.

Also, House file No. 170, a bill for an act for compulsory education.

J. P. LYMAN,  
*Chairman.*

Adopted.

## SENATE MESSAGES CONSIDERED.

Senate file No. 346, a bill for an act to amend section thirty-two hundred forty-six (3246) of the code, relating to binding

minors as apprentices and to the appointment of guardians for minors in certain cases.

Read first and second time and referred to committee on Judiciary.

Senate file No. 230, a bill for an act for the preservation of life and the protection of property, to require the construction of fire escapes to certain buildings and enclosures now constructed or hereafter to be erected; providing the manner of constructing the same and imposing penalties for violation thereof.

Read first and second time and made special order for 2 P. M. Tuesday, April 1st, on motion of Clarke of Dallas.

On motion of Teachout of Polk, House file No. 273, a bill for an act to amend section 661 and section 674 of the code, relating to assessors in cities and towns, with Senate amendments thereto, was taken up and considered.

Mr. Teachout moved that the House do concur in the Senate amendments to House file No. 273.

On the question, Shall the House concur?

The yeas were:

Messrs. Anderson, Barkley, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassel, Christianson, Clarke, Cummings, Davenport, Donahue, Dunham, Fields, Flenniken, Furry, Gilchrist, Greeley, Greene, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Jones, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Moore, Pritchard, Robinson, Roome, Stratton, Stuckslager, Sweeley, Teachout, Temple, Townsend, Warren, Whiting, Wilson of Washington, Wise, Wright, Mr. Speaker—53.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Barker, Bealer, Blakemore, Carter, Cheney, Coburn, Colclo, Cowles, Crouse, Cruikshank, Dodds, Edwards, Eiker, English, Freeman, Frudden, Graff, Hamann, Hasselquist, Hertert, Hurn, Jaeger, Jenks, Keagy, Kendall, Kolthoff, McClure, Marshall, Mattes, Meservey, Mordhorst, Nagle, Nichols, Patton,

Payne, Pipher, Powers, Secor, Sokol, Springer, Sweet, Utterback, Walden, Walters, Willett, Wilson of Buena Vista—47.

So the House concurred in Senate amendments to House file No. 273.

On motion of Buchanan of Wapello, Senate file No. 190, a bill for an act to amend section three hundred thirty-seven (337) of the code, relating to grand and petit jury lists, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Buchanan moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time,

On the question, Shall the bill pass ?

The yeas were:

Messrs. Anderson, Barker, Barkley, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassel, Christianson, Clarke, Colclo, Cowles, Cummings, Davenport, Donahue, Dunham, Fields, Flenniken, Furry, Gilchrist, Greeley, Greene, Hamann, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Hurn, Jones, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Moore, Pritchard, Robinson, Roome Springer, Stratton, Stuckslager, Sweeley, Temple, Townsend Warren, Whiting, Wilson of Washington, Wise, Wright, Mr. Speaker—58.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Blakemore, Carter, Cheney, Coburn, Crouse, Cruikshank, Dodds, Edwards, Eiker, English, Freeman, Frudden, Graff, Hasselquist, Hertert, Jaeger, Jenks, Keagy, Kendall, Kolthoff, McClure, Marshall, Mattes, Meservey, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Secor, Sokol, Sweet, Teachout, Utterback, Walden, Walters, Willett, Wilson of Buena Vista—42.

So the bill passed and the title was agreed to.

On motion of Dunham of Delaware, Senate file No. 202, a bill for an act to amend section seven hundred twenty-four (724) of the code, as amended, relating to certain powers of cities and towns, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Dunham moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassel, Christianson, Clarke, Colclo, Cowles, Cummings, Davenport, Donahue, Dunham Fields, Flenniken, Furry, Gilchrist, Greeley, Greene, Hamann, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Hurn, Jones, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, McClurkin, McNie, Moore, Pritchard, Robinson, Roome, Springer, Stratton, Stuckslager, Sweeley, Temple, Townsend, Warren, Whiting, Wilson of Washington, Wise, Wright, Mr. Speaker—57.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Blakemore, Carter, Cheney, Coburn, Crouse, Cruikshank, Dodds, Edwards, Eiker, English, Freeman, Frudden, Graff, Hasselquist, Hertert, Jaeger, Jenks, Keagy, Kendall, Kolthoff, Lyman, McClure, Marshall, Mattes, Meservey, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Secor, Sokol, Sweet, Teachout, Utterback, Walden, Walters, Willett, Wilson of Buena Vista—43.

So the bill passed and the title was agreed to.

The Speaker announced that he had signed in the presence of the House, House files Nos. 437, 170, 275 and 155.

Clarke of Dallas in the chair.

On motion of Koontz of Johnson, Senate file No. 243, a bill for an act to amend sections 860, 861 and 862 of the code, relating to voting taxes for the purchase of real estate for parks and con-

structing dams and improvements of parks and rivers, condemning real estate for parks, and jurisdiction of cities of the second class and towns or parks without their corporate limits, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Koontz moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassel, Christianson, Clarke, Colclo, Cowles, Cummings, Davenport, Donahue, Dunham, Fields, Flenniken, Furry, Gilchrist, Greeley, Greene, Hamann, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Hurn, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Marshall, Moore, Robinson, Roome, Springer, Stratton, Stuckslager, Sweeley, Teachout, Temple, Townsend, Warren, Whiting, Wilson of Washington, Wise, Wright, Mr. Speaker—57.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Barkley, Bealer, Blakemore, Carter, Cheney, Coburn, Crouse, Cruikshank, Dodds, Edwards, Eiker, English, Freeman, Frudden, Graff, Hasselquist, Hertert, Jaeger, Jenks, Jones, Keagy, Kendall, Kolthoff, McClure, Mattes, Meservey, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Secor, Sokol, Sweet, Utterback, Walden, Walters, Willett, Wilson of Buena Vista—43.

So the bill passed.

Koontz of Johnson moved to amend the title to Senate file 243 by striking out the words "of the second class," in the sixth line of said title and inserting in lieu thereof the following words: "having a population under twenty thousand (20,000)."



Adopted.

Title, as amended, agreed to.

On motion of Hamann of Scott, House file No. 425, a bill for an act authorizing the executive council to sell and convey two islands newly formed by accretion in the Mississippi river and located in sections 3 and 4 in township 77, north of range 3, east of the 5th P. M., in Scott county, the same being west of the main channel of said Mississippi river and adjacent to the Iowa shore, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Hamann moved to amend as follows:

Amend House file No. 425 by inserting the word "north" immediately after the word "seventy-seven," in the third line of the first paragraph of the printed bill.

Also, by inserting the word "north" immediately after the word "seventy-seven," in the fourth line of the second paragraph of the printed bill.

Also, by striking out the comma (,) after the word "seventy-seven," in the thirteenth line of the second paragraph of the printed bill and also by inserting a comma (,) immediately after the word "north," in the second line.

Also, by striking from the second and third lines of section 2, all after the word "in", in the second line of said section and by inserting in lieu thereof the words "the Des Moines Daily Capital, a newspaper published at Des Moines, Iowa, and in the Davenport Daily Republican, a newspaper published at Davenport, Iowa."

Mr. Hamann moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were :

Messrs. Anderson, Barkley, Black, Boysen, Buchanan, Calderwood, Campbell, Cassel, Christianson, Clarke, Colclo, Cowles, Cummings, Davenport, Donahue, Dunham, English, Fields, Flenniken, Furry, Gilchrist, Greeley, Greene, Hamann, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Hurn, Jones, Kerr, Kling, Koontz, Larrabee, Leech, McNie, Marshall, Moore, Robinson,

Roome, Springer, Stratton, Stuckslager, Sweeley, Teachout, Temple, Warren, Whiting, Wilson of Washington, Wise, Wright, Mr. Speaker—53.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Barker, Bealer, Blakemore, Carden, Carter, Cheney, Coburn, Crouse, Cruikshank, Dodds, Edwards, Eiker, Freeman, Frudden, Graff, Hasselquist, Hertert, Jaeger, Jenks, Keagy, Kendall, Kolthoff, Langan of Clinton, Langan of Crawford, Lyman, McClure, McClurkin, Mattes, Meservey, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Secor, Sokol, Sweet, Townsend, Utterback, Walden, Walters, Willett, Wilson of Buena Vista—47.

So the bill passed and the title was agreed to.

The Speaker read a communication from Kendall of Monroe, in which he asked that the Journal show that had it been possible for him to have been present on Friday, March 28th, during the consideration of Senate file No. 290, he would have voted "aye" on the first roll call to set the time for consideration of this bill for Wednesday, April 2d, at 10:30 A. M.; also, that he would have voted "aye" on the motion to substitute the minority report for the majority report of the committee. Also, that he would have voted "no" on the motion to adopt the committee report recommending the bill for indefinite postponement.

Walters of Tama filed the following:

MR. SPEAKER—I desire to have the Journal of the House show that had I been present when the report of the committee on Senate file No. 290, known as the railroad assessment bill was up for consideration, I would have voted in favor of the bill on all roll calls had thereon, and that I was absent in the Senate looking after House file No. 343.

C. E. WALTERS,

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills, respectfully report that they have examined, and find correctly enrolled, House file No. 275, a bill for an act to amend chapter one hundred sixty-seven (167), laws of the Twenty-eighth General Assembly of Iowa, entitled, "An act to pro-

vide for the erection of monuments to mark the positions occupied by the Iowa volunteers at the battle of Shiloh, Tennessee, and to make an appropriation to pay the expenses of the commissioners."

Also, House file No. 155, a bill for an act to provide for the erection of monuments and tablets on the Vicksburg National Military park to mark the positions occupied by Iowa brigades, regiments and batteries; to commemorate the valor and services of Iowa soldiers in the campaign and siege of Vicksburg, and to make an appropriation therefor.

Also, House file No. 437, a bill for an act to amend section one hundred sixty-five (165) of the code, providing for the sale of furniture and stores that are of no further use to the state.

Also, House file No. 170, a bill for an act for compulsory education.

J. P. LYMAN,

*Chairman House Committee.*

E. K. WINNE,

*Chairman Senate Committee.*

On motion of Mr. Lyman the report was adopted.

On motion of Hughes of Iowa, House adjourned till 9 A. M., tomorrow, Tuesday, April 1st.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Tuesday, April 1, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by Rev. A. T. Wright of Panora, Iowa.

The Senate concurrent resolution relative to the distribution of copies of the "Handbook of the Iowa Soldier's and Sailor's Monument," was taken up, considered and on motion was adopted.

On motion of Wise of Black Hawk, leave of absence was granted Stuckslager of Linn until this afternoon.

On motion of Utterback of Keokuk, leave of absence was granted Dodds of Des Moines until tomorrow.

PETITIONS AND MEMORIALS.

Pritchard of Wright presented petition of citizens of Wright county, relative to placing a time limit on consent petitions under the mulct law.

Referred to committee on Suppression of Intemperance.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

**MR. SPEAKER**—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 331, a bill for an act requiring railroad companies to file plats of all lines owned or operated within the several counties of the state of Iowa with county auditors.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 347, a bill for an act to amend section 325 of the code relating to the removal or suspension of attorneys, and the payment of costs and fees therefor.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 416, a bill for an act to amend sections seven hundred seventy (770), seven hundred seventy-one (771), seven hundred seventy-three (773) and to repeal section seven hundred seventy-four (774) of chapter 6 of the code, relating to the construction of viaducts over or under railroads on public streets and highways and to the compensation of owners of property abutting on such highways.

GEO. A. NEWMAN,  
*Secretary.*

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, House file No. 275, a bill for an act to amend chapter one hundred sixty-seven (167), laws of the Twenty-eighth General Assembly, entitled, "An act to provide for the erection of monuments to mark the positions occupied by the Iowa volunteers at the battle of Shiloh, Tennessee, and to make an appropriation to pay the expenses of the commissioners."

Also, House file No. 155, a bill for an act to provide for the erection of monuments and tablets on the Vicksburg National Military park to mark the positions occupied by Iowa brigades, regiments, and batteries, to commemorate the valor and services of Iowa soldiers in the campaign and siege of Vicksburg, and to make an appropriation therefor.

Also, House file No. 437, a bill for an act to amend section one hundred sixty-five (165) of the code, providing for the sale of furniture and stores that are of no further use to the state.

Also, House file No. 170, a bill for an act for compulsory education.

J. P. LYMAN,  
*Chairman.*

March 31, 1902.

Adopted.

#### REPORT OF COMMITTEE.

Anderson of Warren submitted the following report:

MR. SPEAKER—Your committee appointed to draft resolutions in respect to the memory of Hon. W. J. Cochran, late of Warren county, Iowa, submit the following:

WHEREAS, the Hon. W. J. Cochran, formerly an honored member of the Seventeenth General Assembly as a representative from Warren county, departed this life at his home in Lacona, Iowa, on the 15th day of August, 1901; therefore, be it

*Resolved*, That in his death the state of Iowa has lost a conscientious, worthy and loyal citizen, the community in which he lived an upright and useful member, his family a kind and devoted husband and father, and all who came to know him well, a friend, whose pure and noble life is entitled to the approval and commendation of his fellow men.

*Resolved*, That this body extend to the sorrowing family our sincere sympathy in their great loss, and the clerk of the House is hereby instructed to mail an engrossed copy of these resolutions to the widow of the deceased.

J. M. ANDERSON,  
M. L. TEMPLE,  
W. D. DODDS,  
*Committee.*

Springer of Buchanan offered the following resolution and moved its adoption:

WHEREAS, The Hon. William H. Chamberlin, a highly esteemed and respected citizen of Buchanan county and member of the Twentieth, Twenty-first, Twenty-third and Twenty-fourth General Assemblies, died on the 7th day of April A. D. 1901; therefore, be it

*Resolved*, That a committee of three be appointed to draft resolutions in commemoration of his life and works.

Adopted.

The Speaker appointed Messrs. Springer of Buchanan, Dunham of Delaware and Meservey of Webster as this committee.

#### SENATE MESSAGES CONSIDERED.

Senate file No. 297, a bill for an act amending sections two thousand five hundred forty (2540), two thousand five hundred fifty-one (2551), two thousand five hundred fifty-six (2556) and two thousand five hundred sixty-one (2561) of the code; and section two thousand five hundred thirty-nine (2539) of the code as amended by chapter sixty-four (64) of the laws of the Twenty-seventh (27th) General Assembly; repealing section five (5) of chapter sixty-four (64) of the laws of the Twenty-seventh (27th) General Assembly, and making further provisions additional to

said chapter fifteen (15), title twelve (12) of the code, relating to the care and propagation of fish and the protection of birds and game.

Read first and second time and referred to committee on Fish and Game.

Senate file No. 224, a bill for an act to provide safe means of egress from buildings.

Read first and second time and referred to committee on Public Health.

Senate file No. 347, a bill for an act to amend section 325 of the code, relating to the removal or suspension of attorneys and the payment of costs and fees therefor.

Read first and second time and referred to committee on Judiciary.

#### BILLS ON THEIR PASSAGE.

On motion of Hamann of Scott, Senate file No. 228, a bill for an act to amend section 1082 of the code, relating to registration on election day, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Hamann moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Carden, Cassel, Clarke, Coburn, Crouse, Cummings, Davenport, Donahue, Dunham, Eiker, Flenniken, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Head, Hertert, Hufschmidt, Hughes, Jaeger, Jones, Kerr, Koltloff, Langan of Crawford, Larrabee, Leech, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Utterback, Walden, Wilson of Washington, Wise, Wright, Mr. Speaker—62.

The nays were:

Messrs. Buchanan, English, Nagle, Teachout—4.

Absent or not voting:

Messrs. Boysen, Campbell, Carter, Cheney, Christianson, Colclo, Cowles, Cruikshank, Dodds, Edwards, Fields, Freeman, Gilchrist, Hawk, Hilsinger, Hurn, Jenks, Keagy, Kling, Koontz, Langan of Clinton, Lyman, McClure, Payne, Powers, Stuckslager, Sweet, Temple, Townsend, Walters, Warren, Whiting, Willett, Wilson of Buena Vista—34.

So the bill passed and the title was agreed to.

On motion of Head of Greene, House file No. 261, a bill for an act to amend section 585 of the code, relating to the condemnation of land for gravel for roads, with report of committee recommending passage, as amended by substitute, was taken up, considered and the report of the committee adopted.

On motion of Mr. Head, the substitute offered by the committee as amendment was adopted.

Mr. Head moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Calderwood, Carden, Cassel, Clarke, Coburn, Cummings, Davenport, Donahue, Dunham, Eiker, Fields, Flenniken, Furry, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Jaeger, Jones, Keagy, Kendall, Kerr, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Sweeley, Teachout, Temple, Utterback, Walden, Warren, Wilson of Washington, Wise, Mr. Speaker—56.

The nays were:

Messrs. Crouse, Donahue, Dunham, Flenniken, Hertert, Kolt-hoff, Marshall, Patton, Springer, Stratton, Walden, Wright—11.

Absent or not voting:



Messrs. Boysen, Buchanan, Campbell, Carter, Cheney, Christianson, Colclo, Cowles, Cruikshank, Dodds, Edwards, English, Fields, Freeman, Frudden, Gilchrist, Greene, Hilsinger, Hurn, Jenks, Kendall, Kling, Langan of Clinton, Larrabee, McClure, Payne, Stuckslager, Sweet, Townsend, Walters, Whiting, Willett, Wilson of Buena Vista—33.

So the bill passed and the title was agreed to.

On motion of Head of Greene, House file No. 403, a bill for an act to regulate corporations organized under the laws of any state, territory or country, other than the state of Iowa, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Cummings of Marshall moved to amend House file No. 403 by striking out the word "or" in line 4 of the printed bill after the word "Iowa," and substitute the word "and;" also, strike out the comma after the word "office" and after "agency," and strike out last "for" in line 4 and substitute therefor the word "of."

Adopted.

Gilchrist of Pocahontas moved to amend by inserting after the word "Iowa" in line 5, section 1 of the printed bill, the following, "and any foreign corporation which shall sell or offer for sale any stock in this state."

Adopted.

Mr. Gilchrist also moved to amend by inserting in line 12, section 1 of the printed bill, after the word "act", the following, "as to the payment of the filing fee."

Adopted.

Mr. Head moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blake-more, Boysen, Buchanan, Calderwood, Carden, Cassel, Clarke, Coburn, Colclo, Cowles, Cruikshank, Cummings, Davenport,

Donahue, English, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Langan of Crawford, Larrabee, Leech, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Teachout, Temple, Townsend, Walden, Warren, Wise, Wright, Mr. Speaker—70.

The nays were:

Mr. Bealer.

Absent or not voting:

Messrs. Campbell, Carter, Cheney, Christianson, Crouse, Dodds, Dunham, Edwards, Eiker, Fields, Flenniken, Freeman, Hamann, Jenks, Kendall, Langan of Clinton, Lyman, McClure, Marshall, Payne, Springer, Stuckslager, Sweet, Utterback, Walters, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington—29.

So the bill passed and the title was agreed to.

On motion of Teachout of Polk, House file No. 366, a bill for an act providing for the organization of trust companies and loan and trust companies, defining their powers and providing for their examination and control, with report of committee on Judiciary recommending passage as amended by substitute; also report of committee on Banks and Banking recommending passage, was taken up, considered and the reports of both committees adopted.

Hurn of Cerro Gordo moved that this bill, House file No. 366, be made a special order for Thursday, April 3d, at 10 A. M.

Carried.

On motion of Boysen of Audubon, House file No. 265, a bill for an act making provision for the support of the department of Industrial School for Boys at Eldora, amendatory to chapter 81 of the acts of the Twenty-seventh General Assembly, relating to support of the industrial school, with reports of committees on Industrial Schools, also Appropriations recommending passage, was taken up, considered and the reports of the committees adopted.

Hawk of Jasper moved to amend House file No. 265 by striking out the last word in section one (1) and inserting the word "ten (10)."

Lost.

Cummings of Marshall in the chair.

Mr. Boysen moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Donahue, Dunham, English, Fields, Flenniken, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Keagy, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Teachout, Temple, Townsend, Utterback, Warren, Whiting, Wilson of Washington, Wise, Wright—75.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Campbell, Carter, Cassel, Cheney, Dodds, Edwards, Eiker, Freeman, Greeley, Hurn, Jaeger, Jenks, Jones, Kendall, Koontz, McClure, Payne, Stuckslager, Sweet, Walden, Walters, Willett, Wilson of Buena Vista, Mr. Speaker—25.

So the bill passed and the title was agreed to.

On motion of Cassel of Jefferson, the House took up the special order, which was House file No. 313, a bill for an act to amend section 2158 of the code, relating to the right-of-way of telegraph and telephone companies on public roads, and which was on its second reading when made a special order.

Lyman of Poweshiek moved to amend the bill, House file No. 313, by adding to section 1, the following: "If any person, firm or corporation shall construct a line along a highway which is already occupied by a line the wires of such new line shall be so placed as to clear lines already strung by not less than four feet."

Adopted.

Sweeley of Woodbury moved to amend by striking out the word "same" in the last line thereof as printed in the House Journal and inserting in lieu thereof the words "wire or wires"; also, by inserting after the word "placed" in same line the words "and kept."

Adopted.

Mr. Cassel moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Black, Blakemore, Boysen, Buchanan, Calderwood, Cassel, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cummings, Davenport, Donahue, Dunham, English, Fields, Flenniken, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jones, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Teachout, Temple, Townsend, Utterback, Walden, Wilson of Washington, Wise, Wright—70.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Bealer, Campbell, Carden, Carter, Cheney, Cowles, Cruikshank, Dodds, Edwards, Eiker, Freeman, Frudden, Jaeger, Jenks, Keagy, Kendall, Larrabee, McClure, McClurkin, Payne, Springer, Stuckslager, Sweet, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Mr. Speaker—30.

So the bill passed and the title was agreed to.

On motion of Lyman of Poweshiek, House took up special order No. 24, being House file No. 431, a bill for an act to amend section 654 of the code, relating to the appointment of police matrons, which was on its second reading when made a special order.

Jones of Mahaska moved to amend House file No. 431 by striking out the word "ten", in line three and inserting the word "fifteen" in lieu thereof.

Lost.

Nichols of Muscatine moved to amend by adding the following thereto: "This act shall also apply to cities acting under special charter."

Adopted.

Mr. Lyman moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

Speaker Eaton in the chair.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Cassel, Christianson, Clarke, Coburn, Colclo, Cowles, Cummings, Davenport, Dunham, English, Flenniken, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hufschmidt, Hughes, Hurn, Keagy, Kerr, Kling, Kolthoff, Langan of Crawford, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Pritchard, Roome, Secor, Stratton, Sweeley, Teachout, Temple, Townsend, Utterback, Warren, Wilson of Washington, Wise, Wright, Mr. Speaker—63.

The nays were:

Messrs. Cruikshank, Jones, Marshall—3.

Absent or not voting:

Messrs. Bealer, Campbell, Carter, Cheney, Crouse, Dodds, Donahue, Edwards, Eiker, Fields, Freeman, Greeley, Hertert, Hilsinger, Jaeger, Jenks, Kendall, Koontz, Langan of Clinton, Larrabee, McClure, Nagle, Payne, Powers, Robinson, Sokol, Springer, Stuckslager, Sweet, Walden, Walters, Whiting, Willett, Wilson of Buena Vista—34.

So the bill passed and the title was agreed to.

#### INTRODUCTION OF BILLS.

By English of Polk, by unanimous consent, House file No. 444, a bill for an act to legalize all acts done and ordinances passed by the town council of the incorporated town of Bondurant, Polk county.

Read first and second time.

On motion of English of Polk, House file No. 444 was taken up and considered now without reference to a committee.

Mr. English moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Boysen, Buchanan, Calderwood, Carden, Cassel, Christianson, Clarke, Coburn, Cowles, Cruikshank, Cummings, Davenport, Dunham, English, Flenniken, Frudden, Furry, Gilchrist, Graff, Greene, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Jaeger, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Teachout, Townsend, Utterback, Warren, Whiting, Wilson of Washington, Wise, Wright, Mr. Speaker—70.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Blakemore, Campbell, Carter, Cheney, Colclo, Crouse, Dodds, Donahue, Edwards, Eiker, Fields, Freeman, Greeley, Hamann, Hertert, Hurn, Jenks, Kendall, Langan of Clinton, McClure, Mordhorst, Payne, Stuckslager, Sweet, Temple, Walden, Walters, Willett, Wilson of Buena Vista—30.

So the bill passed and the title was agreed to.

#### INTRODUCTION OF BILLS.

By Calderwood of Scott, by unanimous consent, House file No. 445, a bill for an act to amend section 237 of the code, relating to the publication of the proceedings of the State Teachers' association.

Read first and second time and referred to committee on Printing.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 163, a bill for an act relating to the defence of the treasurer of state in certain cases in suits brought to recover taxes or fees unlawfully collected, and providing for the payment and satisfaction of judgments rendered against him in such cases.

Also, Senate file No. 200, a bill for an act to amend section eight hundred and ninety-four (894) of the code of Iowa, as amended by the Twenty-eighth General Assembly, relating to the levy of special taxes by cities.

Also, Senate file No. 201, a bill for an act to amend section six hundred forty-five (645) and section six hundred fifty-eight (658) of the code of Iowa, relating to the powers and duties of mayors of cities.

Also, Senate file No. 203, a bill for an act to amend section eight hundred and twenty-three (823) of the code of Iowa, relating to notice of of the levy of special assessments.

Also, Senate file No. 217, a bill for an act to amend section eight (8) of chapter fifty-eight (58) of the acts of the Twenty-eighth General Assembly, relating to the construction of street railways upon state fair grounds.

Also, Senate file No. 218, a bill for an act to provide for the condemnation of a fishway and for erection of a fishway in the Bonaparte dam. Also making appropriation for the expenses thereof and prescribing penalties for injuring or destroying such fishway.

Also, Senate file No. 274, a bill for an act to amend section one hundred and sixty-four (164) and section one hundred and sixty-five (165) of the code, relating to powers and duties of the executive council.

Also, Senate file No. 298, a bill for an act to appropriate money to pay the custodian's employes for the month of March, A. D. 1902.

Also, Senate file No. 299, a bill for an act amendatory of chapter four (4), title ten (10) of the code of Iowa, to enable the United States of America to take private property for public improvements.

J. P. LYMAN,

*Chairman House Committee.*

E. K. WINNE,

*Chairman Senate Committee.*

Adopted.

Lyman of Poweshiek called up the motion to reconsider the vote by which House file No. 211 was lost on passage, also the vote by which the amendment offered by Sweet of Bremer to said bill was adopted.

Mr. Lyman asked unanimous consent to insert in the motion to reconsider, the words "also the vote by which the bill was passed to its third reading", after the words "lost on passage".

Granted and these words were inserted in the motion to reconsider.

Motion to reconsider carried.

Wilson of Washington moved that this bill be made a special order for Wednesday, April 2d, at 3 P. M.

Gilchrist of Pocahontas moved to amend by making the time 9:30 A. M., Thursday, April 3d.

Amendment adopted.

Motion as amended carried.

Anderson of Warren called up the committee report on the life and services of the Hon. W. J. Cochran and moved the adoption of the report of the committee.

Adopted unanimously.

The Speaker announced that he had signed in the presence of the House in open session the following bills: Senate files Nos. 163, 200, 201, 203, 217, 218, 274, 298, 299.

On motion of Hurn of Cerro Gordo, House adjourned till 2 P. M.



AFTERNOON SESSION.  

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House met at 2 P. M., Speaker Eaton in the chair.

On motion of Buchanan of Wapello, Senate file No. 228 was ordered recalled from the Senate.

On motion of Sweeley of Woodbury, leave of absence was granted Willett of Woodbury until tomorrow.

On motion of Bealer of Linn, leave of absence was granted Stuckslager of Linn until tomorrow.

On motion of Nichols of Muscatine, leave of absence was granted Leech of Cedar until Thursday noon.

## INTRODUCTION OF BILLS.

By Larrabee of Fayette, by unanimous consent, House file No. 446, a bill for act to amend section 1336 of the code, relative to the assessment of railway property for taxation.

Read first and second time.

On motion of Mr. Larrabee, by a vote of 40 for to 8 against the House took up House file No. 446 for consideration.

Mr. Larrabee moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Carden, Cassel, Cheney, Christianson, Clarke, Colclo, Cowles, Cruikshank, Cummings, Davenport, Donahue, Eiker, English, Fields, Freeman, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hughes, Hurn, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Langan of Clinton, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol,

Stratton, Sweeley, Teachout, Townsend, Utterback, Walden, Warren, Whiting, Wilson of Washington, Wise, Wright, Mr. Speaker—75.

The nays were:

Messrs. Blakemore, Coburn, Crouse—3.

Absent or not voting:

Messrs. Campbell, Carter, Dodds, Dunham, Edwards, Flenniken, Gilchrist, Hufschmidt, Jaeger, Kendall, Koontz, Langan of Crawford, Mordhorst, Payne, Pritchard, Springer, Stuckslager, Sweet, Temple, Walters, Willett, Wilson of Buena Vista—22.

So the bill passed and the title was agreed to.

On motion of Warren of Marion, special order No. 20, being House file No. 417, a bill for an act to create a state department of insurance, and providing for the appointment of a commissioner of insurance, with report of committee on Appropriations recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Warren moved to amend the bill by adding after the word "as", in second line from the bottom of section 6 as amended by the committee on Insurance, the word "is", also by striking out of said line the words "defined in the code."

Adopted.

Langan of Clinton moved to amend by striking out the words and figures "two thousand five hundred dollars (\$2,500) per annum", in lines 5 and 6 of section 2 of the printed bill and insert in lieu thereof the words and figures "two thousand (\$2,000) dollars per annum."

Adopted.

Mr. Langan moved to amend by striking out the words and figures "fifteen hundred (\$1,500) dollars per annum", in line 9 of section 3 of the printed bill and inserting in lieu thereof the words and figures "one thousand (\$1,000) dollars per annum."

Lost.

Mr. Langan moved to strike out section 4.

On this motion the roll call was demanded by Messrs. Langan of Clinton and Colclo of Carroll, which resulted as follows:

On the question, Shall the motion prevail?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Buchanan, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Donahue, Fields, Freeman, Furry, Gilchrist, Graff, Greeley, Hasselquist, Head, Hertert, Jones, Koontz, Langan of Clinton, Langan of Crawford, Leech, McClure, McNie, Marshall, Moore, Mordhorst, Nichols, Powers, Roome, Stratton, Sweeley, Utterback, Walden, Whiting, Wilson of Washington, Wright—47.

The nays were:

Messrs. Barker, Calderwood, Carden, Dunham, English, Flen-  
niken, Hamann, Hawk, Hilsinger, Hughes, Hurn, Jaeger, Jenks,  
Keagy, Kolthoff, Lyman, Mattes, Meservey, Nagle, Patton,  
Pipher, Pritchard, Robinson, Secor, Sokol, Temple, Townsend,  
Warren, Wise, Mr. Speaker—30.

Absent or not voting:

Messrs. Blakemore, Boysen, Campbell, Carter, Dodds,  
Edwards, Eiker, Frudden, Greene, Hufschmidt, Kendall, Kerr,  
Kling, Larrabee, McClurkin, Payne, Springer, Stuckslager, Sweet,  
Teachout, Walters, Willett, Wilson of Buena Vista—23.

So the amendment was adopted.

Langan of Clinton moved to amend the bill by inserting as section 4:

Section 4. The attorney-general shall be the legal advisor of the commis-  
sion and the department.

Lost by a vote of 21 for and 27 against.

Temple of Clarke moved to amend section 9 of the bill by striking out the words "December 31st" in line 2 of the printed bill, and inserting in lieu thereof the words "June 30th"; also, by striking out the words and figures "January 6, 1903," in line 4, and by inserting in lieu thereof the words and figures "July 1, 1902"; also, by striking out of the sixth line of the printed bill the following "January 6, 1903", and by inserting before the word "turn", in line 6 of the printed bill the word "then"; also, by adding the following as section 10:

Section 10. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Lost.

Pipher of Cass moved to reconsider the vote by which the first amendment offered by Langan of Clinton was adopted.

Messrs. Langan of Clinton and Colclo of Carroll demanded the roll call on this motion, which resulted as follows:

On the question, Shall the motion prevail?

The yeas were:

Messrs. Anderson, Calderwood, Cummings, Dunham, English, Flenniken, Furry, Gilchrist, Greene, Hawk, Hilsinger, Hughes, Hurn, Jenks, Keagy, Larrabee, Leech, Lyman, McClurkin, Mattes, Meservey, Pipher, Pritchard, Robinson, Secor, Springer, Teachout, Temple, Townsend, Warren, Wilson of Buena Vista, Wise, Mr. Speaker—33.

The nays were:

Messrs. Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Davenport, Donahue, Fields, Graff, Hasselquist, Head, Hertert, Jaeger, Jones, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, McClure McNie, Marshall, Moore, Mordhorst, Nichols, Patton, Powers, Roome, Sokol, Stratton, Sweeley, Utterback, Walden, Whiting, Wilson of Wahington, Wright—47.

Absent or not voting:

Messrs. Campbell, Carden, Carter, Dodds, Edwards, Eiker, Freeman, Frudden, Hamann, Kendall, Kerr, Kling, Nagle, Payne, Stuckslager, Sweet, Walters, Willett—20.

So the motion to reconsider was lost.

Jenks of Pottawattamie moved to amend by inserting as section 4 the following:

Sec. 4. The commissioner may also appoint an examiner and employ suitable persons to make examinations as provided by law.

Adopted.

Gilchrist of Pocahontas moved to amend the bill by striking therefrom the word "senate" wherever the same occurs in section I thereof, except in line 8 of said section and by inserting in lieu thereof the words "general assembly in joint session".

Adopted.

Clarke of Dallas in the chair.

Gilchrist of Pocahontas moved to amend by inserting in line 7, section I of the printed bill, after the word "party", the words "or branch of the general assembly".

Adopted.

Jones of Mahaska moved to amend by striking out the words "and chief clerk" in line 3, also striking out the comma after the word "commission", and just prior to the word "deputy", in line 2, and by inserting the word "and" in lieu thereof, all in section 7.

Adopted.

Mr. Warren moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Calderwood, Clarke, Cummings, English, Flenniken, Furry, Gilchrist, Hertert, Hughes, Jaeger, Jenks, Kerr, Leech, Mattes, Meservey, Nichols, Patton, Pipher, Teachout—22.

The nays were:

Messrs. Barkley, Bealer, Black, Blakemore, Buchanan, Cassel, Cheney, Christianson, Colclo, Cowles, Crouse, Cruikshank, Davenport, Donahue, Dunham, Fields, Freeman, Frudden, Graff, Greene, Hasselquist, Head, Hurn, Jones, Keagy, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Lyman, McClure, McNie, Marshall, Moore, Mordhorst, Powers, Pritchard, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Temple, Walden, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright—50.

Absent or not voting:

Messrs. Boysen, Campbell, Carden, Carter, Coburn, Dodds, Edwards, Eiker, Greeley, Hamann, Hawk, Hilsinger, Hufschmidt, Kendall, Kling, Larrabee, McClurkin, Nagle, Payne, Robinson, Stuckslager, Sweet, Townsend, Utterback, Walters, Warren, Willett, Mr. Speaker—28.

So the bill was lost.

Speaker Eaton in the chair.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate.

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 386, a bill for an act to amend sections twenty-four hundred thirty-three (2433) and twenty-four hundred thirty-five (2435) of the code, relating to the listing of places where intoxicating liquors are kept for sale or sold, and the assessment of the mulct tax against the property and its owner or owners and the occupant or tenant of such property.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 316, a bill for and act to amend section three thousand six hundred fifty-one (3651) of the code, relating to method of trial in ordinary actions after reversal in the supreme court.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Substitute for Senate file No. 278, a bill for an act to repeal chapter 69 of the laws of the Twenty-eighth General Assembly, regulating the practice of osteopathy in the state of Iowa and enacting a substitute therefor.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate file No. 243, a bill for an act to amend sections 860, 861 and 862 of the code, relating to voting taxes for the purchase of real estate for parks and constructing dams and improvements of parks and rivers, condemning real estate for parks and

jurisdiction of cities having a population under 20,000, and towns over parks without their corporate limits.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 260, a bill for an act to amend sections 1328, 1329 of the code, and to amend sections 3 and 4 of chapter 42, acts of the Twenty-eighth General Assembly, relating to reports by and taxation of telegraph and telephone companies, and requiring said companies to file with county auditors maps and schedules of their lines.

GEO. A. NEWMAN,  
*Secretary.*

Senate file No. 260 was taken up, read a first and second time and, on motion of Buchanan of Wapello, was passed on file.

On motion of Clarke of Dallas, special order, being Senate file No. 230, a bill for an act for the preservation of life and the protection of property, to require the construction of fire escapes to certain buildings and enclosures now constructed or hereafter to be erected; providing the manner of constructing the same and imposing penalties for the violation thereof, was taken up and considered.

Mr. Clarke moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cruikshank, Davenport, Donahue, Dunham, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Lyman, McClure, McNie, Marshall, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Sokol, Stratton, Sweeley, Temple, Utter

back, Walden, Warren, Whiting, Wilson of Buena Vista, Wise Wright, Mr. Speaker—77.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Campbell, Carter, Cowles, Cummings, Dodds, Edwards, Head, Hufschmidt, Kendall, Larrabee, Leech, McClurkin, Mordhorst, Payne, Pritchard Secor, Springer, Stuck-slager, Sweet, Teachout, Townsend, Walters, Willett, Wilson of Washington—23.

So the bill passed and the title was agreed to.

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote by which Senate file No. 228 passed the House and the vote by which it was passed to its third reading.

M. J. SWEELEY.

I second the motion.

A. F. FRUDDEN.

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote by which House file No. 403 passed the House, also the vote by which the bill passed to its third reading.

S. T. MESERVEY.

I second the above motion.

GARDNER COWLES.

On motion of Hamann of Scott the conference committee on House file No. 248 was excused from 9 A. M. tomorrow morning, April 2d.

On motion of Pipher of Cass, House adjourned till 9 A. M. tomorrow, Wednesday, April 2d.



HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Wednesday, April 2, 1902. }

The House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by Rev. A. E. Kifford of Ida Grove, Iowa.

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote by which House file No. 446 was considered without reference to a committee, the vote by which the rules were suspended, the bill considered engrossed and passed to the third reading; also further move to reconsider the vote by which said bill passed the House.

C. J. WILSON.

I second the motion: D. W. Hurn, B. F. Cummings, Mark J. Furry, E. A. Fields, Wm. Carden, W. M. Greeley, S. T. Meservey, W. E. Jones, Robt. Hufschmidt, E. M. Hertert, A. F. Frudden, Albert W. Hamann, Geo. W. Dunham, M. L. Temple, E. J. C. Bealer, B. F. Robinson, G. W. Clarke, T. Donahue, J. I. Nichols, D. J. Patton, B. L. Eiker.

Wilson of Washington moved the adoption of the motion to reconsider.

Carried.

Temple of Clarke moved that the bill, House file No. 446, be recalled from the Senate.

Carried.

The motion by which the rules were suspended, the bill considered engrossed and passed to its third reading, was lost.]

The motion to consider the [bill without reference to a committee was lost.

Jones of Mahaska moved that further consideration of this bill be postponed till the bill is received from the Senate.

Carried.

## REPORTS OF COMMITTEES.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 346, a bill for an act to amend section 3246 of the code, relating to binding minors as apprentices, and to the appointment of guardians for minors in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out section 2 (being the publication clause), and when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 380, a bill for an act to amend section 2423 of the code, in relation to payments or compensation for intoxicating liquors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Report adopted and the bill indefinitely postponed, on motion of Mr. Clarke.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 438, a bill for an act to amend section thirty-three hundred five (3305) of the code, relating to limitation of time for granting letters of administration on estates of decedents, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 422, a bill for an act to amend section 5663 of the code, limiting the number of guards allowed at the penitentiaries at Anamosa and Fort Madison, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 435, a bill for an act to amend section 610 of the code, relating to the submission to a vote of the question of extending the limits of cities and towns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Report adopted and the bill indefinitely postponed, on motion of Mr. Clarke.

Jenks of Pottawattamie, from the committee on Institute for the Deaf, submitted the following report:

MR. SPEAKER—Your committee on the Institute for the Deaf, to whom was referred House file No. 433, a bill for an act to amend section twenty-seven hundred twenty-four (2724) of the code, relating to admission to the Iowa School for the Deaf at Council Bluffs, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out all of section 1 thereof and inserting the following in lieu thereof:

Section 1. That section twenty-seven hundred twenty-four (2724) of the code be and the same is hereby amended by striking out the word "school", in line one (1), and inserting the words "not over twenty-five (25) years of" in lieu thereof.

And that the bill when so amended do pass.

J. H. JENKS,  
*Chairman.*

Ordered passed on file.

Temple of Clarke submitted the following:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 296, a bill for an act to amend chapter one (1), title seven (7) of the code, and to provide for the assessment and taxation of franchises for the operation of telephone plants, systems and exchanges, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 429, a bill for an act amending chapter one (1) of

title seven (7) of the code, relating to the assessment of taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred Senate file No. 115, a bill for an act to amend section one thousand three hundred thirty-three (1333) of the code, relating to the assessment of taxes upon foreign insurance companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 412, a bill for an act to enable incorporated towns to vote a special tax for one year for the purpose of erecting a town hall, public assembly room and library building in incorporated towns, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Anderson of Warren, from the committee on Printing, submitted the following report:

MR. SPEAKER—Your committee on Printing, to whom was referred Senate file No. 289, a bill for an act to amend section twenty-five hundred one (2501) of the code, in relation to annual reports and bulletins to be published by the state, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

J. M. ANDERSON,  
*Chairman.*

Report adopted and the bill was indefinitely postponed, on motion of Mr. Anderson.

Also:

MR. SPEAKER—Your committee on Printing, to whom was referred Senate file No. 194, a bill for an act to amend section one hundred twenty (120)

of the code, relating to printing and binding, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. M. ANDERSON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Printing, to whom was referred Senate file No. 175, a bill for an act to amend section twenty-seven hundred thirty-eight (2738) of the code, in relation to the duties of county superintendents, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. M. ANDERSON,  
*Chairman.*

Ordered passed on file.

Crouse of Adams, from the committee on Animal Industry, submitted the following report:

MR. SPEAKER—Your committee on Animal Industry, to whom was referred House file No. 393, a bill for an act to repeal sections 5012, 5013 and 5014 of the code, relating to diseased animals, and enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. S. CROUSE,  
*Chairman.*

Ordered passed on file.

Eiker of Decatur submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred Senate file No. 220, a bill for an act to amend chapter eighty-three (83) of the acts of the Twenty-eighth General Assembly, in relation to the inspection and use of the products of petroleum, beg leave to report, that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

B. L. EIKER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Public Health, to whom was referred Senate file No. 221, a bill for an act to amend section two thousand five hundred and eight (2508) of the code, in relation to the inspection and use of the products of petroleum, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

B. L. EIKER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 224 a bill for an act to provide safe means of egress from buildings, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

B. L. EIKER  
*Chairman.*

Ordered passed on file.

Wilson of Washington, from the committee on Pardons, submitted the following report:

MR. SPEAKER—Your committee on Pardons, to whom was submitted the application of John Wesley Elkins, a convict now confined at Anamosa under life sentence from the district court of Clayton county, state of Iowa for the murder of father and stepmother, beg leave to report that they have had said application under consideration and have instructed me to report the same back with the recommendation that his application for executive clemency be at this time denied.

C. J. WILSON,  
*Chairman.*

Ordered passed on file.

Eiker of Decatur submitted the following report in the matter of the application for conditional pardon of John Wesley Elkins:

MINORITY VIEWS OF THE COMMITTEE.

MR. SPEAKER—The undersigned, members of the House committee on Pardons, and a minority thereof, and being unable to concur in the report of the majority, respectfully but earnestly submit the following as their views in said matter:

First. We believe that the applicant, John Wesley Elkins, has outgrown and entirely subjugated all criminal tendencies, and all dominating him at the time of the commission of the crime of which he is undergoing punishment.

Second. That in the twelve years of his imprisonment, by close application to study, he has developed his heart and mind to a degree unparalleled in prison history, and by study and reflection has completely subjugated, outgrown and eradicated all evil tendencies original in his nature.

Third. That he is safe to be trusted with his liberty, and if freedom be given him, we believe that he will be a useful and honorable member of society.

Fourth. We believe that he has repented of the crime by him committed and that he has been severely punished for the mad criminal act of a mere boy, and we do not believe that the interests of society or his reformation demand longer incarceration.

We, therefore, respectfully submit the following resolution, and ask that the same be substituted for the majority report:

CONCURRENT RESOLUTION

Authorizing and advising the conditional pardon of John Wesley Elkins.

*Be it Resolved*, By the House, the Senate concurring: That the governor be and is hereby authorized to grant, and it is advised and recommended that he grant a conditional pardon to John Wesley Elkins, formerly of Clayton county, Iowa, and who now is confined under life sentence from the district court of said county, in the state prison at Anamosa, upon the following terms and conditions:

First. That said John Wesley Elkins shall not return to or become an inhabitant of the county of Clayton, state of Iowa, or any other county adjoining thereto.

Second. That Prof. James E. Harlan of Mt. Vernon shall satisfy the governor that suitable and adequate provisions has been made for the education and support of John Wesley Elkins for a term of 10 years after his liberation from prison.

Third. That he shall put himself under the control and tutelage of Prof. James E. Harlan of Mt. Vernon, and he, John Wesley Elkins, shall be directed and controlled in all matters touching his deportment and life by him, the said Prof. James E. Harlan.

Fourth. That said John Wesley Elkins shall deport himself as a peaceable, orderly and well-disposed member of society.

Fifth. And such other conditions and restrictions as the governor shall see proper to impose.

B. L. EIKER,  
M. F. EDWARDS,  
BURTON E. SWEET,  
FRANK S. PAYNE,  
WM. G. KERR,  
H. E. TEACHOUT,  
C. J. WILSON.

Larrabee of Fayette, from the special committee to prepare resolutions on the death of the Hon. John H. Gear, submitted the following report:

MR. SPEAKER—Your Special committee, appointed to prepare resolutions on the death of Hon. John H. Gear, beg leave to report that they have had the same under consideration and the committee has authorized me to report the following resolutions and recommend that the same be adopted:

CONCURRENT RESOLUTION ON THE DEATH OF HON. JOHN H. GEAR.

WHEREAS, The Hon. John H. Gear, United States senator from the state of Iowa, departed this life at Washington, D. C., on the 14th day of July, 1900; and,

WHEREAS, The general assembly of the state of Iowa desires to place upon record its profound grief at his untimely death and its appreciation of his worth as a citizen and as a public officer; therefore,

*Resolved*, By the House the Senate concurring: That in the death of Senator Gear our state has lost one of its best beloved and most prominent citizens. He was one of the early pioneers of the state, having been a resident of Burlington since September 25th, 1843. He took an active part as a citizen and in public life in laying the foundation of our present great and prosperous state. In 1863 his political career commenced when he was elected mayor of the city of Burlington. In 1871 he was elected a representative of the Fourteenth General Assembly and was re-elected in 1873 and again in 1875, serving as Speaker in both the Fifteenth and Sixteenth General Assemblies. He was elected governor of the state in 1877, and again in 1879, serving four years. His administration of this high office was so energetic and vigorous that he became a popular leader. He also served as a member of the Fiftieth, Fifty-first and Fifty-third congresses, and in 1892 served a brief term as assistant secretary of the treasury under President Harrison.

In 1894 he was elected to the senate of the United States, an office which he held up to the time of his death. He had also been re-elected senator for the full term, commencing March 4, 1901.

In all these varied public positions he was a faithful, conscientious officer. He was of a genial disposition, loyal to his friends, strongly devoted to every interest of his state, intensely patriotic, a strong, faithful and able public servant, an honest man.

In his death our state has lost one of the most distinguished citizens and his family a fond and loving husband and father.

*Resolved*, That these resolutions be spread upon the Journals of the two Houses and that an engrossed copy be furnished the family of the deceased.

On the part of the House,

WM. LARRABEE, JR.,  
A. J. BARKLEY,  
C. W. CARTER.

On the part of the Senate,

L. C. BLANCHARD,  
ALEXANDER MARDIS,  
GEO. M. BALL.

Adopted unanimously by rising vote.

#### SENATE MESSAGES CONSIDERED.

Senate file No. 316, a bill for an act to amend section three thousand six hundred fifty-one (3651) of the code, relating to method of trial in ordinary actions after reversal in the supreme court.



Read first and second time and referred to committee on Judiciary.

Substitute for Senate file No. 273, a bill for an act to repeal chapter sixty-nine (69) of the laws of the Twenty-seventh General Assembly, regulating the practice of osteopathy in the state of Iowa, and enacting a substitute therefor.

Read first and second time and, on motion of Hawk of Jasper, the rule was suspended and the bill was passed on file.

Moore of Davis offered the following resolution which was laid over under rule 34:

*Resolved*, By the House, the Senate concurring: That a committee of three on the part of the House and two on the part of the Senate be appointed to examine the oil portrait of the late Senator Harlan, now on exhibition in the State Historical Art gallery, and report at once upon the expediency of purchasing the same.

#### BILLS ON THEIR PASSAGE.

On motion of Meservey of Webster, House file No. 294, a bill for an act to amend section 2757 of the code, relating to time of meeting of boards of school directors, and to amend sections 2762, 2764, 2765, 2769, 2785, 2793, 2801 of the code, to conform therewith, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Cummings of Marshall in the chair.

Sweeley of Woodbury moved to amend the bill by striking out the words "of Iowa", in line 2 of each section.

Adopted.

Mr. Meservey moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Boysen, Buchanan, Calderwood, Carden, Carter, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dodds, Dunham, English, Fields, Flenniken, Frudden, Furry, Graff, Greeley, Hamann, Hassel-

quist, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Keagy, Kerr, Kling, Koontz, Langan of Clinton, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Powers, Roome, Springer, Sweeley, Teachout, Temple, Townsend, Warren, Whiting, Wilson of Buena Vista, Wise—55.

The nays were:

Messrs. Bailey, Barkley, Black, Cassel, Davenport, Edwards, Freeman, Greene, Jenks, Jones, Kolthoff, Mordhorst, Nichols, Patton, Pritchard, Robinson, Secor, Sokol, Stratton, Utterback, Walden, Wright—22.

Absent or not voting:

Messrs. Barker, Blakemore, Campbell, Donahue, Eiker, Graff, Hawk, Head, Kendall, Langan of Crawford, Larrabee, Leech, Lyman, McClure, Marshall, Payne, Pipher, Stuckslager, Sweet, Walters, Willett, Wilson of Washington, Mr. Speaker—23.

So the bill passed.

On motion of Hasselquist of Lucas, the words "of Iowa" were stricken out of the title in two places.

The title, as amended, was agreed to.

On motion of Sweeley of Woodbury, House file No. 225, a bill for an act to amend section 725 of the code, relating to the powers of cities and towns, and to authorize cities and towns to prescribe regulations relating thereto, and to fix and regulate telephone rates and service, with report of committee recommending passage as amended by substitute, was taken up, considered and the report of the committee adopted.

Mr. Sweeley moved the adoption of the substitute as amendment to this bill.

Adopted.

Mr. Sweeley moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Black, Calderwood, Carden, Carter, Cheney, Christianson, Clarke, Colclo, Cowles, Crouse, Cummings, Donahue, Dunham, Edwards, Fields, Freeman, Frud-den, Furry, Gilchrist, Graff, Greene, Hasselquist, Hawk, Hertert, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Lyman, McClure McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Powers, Robinson, Roome, Sokol, Sweeley, Temple, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—61.

The nays were:

Messrs. Boysen, Pipher, Warren—3.

Absent or not voting:

Messrs. Barkley, Bealer, Blakemore, Buchanan, Campbell, Cassel, Coburn, Cruikshank, Davenport, Dodds, Eiker, English, Flenniken, Greeley, Hamann, Head, Hilsinger, Hurn, Kendall, Koontz, Larrabee, Leech, Marshall, Payne, Pritchard, Secor, Springer, Stratton, Stuckslager, Sweet, Teachout, Townsend, Utterback, Walden, Walters, Willett—36.

So the bill passed and the title was agreed to.

On motion of Mr. Sweeley the majority report of the committee recommending indefinite postponement of House file No. 256 was adopted, and the bill was indefinitely postponed.

Speaker Eaton in the chair.

By unanimous consent, on motion of Wilson of Washington, Senate file No. 197, a bill for an act relating to powers of boards of health and health officers, and the erection and maintenance of pesthouses and hospitals in certain cases was taken up out of its order.

Mr. Wilson moved the adoption of the report of the committee on Municipal Corporations.

Adopted.

Mr. Wilson moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Black, Boysen, Buchanan, Calderwood, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Cowles, Crouse, Cruikshank, Cummings, Donahue, Edwards, English, Fields, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Kerr, Kling, Kolthoff, Langan of Crawford, Lyman, McClure, McClurkin, McNie, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Sokol, Stratton, Sweeley, Temple, Walden, Warren, Whiting, Wilson of Washington, Wise, Wright, Mr. Speaker—67.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Bealer, Blakemore, Campbell, Coburn, Colclo, Davenport, Dodds, Dunham, Eiker, Flenniken, Freeman, Hurn, Jones, Keagy, Kendall, Koontz, Langan of Clinton, Larrabee, Leech, Marshall Meservey, Payne, Secor, Springer, Stuckslager, Sweet, Teachout, Townsend, Utterback, Walters, Willett, Wilson of Buena Vista—33.

On motion of Temple of Clarke, by unanimous consent, House file No. 90 was passed on the calendar, but allowed to retain its place thereon.

On motion of Hughes of Iowa, House file No. 391 was passed, by unanimous consent, but allowed to retain its place on the calendar.

On motion of Frudden of Dubuque, House file No. 7, a bill for an act for the better protection of life and property against injury or damage resulting from the operation of steam engines and boilers by incompetent engineers and others, with reports of committee on Police Regulations recommending passage as amended by substitute, was taken up, considered and the reports of the committee adopted.

Mr. Frudden moved that all the amendments offered by the committee on Police Regulations be adopted.

Christianson of Hamilton moved to amend by striking out section 1 and inserting in lieu thereof the following:

Section 1. That hereafter it shall be unlawful for any person to have charge of or operate a stationary steam boiler or engine in cities or towns of over ten thousand (10,000) population in the state, except mine hoisting engines, boilers, and engines under the jurisdiction of the United States or owned by the state of Iowa, or any county or town therein and boilers used exclusively for heating purposes where steam pressure does not exceed twenty (20) pounds per square inch, unless he holds a license as hereinafter provided, for a period of not more than one week.

Lost.

Hurn of Cerro Gordo moved to amend section 1 by inserting after the word "person," in line 1, the words "except the owner."

Adopted.

Sweeley of Woodbury moved to amend by striking out section 8 and inserting in lieu thereof the following:

Sec. 8. The examiners shall have authority and are hereby empowered to inspect any and all engines and boilers covered by this act at all reasonable hours and it shall be their duty to examine all of such engines and boilers once in each year. Upon the written request of three citizens that in their belief the boilers belonging to any steam plant are in an unsafe condition it shall be the duty of the examiners of that district to examine said boilers as soon as practicable. If upon inspection any boiler is found to be unsafe the examiner shall condemn the same and shall order that it be either replaced or repaired so as to be safe.

Adopted.

Mr. Sweeley moved to amend section 14 by striking out all of the second sentence thereof.

Adopted.

Lyman of Poweshiek moved to strike out the word "imprisonment," in line 4 of section 13, and to insert the word "imprisoned" in lieu thereof.

Adopted.

Mr. Frudden moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Boysen, Buchanan, Calderwood, Carter, Colclo, Cruikshank, Cummings, Davenport, Dodds,

Edwards, Fields, Freeman, Frudden, Graff, Greeley, Hamann, Hasselquist, Hawk, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Jones, Keagy, Kerr, Kolthoff, Koontz, Langan of Clinton, McClurkin, McNie, Marshall, Mattes, Meservey, Mordhorst, Nichols, Patton, Powers, Roome, Sokol, Springer, Sweeley, Temple, Utterback, Walden, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—54.

The nays were:

Messrs. Black, Cassel, Cheney, Christianson, Head, Hilsinger, McClure, Moore, Nagle, Pipher—10.

Absent or not voting:

Messrs. Bailey, Barkley, Bealer, Blakemore, Campbell, Carden, Clarke, Coburn, Cowles, Crouse, Donahue, Dunham, Eiker, English, Flenniken, Furry, Gilchrist, Greene, Jenks, Kendall, Kling, Langan of Crawford, Larrabee, Leech, Lyman, Payne, Pritchard, Robinson, Secor, Stratton, Stuckslager, Sweet, Teachout, Townsend, Walters, Willett—36.

So the bill passed and the title was agreed to.

On motion of McClurkin of Louisa, by unanimous consent, Senate file No. 253, a bill for an act to amend sections 1946, 1948 and 1951 of the code, relating to levees, drains and water courses, with report of committee recommending passage, was taken up out of its order, considered and the report of the committee adopted.

Mr. McClurkin moved that the rules be suspended and that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Black, Boysen, Buchanan, Calderwood, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Donahue, Edwards, Fields, Freeman, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mord-

horst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple, Utterback, Walden, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—75.

The nays were:

None.

Absent or not voting:

Messrs. Barkley, Bealer, Blakemore, Campbell, Carter, Dodds, Dunham, Eiker, English, Flenniken, Frudden, Hawk, Hurn, Kendall, Langan of Crawford, Larrabee, Leech, Payne, Roome, Stuckslager, Townsend, Walters, Warren, Whiting, Willett—25.

So the bill passed and the title was agreed to.

On motion of Marshall of Lee, by unanimous consent, Senate file No. 72, a bill for an act amending sections 1370, 1371, 1373, relating to equalization of taxes and appeals from the local boards of review, applicable to cities acting under special charter, with report of committee recommending passage as amended by substitute, was taken up out of its order, considered and the report of the committee adopted.

On motion of Mr. Marshall the amendment of the committee was adopted.

Mr. Marshall moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Black, Boysen, Buchanan, Calderwood, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Edwards, Frudden, Furry, Gilchrist, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Keagy, Kerr, Kling, Kolt-hoff, Koontz, Lyman, McClurkin, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Sokol, Stratton, Sweeley, Teachout, Temple, Utterback, Warren, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—69.

The nays were:

None.

Absent or not voting:

Messrs. Barkley, Bealer, Blakemore, Campbell, Carter, Dunham, Eiker, English, Fields, Flenniken, Freeman, Graff, Jones, Kendall, Langan of Clinton, Langan of Crawford, Larrabee, Leech, McClure, McNie, Payne, Roome, Secor, Springer, Stuckslager, Sweet, Townsend, Walden, Walters, Whiting, Willett—31.

So the bill passed and the title was agreed to.

On motion of Carden of Henry, by unanimous consent, Senate file No. 167, a bill for an act to amend section twenty-seven hundred ninety-four (2794) of the code, relating to the organization of independent districts, with report of committee recommending passage, was taken up out of its order, considered and the report of the committee adopted.

Mr. Carden moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Black, Boysen, Buchanan, Calderwood, Carden, Cassel, Cheney, Christianson, Clarke, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Edwards, Fields, Freeman, Frudden, Furry, Gi'christ, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Keagy, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Patton, Pipher, Powers, Pritchard, Robinson, Secor, Sokol, Sweeley, Teachout, Temple, Townsend, Utterback, Warren, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—70.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Bealer, Blakemore, Campbell, Carter, Coburn, Dunham, Eiker, English, Flenniken, Graff, Greeley, Jones, Ken-



dall, Langan of Crawford, Larrabee, Leech, Lyman, McClure, Nichols, Payne, Roome, Springer, Stratton, Stuckslager, Sweet, Walden, Walters, Whiting, Willett—30.

So the bill passed and the title was agreed to.

On motion of Barkley of Boone, Senate file No. 25, a bill for an act to amend section 727 of the code, relating to gifts and bequests for library purposes, with report of committee, was taken up, considered and the report of the committee adopted.

Mr. Barkley moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Boysen, Buchanan, Calderwood, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Edwards, Eiker, English, Fields, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Keagy, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Lyman, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Pritchard, Secor, Sokol, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—76.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Blakemore, Campbell, Carter, Donahue, Dunham, Flenniken, Greeley, Jones, Kendall, Kerr, Larrabee, Leech, McClure, Nagle, Payne, Robinson, Roome, Springer, Stratton, Stuckslager, Walden, Walters, Willett—24.

So the bill passed and the title was agreed to.

On motion of Temple of Clarke, House files Nos. 406, 410 and 418 were made special orders for tomorrow morning to follow the special order already set.

On motion of Hughes of Iowa, House adjourned till 2 P. M.

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### AFTERNOON SESSION.

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House met at 2 P. M., Speaker Eaton in the chair.

The Speaker read a communication from Kendall of Monroe in which he asked that the Journal show that had it been possible for him to have been present on yesterday, April 1st, that he would have voted "aye" on House file No. 446.

On motion of Wilson of Washington, leave of absence was granted Stuckslager of Linn, indefinitely, on account of sickness.

#### SPECIAL ORDER.

The House took up the several reports of the committee on pardons which were set for special order for 2 P. M.

On motion of Wilson of Washington the application for pardon by Otto Otten, with report of committee recommending executive clemency, was taken up, considered and the report of the committee was adopted.

Mr. Wilson moved the adoption of the concurrent resolution offered by the committee.

On this question the roll call was demanded by Messrs. Warren of Marion and Head of Greene, which resulted as follows:

Gilchrist of Pocahontas asked permission of the House to be excused from voting on this concurrent resolution, which was granted.

On the question, Shall the concurrent resolution be adopted?

The yeas were:

Messrs. Anderson, Bailey, Boysen, Calderwood, Clarke, Coburn, Davenport, Edwards, Eiker, English, Frudden, Furry, Graff, Hamann, Hasselquist, Hilsinger, Jaeger, Jenks, Keagy, Koontz, McClurkin, Meservey, Moore, Mordhorst, Nagle, Patton, Pipher, Roome, Sokol, Stratton, Sweeley, Sweet, Teachout, Temple, Townsend, Walters, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Mr. Speaker—41.

The nays were:

Messrs. Barker, Barkley, Black, Buchanan, Carter, Cassel, Cheney, Christianson, Colclo, Cowles, Crouse, Cruikshank, Cummings, Fields, Freeman, Greeley, Greene, Hawk, Head, Hufschmidt, Hughes, Hurn, Jones, Kerr, Kolthoff, Langan of Clinton, Langan of Crawford, Lyman, McClure, McNie, Mattes, Nichols, Powers, Robinson, Secor, Utterback, Walden, Wright—38.

Absent or not voting:

Messrs. Campbell, Carden, Dodds, Donahue, Dunham, Flenniken, Gilchrist, Hertert, Kendall, Kling, Larrabee, Leech, Pritchard, Stuckslager, Willett, Wise—21.

So the concurrent resolution was adopted.

The following explanation of vote was filed:

MR. SPEAKER—I vote "no" on pardon for Otto Otten for the reason that I do not feel that I am sufficiently well informed to justify me in voting "yes."

B. F. ROBINSON.

On motion of Wilson of Washington, the application for pardon of Theodore Bushick, with report of committee recommending executive clemency was taken up, considered and the report of the committee adopted.

Mr. Wilson moved the adoption of the concurrent resolution offered by the committee.

On this motion the roll call was demanded by Messrs. Dunham of Delaware and Hughes of Iowa.

On the question, Shall the concurrent resolution be adopted?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Carden, Carter, Christianson, Clarke, Coburn, Colclo, Cowles, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, Fields, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kerr, Kolthoff, Koontz, Langan of Crawford, Larrabee, Lyman, McClure, McClurkin, McNie, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Sweet, Teachout,

Temple, Townsend, Walden, Walters, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—78.

The nays were:

Messrs. Cheney, Crouse, English, Greene, Langan of Clinton, Nagle, Utterback—7.

Absent or not voting:

Messrs. Boysen, Calderwood, Cassel, Flenniken, Head, Kendall, Kling, Leech, Marshall, Mattes, Payne, Pritchard, Springer, Stuckslager, Whiting—15.

So the concurrent resolution was adopted.

On motion of Wilson of Washington, the application for pardon by Joseph McCreary, with report of committee recommending executive clemency, was taken up, considered and the report of the committee adopted.

Mr. Wilson moved the adoption of the concurrent resolution offered by the committee.

Messrs. Dunham of Delaware and Hughes of Iowa demanded the roll call.

On the question, Shall the concurrent resolution be adopted?

The yeas were:

Messrs. Anderson, Bailey, Bealer, Buchanan, Calderwood, Carden, Clarke, Coburn, Cowles, Cruikshank, Davenport, Dodds, Edwards, Eiker, English, Frudden, Furry, Graff, Hamann, Hillsinger, Jaeger, Koontz, McClure, McClurkin, Marshall, Meservey, Moore, Mordhorst, Patton, Pipher, Roome, Sokol, Stratton, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walters, Warren, Whiting, Wilson of Washington, Wise, Mr. Speaker—45.

The nays were:

Messrs. Barker, Barkley, Black, Boysen, Carter, Cassel, Cheney, Christianson, Colclo, Crouse, Cummings, Donahue, Fields, Freeman, Gilchrist, Greeley, Greene, Hawk, Head, Hufschmidt, Hughes, Hurn, Jenks, Jones, Kerr, Kolthoff, Langan of Clinton, Lyman, Mattes, Powers, Robinson, Secor, Walden, Wilson of Buena Vista, Wright—35.

Absent or not voting:

Messrs. Blakemore, Campbell, Dunham, Flenniken, Hasselquist, Hertert, Keagy, Kendall, Kling, Langan of Crawford, Larabee, Leech, McNie, Nagle, Nichols, Payne, Pritchard, Springer, Stuckslager, Willett—20.

So the concurrent resolution was adopted.

The following explanation of vote was filed:

MR. SPEAKER—I vote "no" on the pardon of Joseph McCreary for the reason that I do not feel that I am sufficiently well informed to justify me in voting "yes."

B. F. ROBINSON.

On motion of Wilson of Washington, the application for pardon of John Bellew, with report of committee recommending executive clemency, was taken up, considered and the report of the committee adopted.

Mr. Wilson moved the adoption of the concurrent resolution offered by the committee.

Messrs. Dunham of Delaware and Hughes of Iowa demanded the roll call.

On the question, Shall the concurrent resolution be adopted?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Davenport, Donahue, Dunham, Edwards, Eiker, English, Freeman, Frudden, Furry, Graff, Greeley, Hamann, Hasselquist, Hawk, Hilsinger, Hufschmidt, Jaeger, Jenks, Kerr, Kolthoff, Koontz, Langan of Clinton, McClurkin, Marshall, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—71.

The nays were:

Messrs. Cheney, Gilchrist, Head, Hughes, Hurn, Jones, Lyman, McClure—8.

Absent or not voting:

Messrs. Campell, Cassel, Cummings, Dodds, Fields, Flenniken, Greene, Hertert, Keagy, Kendall, Kling, Langan of Crawford, Larrabee, Leech, McNie, Nagle, Payne, Pritchard, Springer, Stuckslager, Willett—21.

So the concurrent resolution was adopted.

On motion of Wilson of Washington, the application for pardon by William Young, with report of committee recommending executive clemency, was taken up, considered and the report of the committee adopted.

Wilson of Washington moved the adoption of the concurrent resolution offered by the committee.

Messrs. Dunham of Delaware and Hughes of Iowa demanded the roll call.

On the question, Shall the concurrent resolution be adopted?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Christianson, Clarke, Coburn, Colclo, Cowles, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Jaeger, Jenks, Keagy, Kerr, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, McClure, McClurkin, McNie, Marshall, Mattes, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Sweet, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—79.

The nays were:

None.

Absent or not voting:

Messrs. Campbell, Cassel, Cheney, Crouse, Flenniken, Greene, Hilsinger, Hurn, Jones, Kendall, Kling, Larrabee, Leech, Lyman, Meservey, Nagle, Payne, Springer, Stuckslager, Teachout, Willett—21.

So the concurrent resolution was adopted.

On motion of Wilson of Washington, the application for pardon of George Stanley, with report of committee recommending executive clemency, was taken up, considered and the report of the committee adopted.

Mr. Wilson moved that the concurrent resolution offered by the committee be adopted.

Messrs. Dunham of Delaware and Hughes of Iowa demanded the roll call.

On the question, Shall the concurrent resolution be adopted?

The yeas were:

Messrs. Anderson, Bailey, Barker, Bealer, Boysen, Buchanan, Calderwood, Carden, Christianson, Clarke, Coburn, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Edwards, Eiker, English, Fields, Frudden, Furry, Graff, Hamann, Hasselquist, Hawk, Hertert, Hufschmidt, Jaeger, Jenks, Keagy, Kerr, Kling, Kolthoff, Koontz, McClurkin, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Robinson, Roome, Sokol, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walters, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—60.

The nays were:

Messrs. Barkley, Black, Blakemore, Carter, Cassel, Cheney, Colclo, Cowles, Dunham, Gilchrist, Greeley, Greene, Head, Hughes, Hurn, Jones, Langan of Clinton, Langan of Crawford, Lyman, McClure, McNie, Mattes, Nagle, Powers, Secor, Stratton, Walden—27.

Absent or not voting:

Messrs. Campbell, Flenniken, Freeman, Hilsinger, Kendall, Langan of Crawford, Larrabee, Leech, Marshall, Payne, Pritchard, Springer, Stuckslager, Willett—13.

So the concurrent resolution was adopted.

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote by which House file No. 417 was lost; also, the vote by which the same passed to its third reading; also, the vote by which the amendments to sections one (1), two (2), three (3) and seven (7) were adopted; also, the vote by which the amendment adding section ten (10) was lost; also, the vote by which the amendment was

adopted striking out of said bill section four (4); also, the vote by which the amendment was adopted inserting a substitute to said section four (4); also, the vote by which the amendment to section nine (9), offered by Temple of Clarke, was lost.

R. C. LANGAN.

I second the motion; H. E. Teachout, John Pipher, D. J. Townsend, B. F. Cummings, Will C. Whiting, Joseph Mattes, M. L. Temple, Louis M. Jaeger, D. W. Hurn, Geo. W. Dunham, Mark J. Furry.

On motion of Wilson of Washington, the application for pardon of Wesley Elkins, with report of committee recommending that executive clemency be denied him, also with minority report recommending executive clemency, was taken up and considered.

On motion of Townsend of Calhoun, House adjourned till 9 A. M., tomorrow, Thursday, April 3d.



HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Thursday, April 3, 1902.

The House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. Albert A. Walburn of Coin, Iowa.

Journal of Monday, March 31st, was corrected and approved.

Journal of Tuesday, April 1st, was corrected and approved.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 283, a bill for an act to legalize copy of certified record of the supreme court of the United States in case of the Burlington & Missouri River Railroad company, plaintiff in error v. Fremont county, Iowa, in error to the supreme court of Iowa.

Also, House file No. 328, a bill for an act to legalize the ordinances of the town of Shannon City, situated in Union and Ringgold counties.

Also, House file No. 376, a bill for an act to repeal section two thousand, two hundred fifty-three (2253) of the code and enact a substitute in lieu thereof, in relation to hospitals for the insane.

Also, House file No. 48, a bill for an act to fix the compensation of appraisers of property.

Also, House file No. 311, a bill for an act to amend section three (3) of chapter fifty-eight (58) of the acts of the Twenty-eighth General Assembly, relating to membership in the annual convention of the department of agriculture.

Also, House file No. 167, a bill for an act providing for the condemnation of real estate by the state, for the use and benefit of institutions of the United States and the payment of damages therefor.

Also, House file No. 286, a bill for an act to amend sections one thousand seventy-five (1075), one thousand one hundred thirty (1130), one thousand five hundred twenty-eight (1528), one thousand five hundred thirty-three (1533), one thousand five hundred forty-two (1542), one thousand five hundred forty-five (1545), one thousand five hundred fifty-one (1551), one thousand five hundred fifty-four (1554) and forty-eight hundred eight (4808) of the code, and to repeal sections one thousand five hundred thirty-two (1532), one thousand five hundred forty (1540) and one thousand five hundred fifty (1550) of the code, and enact substitutes therefor, and to repeal sections one thousand five hundred forty-one (1541), one thousand five hundred forty-six (1546), one thousand five hundred fifty-three (1553) and one thousand five hundred sixty-seven (1567) of the code, relative to the duties of township trustees, the duties of township clerks, the election, qualification, duties, compensation and payment of road supervisors, the consolidation of road districts and the levy and collection of road tax.

J. P. LYMAN,  
*Chairman.*

Report adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills, respectfully report that they have examined, and find correctly enrolled, House file No. 283, a bill for an act to legalize copy of certified record of the supreme court of the United States in case of the Burlington & Missouri River Railroad company, plaintiff in error v. Fremont county, Iowa, in error to the supreme court of Iowa.

Also, House file No. 328, a bill for an act to legalize the ordinances of the town of Shannon City, situated in Union and Ringgold counties.

Also, House file No. 376, a bill for an act to repeal section two thousand two hundred fifty-three (2253) of the code, and enact a substitute in lieu thereof in relation to hospital for the insane.

Also, House file No. 48, a bill for an act to fix the compensation of appraisers of property.

Also, House file No. 311, a bill for an act to amend section three (3) of chapter fifty-eight (58) of the acts of the Twenty-eighth General Assembly, relating to membership in the annual convention of the department of agriculture.

Also, House file No. 167, a bill for an act providing for the condemnation of real estate by the state, for the use and benefit of institutions of the United States, and the payment of damages therefor.

Also, House file No. 286, a bill for an act to amend sections one thousand seventy-five (1075), one thousand one hundred thirty (1130), one thousand five hundred twenty-eight (1528), one thousand five hundred thirty-three (1533), one thousand five hundred forty-two (1542), one thousand five hun

dred forty-five (1545), one thousand five hundred fifty-one (1551) and one thousand five hundred fifty-four (1554), forty-eight hundred eight (4808) of the code, and to repeal sections one thousand five hundred thirty-two (1532), one thousand five hundred forty (1540) and one thousand five hundred fifty (1550) of the code and to enact substitutes therefor, and to repeal sections one thousand five hundred forty-one (1541), one thousand five hundred forty-six (1546), one thousand five hundred fifty-three (1553) and one thousand five hundred sixty-seven (1567) of the code, relative to the duties of township trustees, the duties of township clerks, the election, qualification, duties, compensation and payment of road supervisors, the consolidation of road districts and the levy and collection of road tax.

J. P. LYMAN,

*Chairman House Committee:*

E. K. WINNE,

*Chairman Senate Committee.*

Adopted.

Mr. Hamann submitted the following report:

MR. SPEAKER—Your reference committee appointed to act with a like committee from the Senate, and to whom was referred House file No. 248 as amended by the Senate, being a bill for an act relating to, defining, regulating and conferring rights and powers upon interurban railways and amending section two thousand twenty-six (2026) of the code, relating to such railways, beg leave to report that they have had the same under consideration and after conferring together have agreed to submit herewith amendments to sections 3 and 4 of said bill.

And your committee further recommends that each of said amendments be adopted and that when so amended the bill do pass.

All of which is respectfully submitted.

O. B. COURTRIGHT,

A. S. HAZELTON,

THOS. LAMBERT,

E. H. HUBBARD.

ALBERT W. HAMANN,

M. L. TEMPLE,

N. G. JONES,

G. W. KOONTZ,

*Conference Committee.*

Amend the bill by substituting for section 3, as substituted by the Senate, the following:

Section 3. Any interurban railway shall, within the corporate limits of any city or town, or of any city acting under special charter, upon such streets as it shall use for transporting passengers, mail, baggage, and such parcels, packages and freight as it may carry in its passenger or combination baggage cars only, be deemed a street railway, and be subject to the laws governing street railways.

Amend section 4 of the bill, as amended, by striking therefrom the following: "but no such right shall be given any such street railway for

a period exceeding twenty-five (25) years", and insert in lieu thereof, "but the right to operate as a street railway under section three (3) of this act shall not be granted for a period exceeding twenty-five (25) years".

Mr. Hamann asked permission to take up the report just submitted.

Granted.

Mr. Hamann moved the adoption of the report.

Adopted.

Mr. Hamann moved that the House do concur in the Senate amendments to said bill, House file No. 248.

On the question, Shall the House concur in the Senate amendments to House file No. 248?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carter, Cassel, Cheney, Christianson, Clarke, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jones, Keagy, Kendall, Kerr, Kolthoff, Koontz, Larrabee, Leech, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Pritchard, Robinson, Roome, Sokol, Springer, Stratton, Sweeley, Sweet, Townsend, Utterback, Walden, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—77.

The nays were:

None.

Absent or not voting:

Messrs. Campbell, Carden, Coburn, Colclo, Cowles, Eiker, Greene, Hurn, Jenks, Kling, Langan of Clinton, Langan of Crawford, Lyman, Marshall, Nagle, Payne, Powers, Secor, Stuckslager, Teachout, Temple, Walters, Willett—23.

So the House concurred in the Senate amendments.

Mr. Hamann moved that the House adopt the amendments offered by the conference committee to House file No. 248, as amended by the Senate.

On the question, Shall the motion prevail?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolt-hoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Pritchard, Robinson, Roome, Sokol, Springer, Stratton Sweeley, Sweet, Townsend, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—80.

The nays were:

None.

Absent or not voting:

Messrs. Campbell, Carden, Colclo, Cowles, Eiker, Gilchrist, Greeley, Hilsinger, Hurn, Langan of Crawford, Marshall, Nagle, Payne, Powers, Secor, Stuckslager, Teachout, Temple, Utterback, Walters—20.

So the amendments offered by the conference committee were adopted.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate herewith returns Senate file No. 228, a bill for an act to amend section 1082 of the code, relating to registration on election day.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate herewith returns House file No. 446, a bill for an act to amend section 1836 of the code, relative to the assessment of railway property for taxation.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to joint resolution No. 2, contemplating an amendment to the constitution of the state of Iowa, purposing the repeal of sections 84, 85, 86 of article 3 of said constitution and proposing the following in lieu thereof and as a substitute therefor.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Relative to the granting of a parole to Wesley Elkins.

*Resolved*, By the Senate of the Twenty-ninth General Assembly of Iowa, the House concurring: That the governor be authorized and we hereby recommend that he grant to John Wesley Elkins a parole upon such terms and conditions as he may prescribe and which said conditions shall contain the following: That he shall in all respects conduct himself honorably, avoid evil associations, obey the laws, and abstain from the use of intoxicating liquors for a period of ten years, and that if at the end of said period he has not violated any of the conditions of his parole, he shall be entitled to his final discharge and restored to all rights of citizenship.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following Senate substitute for House file No. 78, in which the concurrence of the Senate was asked:

Substitute for House file No. 78, a bill for an act amendatory and additional to section 1726 of the code, relating to notes taken for insurance other than life.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill, in which the concurrence of the Senate was asked:

House file No. 280, a bill for an act to appropriate funds for the marking of the grave of Charles Shepherd, a soldier who served in the war of the Revolution.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill, in which the concurrence of the Senate was asked:

House file No. 137, a bill for an act to legalize the Iowa State Poultry association, to define certain duties of said association, to make an annual appropriation therefor, and to fix a penalty for the misappropriation of any of the money hereby granted.

GEO. A. NEWMAN,  
*Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 190, a bill for an act to amend section three hundred thirty-seven (337) of the code, relating to grand and petit jury lists.

Also, Senate file No. 202, a bill for an act to amend section seven hundred twenty-four (724) of the code of Iowa, as amended, relating to certain powers of cities and towns.

Also, Senate file No. 243, a bill for an act to amend sections eight hundred sixty (860), eight hundred sixty-one (861) and eight hundred sixty-two (862) of the code, relating to voting taxes for the purchase of real estate for parks and constructing dams and improvements of parks and rivers, condemning real estate for parks and jurisdiction of cities having a population under twenty thousand (20,000) and towns, over parks without their corporate limits.

Also, Senate file No. 291, a bill for an act to amend chapter ninety-three (93) of the acts of the Twenty-eighth General Assembly, relating to the practice of veterinary medicine, surgery and dentistry.

J. P. LYMAN,  
*Chairman House Committee.*

E. K. WINNE,  
*Chairman Senate Committee.*

Report adopted.

The Speaker announced that he had signed, in the presence of the House, the following bills:

House files Nos. 283, 328, 276, 48, 311, 167 and 286.

UNFINISHED BUSINESS.

The House took up for consideration the report of the committee on Pardons, relative to Wesley Elkins, with a report of a minority of that committee recommending executive clemency, which reports were pending at adjournment yesterday.

Barker of Howard moved that discussion relative to a parole for Wesley Elkins be limited to ten minutes.

Jones of Mahaska moved to amend by adding "and no member shall yield his time to another."

Anderson of Warren moved to amend the amendment by adding thereto "except that the leaders on both sides may have unlimited time for discussion."

Mr. Warren moved to table the motion with the amendments.

Messrs. Jones of Mahaska and Hurn of Cerro Gordo demanded the roll call.

On the question, Shall the motion prevail?

The yeas were:

Messrs. Bailey, Bealer, Calderwood, Carter, Crouse, Cruikshank, Davenport, Donahue, Edwards, Eiker, English, Freeman, Hughes, Jaeger, Jenks, Keagy, Kendall, Kerr, Leech, McClurkin, McNie, Meservey, Nagle, Patton, Pritchard, Secor, Sokol, Stratton, Sweeley, Sweet, Temple, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wright—39.

The nays were:

Messrs. Anderson, Barker, Black, Blakemore, Boysen, Buchanan, Carden, Cassel, Cheley, Christianson, Clarke, Coburn, Cowles, Cummings, Dodds, Dunham, Fields, Flenniken, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hurn, Jones, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Lyman, McClure, Mattes, Moore, Mordhorst, Nichols, Pipher, Powers, Robinson, Roome, Springer, Townsend, Wise—52.

Absent or not voting:

Messrs. Barkley, Campbell, Colclo, Marshall, Payne, Stuckliger, Teachout, Walters, Mr. Speaker—9.

So the motion to lay on the table was lost.

Kerr of Grundy moved the previous question.

Carried.

The amendment of Anderson of Warren was adopted.

The amendment of Jones of Mahaska, as amended by Anderson of Warren, was adopted.



The motion of Barker of Howard, as amended, was adopted.

Eiker of Decatur called up Senate message just received, relative to the parole of John Wesley Elkins and moved that the concurrent resolution as messaged from the Senate be substituted for both the majority and minority reports of the committee.

On motion of Clarke of Dallas, House adjourned till 1:30 P. M.

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### AFTERNOON SESSION.

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House met at 1:30 o'clock P. M., Speaker Eaton in the chair.

#### UNFINISHED BUSINESS.

The House resumed consideration of the question of a parole for John Wesley Elkins.

Buchanan of Wapello moved the previous question.

Carried.

The question before the House being the motion of Eiker of Decatur, that the concurrent resolution adopted by the Senate be substituted for the majority and minority reports of the committee on Pardons.

Motion carried and the concurrent resolution was substituted for the reports of the House committee on Pardons.

On the question "Shall the concurrent resolution adopted by the Senate be adopted", Messrs. Hurn of Cerro Gordo and Nichols of Muscatine demanded the roll call which resulted as follows:

On the question, Shall the motion prevail?

The yeas were:

Messrs. Barkley, Bealer, Boysen, Calderwood, Carden, Coburn, Cowles, Donahue, Edwards, Eiker, Fields, Freeman, Frudden, Graff, Hamann, Jaeger, Keagy, Kendall, Kerr, Kolthoff, Koontz,

McClurkin, McNie, Marshall, Meservey, Moore, Patton, Powers, Pritchard, Robinson, Secor, Sokol, Stratton, Sweeley, Sweet, Temple, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—46.

The nays were:

Messrs. Anderson, Bailey, Barker, Black, Blakemore, Buchanan, Carter, Cheney, Christianson, Clarke, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Dunham, English, Flenniken, Furry, Gilchrist, Greeley, Hasselquist, Hawk, Head, Hilsinger, Hughes, Hurn, Jenks, Jones, Kling, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, Mattes, Mordhorst, Nagle, Nichols, Pipher, Roome, Springer, Teachout, Townsend, Utterback—47.

Absent or not voting:

Messrs. Campbell, Cassel, Greene, Hertert, Hufschmidt, Payne, Stuckslager—7.

So the concurrent resolution was lost.

#### REPORTS OF COMMITTEES.

Jaeger of Des Moines submitted the following report:

MR. SPEAKER—Your committee on Federal Relations, to whom was referred Senate concurrent resolution requesting that the senators and representatives in congress use their efforts to secure the enactment of the Nelson-Corliss bill to amend the interstate commerce act, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

LOUIS M. JAEGER,  
*Chairman.*

Ordered passed on file.

Cruikshank of Lee, from the committee on Fish and Game, submitted the following report:

MR. SPEAKER—Your committee on Fish and Game, to whom was referred Senate file No. 297, a bill for an act to amend section two thousand five hundred forty (2540), two thousand five hundred fifty-one (2551), two thousand five hundred fifty-six (2556) and two thousand five hundred sixty-one (2561) of the code, and section two thousand five hundred thirty-nine (2539) of the code as amended by chapter sixty-four (64) of the laws of the Twenty-seventh (27) General Assembly, repealing section five (5) of chapter sixty-four (64) of the laws of the Twenty-seventh (27) General Assembly and making further provisions additiona-

to said chapter fifteen (15), title twelve (12) of the code, relating to the care and propagation of fish and the protection of birds and game, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. P. CRUIKSHANK,  
*Chairman.*

Ordered passed on file

Moore of Davis submitted the following report:

MR. SPEAKER—Your committee on Military, to whom was referred Senate file No. 303, a bill for an act to amend chapter ninety-two (92) of the acts of the Twenty-eighth General Assembly, in relation to pension money of members of the Iowa Soldier's Home at Marshalltown, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

S. A. MOORE,  
*Chairman.*

Ordered passed on file.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

Substitute for Senate file No. 13, a bill for an act to amend section two thousand seven hundred forty-two (2742) of the code, relating to county superintendents.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended, failed to pass, reconsidered and passed the following bill, in which the concurrence of the Senate was asked:

Substitute for House file No. 225, a bill for an act to amend section 308 and to repeal section 303 of the code, and to enact a substitute therefor, relating to the compensation of county attorneys.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate herewith requests the return of Senate file No. 275, a bill for an act

to amend section twenty-seven hundred eleven (2711) of the code, in regard to the discharge or parole of inmates of the industrial schools.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 350, a bill for an act to amend section 65, chapter 1 of the code in relation to the salary of the governor.

GEO. A. NEWMAN,  
*Secretary.*

Also.

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 424, a bill for an act to legalize the incorporation of the town of Kinross, in the county of Keokuk, and state of Iowa, and the official acts of said town, and all ordinances and resolutions adopted by the council of said town.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Substitute for House file No. 77, a bill for an act to amend section 1304 of the code, relating to the exemption of property from assessment and taxation.

GEO. A. NEWMAN,  
*Secretary.*

#### INTRODUCTION OF BILLS.

By Hughes of Iowa, by unanimous consent, House file No. 447, a bill for an act to appropriate money for the construction of a laundry building for the insane at Mt. Pleasant, Iowa, and to provide it with heat, water, lights and sewer connections.

Read first and second time and referred to committee on Appropriations.

The Speaker announced that he had signed in the presence of the House, Senate files Nos. 202, 190, 291 and 243.

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote by which the concurrent resolution recommending the conditional pardon of John Wesley Elkins failed to pass the House.

J. H. JENKS.

I second the motion.

H. E. TEACHOUT.

On motion of Wilson of Washington the House adjourned till 9 A. M., Friday, tomorrow, April 4th.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Friday, April 4, 1902. } 4 }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. Daniel McPherson of Des Moines, Iowa.

SENATE MESSAGES CONSIDERED.

Substitute for Senate file No. 13, a bill for an act to amend section 2742 of the code, relating to county superintendents.

Read first and second time and referred to committee on Schools and Text-Books.

On motion of Donahue of O'Brien, by unanimous consent, House file No. 77, with Senate substitute as amendment therefor, was taken up and considered.

Mr. Donahue moved that the House concur in the Senate amendments to House file No. 77.

On the question, Shall the House concur?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carter, Cheney, Clarke, Coburn, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Frudden, Furry, Hamann, Hasselquist, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Tem-

ple, Townsend, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—77.

The nays were:

None.

Absent or not voting:

Messrs. Campbell, Carden, Cassel, Christianson, Colclo, Cowles, Crouse, Cruikshank, Cummings, Freeman, Gilchrist, Graff, Greeley, Greene, Hawk, Hurn, Jenks, Langan of Crawford, Marshall, Moore, Payne, Pritchard, Utteback—23.

So the House concurred.

On motion of Pipher of Cass, Senate file No. 220, a bill for an act to amend chapter 83 of the acts of the Twenty-eighth General Assembly in relation to the inspection of the products of petroleum, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Pipher moved that the rules be suspended, and that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carter, Cheney, Clarke, Coburn, Crouse, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Hamann, Hasselquist, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Keagy, Kendall, Kerr, Kling, Kolt-hoff, Koontz, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—76.

The nays were:

None.

Absent or not voting:

Messrs. Campbell, Carden, Cassel, Christianson, Colclo, Cowles, Cruikshank, Cummings, Graff, Greeley, Greene, Hawk, Hurn, Jenks, Jones, Langan of Clinton, Langan of Crawford, Larrabee, Marshall, Moore, Payne, Pritchard, Stuckslager, Walters—24.

So the bill passed and the title was agreed to.

On motion of Pipher of Cass, Senate file No. 221, a bill for an act to amend section 2508 of the code, in relation to the inspection and use of the products of petroleum, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Cheney, Christianson, Clarke, Colclo, Cowles, Crouse, Davenport, Donahue, Dunham, Edwards, Eiker, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Hamann, Hasselquist, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Keagy, Kendall, Kerr, Kling, Kolthoff, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—76.

The nays were:

Mr. Coburn.

Absent or not voting:

Messrs. Campbell, Cassel, Cruikshank, Cummings, Dodds, English, Graff, Greeley, Greene, Hawk, Hurn, Jenks, Jones, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Marshall, Meservey, Moore, Payne, Pritchard, Walters—23.

So the bill passed and the title was agreed to.



Lyman of Poweshiek moved that House file No. 211 be made a special order for 10 o'clock today.

Carried.

Koontz of Johnson moved that Senate file No. 10, Senate file No. 15 and House file No. 359 be made a special order to follow House file No. 211.

Carried.

Dunham of Delaware called up House file No. 78 with Senate amendments thereto.

Dunham of Delaware moved that the House do not concur in the Senate amendments to House file No. 78.

On the question, Shall the House refuse to concur?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Cheney, Christianson, Clarke, Coburn, Cowles, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClure, McNie, Marshall, Mattes, Meservey, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—78.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Campbell, Cassel, Colclo, Cruikshank, Eiker, Greene, Hawk, Jenks, Langan of Crawford, McClurkin, Moore, Mordhorst, Nagle, Nichols, Payne, Pritchard, Springer, Temple, Townsend, Walters, Wilson of Washington—22.

So the House refused to concur in the Senate amendments to House file No. 78.

Speaker *pro tem* Kendall in the chair.

On motion of Edwards of Butler, by unanimous consent, Senate file No. 260, a bill for an act to amend sections 1328, 1329 of the code, and to amend sections 3 and 4 of chapter 42, acts of the Twenty-eighth General Assembly, relating to reports by and taxation of telegraph and telephone companies, and requiring said companies to file with county auditors maps and schedules of their lines, was taken up and considered.

Buchanan of Wapello moved that Senate file No. 260 be referred to the committee on Telegraph, Telephone and Express.

Lost.

Barker of Howard moved to amend as follows:

By striking out of section 5, in schedule B, all after the word "railroads" in the fourth line of such schedule B, and insert in lieu thereof the words "showing their length in each taxable district."

Adopted.

Donahue of O'Brien moved to amend section 1 by striking out the same and inserting the following in lieu thereof:

Section 1. That section thirteen hundred twenty-eight of the code be amended by striking out the first four lines thereof and inserting in lieu thereof the following, to-wit: "Every telegraph and telephone company operating a line in this state for commercial purposes, or which collects tolls, rentals or make charges of any kind to anyone for the use or maintenance of the said line or the instruments connected with the same shall, on or before the first day of May in each year, furnish to the executive council a statement verified by its president or secretary showing."

Adopted.

Barker of Howard moved to amend Senate file No. 260 by striking out section 10 and inserting in lieu thereof the following:

This act shall take effect January 1, 1903.

Lost.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Greeley, Hamann, Hasselquist, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClure, McNie, Mattes, Meservey, Mordhorst, Nichols, Patton, Pipher, Powers, Robinson, Sokol, Stratton, Sweeley, Sweet, Temple, Warren, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—69.

The nays were:

Messrs. Campbell, Cowles, Graff, Wilson of Washington—4.

Absent or not voting:

Messrs. Barker, Campbell, Carden, Eiker, English, Greene, Hawk, Head, Hurn, Jenks, Jones, Langan of Crawford, McClurkin, Marshall, Moore, Nagle, Payne, Pritchard, Roome, Secor, Springer, Stuckslager, Teachout, Townsend, Utterback, Walden, Walters—27.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval, House file No. 288, a bill for an act to legalize copy of certified record of the supreme court of the United States in case of the Burlington & Missouri River Railroad company, plaintiff in error, v. Fremont county, Iowa, in error to the supreme court of Iowa.

Also, House file No. 328, a bill for an act to legalize the ordinances of the town of Shannon city, situated in Union and Ringgold counties, Iowa.

Also, House file No. 376, a bill for an act to repeal section two thousand two hundred fifty-three (2253) of the code, and enact a substitute in lieu thereof in relation to hospitals for the insane.

Also, House file No. 48, a bill for an act to fix the compensation of appraisers of property.

Also, House file No. 311, a bill for an act to amend section three (3) of chapter fifty-eight (58) of the acts of the Twenty-eighth General Assembly, relating to membership in the annual convention of the department of agriculture.

Also, House file No. 167, a bill for an act providing for the condemnation of real estate by the state, for the use and benefit of institutions of the United States, and the payment of damages therefor.

Also, House file No. 286, a bill for an act to amend sections one thousand seventy-five (1075), one thousand one hundred thirty (1130), one thousand five hundred twenty-eight (1528), one thousand five hundred thirty-three (1533), one thousand five hundred forty-two (1542), one thousand five hundred fifty-one (1551), one thousand five hundred fifty-four (1554) and forty-eight hundred eight (4808) of the code and to repeal sections one thousand five hundred thirty-two (1532), one thousand five hundred forty (1540) and one thousand five hundred fifty (1550) of the code and enact substitutes therefor, and to repeal sections one thousand five hundred forty-one (1541), one thousand five hundred forty-six (1546), one thousand five hundred fifty-three (1553) and one thousand five hundred sixty-seven (1567) of the code, relative to the duties of township trustees, the duties of township clerks, the election, qualification, duties, compensation and payment of road supervisors, the consolidation of road districts and the levy and collection of road tax.

J. P. LYMAN,  
*Chairman.*

April 4, 1902.

Adopted.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate herewith requests the return of Senate file No. 275, a bill for an act to amend section 2711 of the code, in regard to the discharge or parole of inmates of the industrial schools.

GEO. A. NEWMAN,  
*Secretary.*

Senate file No. 275 was ordered returned to the Senate on motion of Furry of Hardin.

Also:

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

Substitute for House file No. 52, a bill for an act making it a crime to advise, counsel, encourage, advocate or incite the unlawful killing of any human being and fixing the punishment therefor.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked.

House file No. 228, a bill for an act to provide for the admission of feeble-minded women at Glenwood and the maintenance thereof.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Concurrent resolution relative to the life, service and death of the Hon. John H. Gear.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

House file No. 71, a bill for an act to amend sections 1672 and 1673 of the code, relating to the reports and making appropriations for the Horticultural society.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 285, a bill for an act to amend section 2036 of the code, relating to the voting of taxes in aid of railways.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 31, a bill for an act to reimburse Greene county for money expended for care of a non-resident insane person.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in the following concurrent resolution, in which the concurrence of the Senate was asked:

Concurrent resolution, relating to the pardon of Theodore Bushick.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 362, a bill for an act to fix the compensation of water-works trustees in special charter cities.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has adopted the conference report and concurred in amendments to the following bill, in which the concurrence of the Senate was asked:

House file No. 248, a bill for an act defining, regulating and conferring rights and powers upon interurban street railways and amending section 2026 of the code, relating to such railways.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 117, a bill for an act to authorize and empower railroad corporations of this state to transact business, lease or purchase railroads, or to purchase the stocks, bonds or securities of railroads in other states.

GEO. A. NEWMAN,  
*Secretary.*

Speaker Eaton in the chair.

On motion of Lyman of Poweshiek, House file No. 211, a bill for an act to amend chapter 102 of the acts of the Twenty-eighth General Assembly, relating to the Iowa industrial reformatory for women, which was set for special order at 10 o'clock, A. M., and on which the motion to reconsider the vote by which the bill was lost and the vote by which the bill was passed to its third reading; also, the vote by which the amendment of Sweet of Bremer was adopted, was carried, was taken up and considered.

The substitute for House file No. 211, offered by Sweet of Bremer was lost.

Lyman of Poweshiek moved to amend House file No. 211 by inserting between the word "the" and the word "board", in the third line of section 3 of the printed bill, the words "governor upon recommendation of the"; also, by inserting between the word "the" and the word "board", in the sixth line of said section of the printed bill, the words "governor upon recommendation of the"; also, by striking out the words "board of control" in the ninth line of said section 3 as appears in the printed bill, and by inserting in lieu thereof the word "governor".

Adopted.

The motion that the rules be suspended, that the bill be considered engrossed, and read a third time now prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Boysen, Calderwood, Carden, Cheney, Christianson, Clarke, Colclo, Cruikshank, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Freeman, Frudden, Furry, Greeley, Hasselquist, Head, Hertert, Hufschmidt, Hughes, Jaeger, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Larrabee, Leech, Lyman, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Springer, Stratton, Sweeley, Sweet, Teachout, Utterback, Willet, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—65.

The nays were:

Messrs. Buchanan, Carter, Fields, Gilchrist, Graff, Hurn, Langan of Crawford, McClure, Walden—9.

Absent or not voting:

Messrs. Bealer, Blakemore, Campbell, Cassel, Coburn, Cowles, Crouse, Cummings, Flenniken, Greene, Hamann, Hawk, Hilsinger, Hurn, Jenks, Jones, Langan of Clinton, Payne, Pritchard Sokol, Stuckslager, Temple, Townsend, Walters, Whiting, Wilson of Washington—26.

So the bill passed and the title was agreed.

Special order being Senate file No. 10, a bill for an act to repeal chapter 97 of the acts of the Twenty-eighth General Assembly and to enact a substitute therefor, providing for the levy of a special tax of one-fifth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the State University of Iowa, with report of committee recommending passage, was taken up, on motion of Koontz of Johnson, considered, and the report of the committee adopted.

Hurn of Cerro Gordo moved to amend Senate file No. 10 by adding to section 2, the following words: "the funds to be real-

ized from the tax levies herein provided for shall not be anticipated by issuing warrants or other obligations of the state."

Adopted.

Lyman of Poweshiek moved to amend by adding to section 2, the following words: "but no more than one hundred and ten thousand dollars shall be drawn from the amount realized from the levy of any one year and excess above said amount shall be used for general purposes of the state."

Lost.

Black of Mills moved that the word "tenth" in the fourth line of section 2 be substituted for the word "fifth".

Lost.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Carden, Cheney, Clarke, Coburn, Colclo, Cowles, Cruikshank, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Greeley, Hamann, Hasselquist, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClurkin, McNie, Marshall, Maces, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Walters, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright  
Mr. Speaker—78.

The nays were:

Messrs. Anderson, Cassel, Christianson, Crouse, Dodds, Jones, McClure, Utterback, Warren—9.

Absent or not voting:

Messrs. Blakemore, Campbell, Carter, Graff, Greene, Hawk, Hurn, Jenks, Larrabee, Payne, Pritchard, Townsend, Walden—13.



So the bill passed and the title was agreed to.

On motion of Greeley of Story, Senate file No. 153, a bill for an act to repeal chapter 99 of the acts of the Twenty eighth General Assembly, and to enact a substitute therefor, providing for the levy of a special tax of one-fifth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the Iowa State College of Agriculture and Mechanics Arts, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Head of Greene moved to amend by striking out the words "any amount in excess of one hundred and ten thousand dollars, raised by only one of such levies, shall be paid into the state treasury for general purposes," the same following the word "college" in the eighth line of original bill.

Adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Cruikshank, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, English, Fields, Frudden, Furry, Gilchrist, Graff, Greeley, Hasselquist, Head, Hufschmidt, Hughes, Jaeger, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Walters, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—79.

The nays were:

Messrs. Anderson, Crouse, Dodds, McClure, Utterback, Walden, Warren—7.

Absent or not voting:

Messrs. Campbell, Carter, Flenniken, Freeman, Greene, Hamann, Hawk, Hertert, Hilsinger, Hurn, Jenks, Jones, Larrabee, Payne, Pritchard—14.

So the bill passed and the title was agreed to.

On motion of Wise of Black Hawk, House file No. 359, a bill for an act providing for the levy of a special tax of one-tenth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for State Normal school at Cedar Falls, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Wise moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Christianson, Clarke, Coburn, Colclo, Gruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Frudden, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Leech, Lyman, McClurkin, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walters, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—76,

The nays were:

Messrs. Cassel, Cheney, Crouse, McClure, Walden, Warren—6.

Absent or not voting:

Messrs. Campbell, Carter, Cowles, Freeman, Greene, Hawk, Hurn, Jenks, Jones, Koontz, Langan of Crawford, Larrabee, McNie, Marshall, Payne, Pipher, Pritchard, Stuckslager—18.

So the bill passed and the title was agreed to.

On motion of Fields of Plymouth, House adjourned till 2 o'clock P. M.

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AFTERNOON SESSION.

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House met at 2 o'clock P. M., Speaker Eaton in the chair.

On motion of Freeman of Pottawattamie, leave of absence was granted Jenks of Pottawattamie until Monday.

On motion of Head of Greene, leave of absence was granted Pritchard of Wright until Monday.

Willett of Woodbury called attention to the fact that neither the roll call nor the Journal of Friday, March 28th, have him recorded as voting on the motion to adopt the minority report for the majority report on Senate file No. 290; also, that he is not recorded as voting on the motion to adopt the report of the committee recommending indefinite postponement.

Mr. Willett asked that the Journal show that he favored the motion to adopt the minority report and was opposed to the report recommending indefinite postponement, and that he was in his seat and voted, but that the clerk failed to hear his response when he voted.

REPORTS OF COMMITTEES.

Clarke of Dallas, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 95, a bill for an act to amend section 3287 of the code, relating to the recording of wills, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 816, a bill for an act to amend section 3651 of the code,

relating to method of trial in ordinary actions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Report adopted and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 61, a bill for an act to amend section 3174 of the code, relating to divorces, and the substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

G. W. CLARKE,  
*Chairman.*

Report adopted and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred Senate file No. 347, a bill for an act to amend section 325 of the code, relating to the removal or suspension of attorneys, and the payment of costs and fees therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Hilsinger of Jackson, from the committee on Senatorial Districts, submitted the following report:

MR. SPEAKER—Your committee on Senatorial Districts, to whom was referred House file No. 441, a bill for an act fixing the number of senators in the general assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the state into senatorial districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by making changes in districts Nos. 5, 6, 11, 16, 17, 48 of said bill, and that the districts named below shall be constituted as follows, and shall be substituted for the corresponding districts in said bill:

5. Decatur county and Ringgold county and Union county shall constitute the Fifth district.!

6. Adams county and Taylor county shall constitute the Sixth district.

11. Crawford county and Audubon county shall constitute the Eleventh district.

16. Adair county and Madison county shall constitute the Sixteenth district.

17. Dallas county and Guthrie county shall constitute the Seventeenth district.

48. Carroll county, Greene county and Sac county shall constitute the Forty-eighth district.

And when so amended that the same do pass.

G. E. HILSINGER.

*Chairman.*

Ordered passed on file.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 293, a bill for an act to legalize the conveyance of certain real estate to the township trustees of Fox River township, Davis county, Iowa, for graveyard and church purposes.

Also, House file No. 35, a bill for an act to repeal section two hundred fifty-four (254) of the code, relating to compensation of shorthand reporters, and enacting a substitute therefor.

Also, House file No. 408, a bill for an act to legalize the extension of the corporate limits of the town of Laurens, Iowa; and its ordinances and resolutions and the acts of officers and persons had in pursuance thereof; and to fix the limits of said town.

Also, House file No. 367, a bill for an act to legalize the ordinances of the town of Swan, Marion county, Iowa, and the official acts of the mayor and recorder thereof, in the publication of said ordinances.

Also, House file No. 162, a bill for an act to amend section twenty-five hundred and seventy-one (2571) of the code, relating to time of meeting for local boards of health.

Also, House file No. 273, a bill for an act to amend section six hundred and sixty one (661) and section six hundred and seventy-four (674) of the code, relating to assessors in cities and towns.

Also, House file No. 416, a bill for an act to amend sections seven hundred and seventy-one (771), seven hundred and seventy-three (773) and seven hundred and seventy-four (774) of the code, relating to the construction of viaducts over or under railroads on public streets and highways and to the compensation of owners of property abutting on such streets and highways.

Also, House file No. 381, a bill for an act requiring railroad companies to file plats of all lines of railroads owned or operated in the

several counties of the state of Iowa with county auditors, amendatory of the provisions of chapter one (1), title seven (7) of the code, relating to the assessment of taxes.

J. P. LYMAN,  
*Chairman.*

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, House file No. 298, a bill for an act to legalize the conveyance of certain real estate to the township trustees of Fox River township, Davis county, for graveyard and church purposes.

Also, House file No. 85, a bill for an act to repeal section two hundred fifty-four (254) of the code, relating to compensation for shorthand reporters and enacting a substitute therefor.

Also, House file No. 162, a bill for an act to amend section twenty-five hundred seventy-one (2571) of the code, relating to the time of meetings for local boards of health.

Also, House file No. 408, a bill for an act to legalize the extension of the corporate limits of the town of Laurens, and its ordinances and resolutions and the acts of officers and persons had in pursuance thereof, and to fix the limits of said town.

Also, House file No. 367, a bill for an act to legalize the ordinances of the town of Swan, Marion county, and the official acts of the mayor and recorder thereof, in the publication of said ordinances.

Also, House file No. 273, a bill for an act to amend section six hundred sixty-one (661) and section six hundred seventy-four (674) of the code, relating to assessors in cities and towns.

Also, House file No. 416, a bill for an act to amend sections seven hundred seventy-one (771), seven hundred seventy-three (773) and seven hundred seventy-four (774) of the code, relating to the construction of viaducts over or under railroads on public streets or highways and to the compensation of owners of property abutting on such streets and highways.

Also, House file No. 331, a bill for an act requiring railroad companies to file plats of all lines of railroad owned or operated in the several counties of the state of Iowa, with county auditors, amendatory of the provisions of chapter one (1), title seven (7) of the code, relating to the assessment of taxes.

J. P. LYMAN,  
*Chairman.*

April 4, 1902.

Adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 197, a bill for an act relating to the powers of boards of health and health officers and the erection and maintenance of pesthouses and hospitals in certain cases.

Also, Senate joint resolution No. 2, for an amendment to the constitution of the state of Iowa, proposing the repeal of sections thirty-four (34), thirty-five (35) and thirty-six (36) of article three (3) of said constitution and proposing to adopt the following in lieu thereof.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following reports:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 293, a bill for an act to legalize the conveyance of certain real estate to the township trustees of Fox River township, Davis county, for graveyard and church purposes.

Also, House file No. 35, a bill for an act to repeal section two hundred and fifty-four (254) of the code, relating to compensation of shorthand reporters, and enacting a substitute therefor.

Also, House file No. 408, a bill for an act to legalize the extension of the corporate limits of the town of Laurens, and its ordinances and resolutions and the acts of officers and persons had in pursuance thereof, and to fix the limits of said town.

Also, House file No. 367, a bill for an act to legalize the ordinances of the town of Swan, Marion county, and the official acts of the mayor and recorder thereof, in the publication of said ordinances.

Also, House file No. 163, a bill for an act to amend section twenty-five hundred and seventy-one (2571) of the code, relating to time of meetings for local boards of health.

Also, House file No. 273, a bill for an act to amend section six hundred sixty-one (661) and section six hundred seventy-four (674) of the code, relating to assessors in cities and towns.

Also, House file No. 416, a bill for an act to amend sections seven hundred seventy one (771), seven hundred seventy-three (773) and seven hundred seventy-four (774) of the code, relating to construction of viaducts over or under railroads on public streets and highways, and to the compensation of owners of property abutting on such streets and highways.

Also, House file No. 331, a bill for an act requiring railroad companies to file plats of all lines of railroads owned or operated in the several counties of the state of Iowa, with county auditors, amendatory of the provisions of chapter one (1), title seven (7) of the code, relating to the assessment of taxes.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Teachout of Polk, by unanimous consent, House file No. 448, a bill for an act to authorize cities having a population of fifty thousand or over to levy a tax for the purpose of providing a fund for the payment of damages caused to abutting property owners by reason of the construction of viaducts and their approaches.

Read first and second time and referred to committee on Ways and Means.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate refuses to recede from Senate amendments to House file No. 73, a bill for an act amendatory of and additional to section 1726 of the code, relating to notes taken for insurance, and names as conference committee on the part of the Senate, Senators Smith of Mitchell, Trewin, Junkin and Lyons.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 360, a bill for an act in relation to the examination of shot examiners in coal mines and defining their duties.

GEO. A. NEWMAN,  
*Secretary.*



Also:

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

Senate file No. 348, a bill for an act amending chapter 13 of the code and chapter 69 of the acts of the Twenty-eighth General Assembly, relating to building and loan associations and defining and regulating the same.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Frudden of Dubuque, by unanimous consent, Senate file No. 285, a bill for an act to amend section twenty hundred eighty-six (2086) of the code, relating to the voting of taxes in aid of railways, was taken up, read first and second times and considered.

Cowles of Kossuth moved that the bill, Senate file No. 285, be referred to the committee on Railroads and Commerce.

Carried and the bill was so referred.

SENATE MESSAGES CONSIDERED.

Senate file No. 117, a bill for an act to authorize and empower railroad corporations of this state to transact business, lease or purchase railroads, or to purchase the stocks, bonds or securities of railroads in other states.

Read first and second time and referred to committee on Railroads and Commerce.

Senate file No. 360, a bill for an act in relation to the examination of shot examiners in coal mines and defining their duties.

Read first and second time and referred to committee on Mines and Mining.

Senate file No. 362, a bill for an act to fix the compensation of waterworks trustees in special charter cities.

Read first and second time and referred to committee on Compensation of Public Officers.

Senate file No. 31, a bill for an act to reimburse Greene county for money expended for care of a non-resident insane person.

Read first and second time and referred to committee on Claims.

Cowles of Kossuth moved that Senate file No. 285 be recalled from the committee.

Carried.

On motion of Cheney of Clay, House file No. 438, a bill for an act to amend section 3305 of the code, relating to limitation of time for granting letters of administration on estates of decedents, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Cheney moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, English, Freeman, Furry, Gilchrist, Graff, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hughes, Hurn, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Crawford, Larrabee, Leech, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Washington, Wright, Mr. Speaker—78.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Campbell, Crouse, Eiker, Fields, Fleniken, Frudden, Greeley, Greene, Hufschmidt, Jenks, Koontz, Langan of Clinton, Lyman, Marshall, Nagle, Payne, Pritchard, Springer, Walters, Wilson of Buena Vista, Wise—22.

So the bill passed and the title was agreed to.

On motion of Temple of Clarke, Senate file No. 273, a bill for an act to repeal chapter 69 of the laws of the Twenty-eighth

General Assembly, regulating the practice of osteopathy in the state of Iowa and enacting a substitute therefor, was taken up and considered.

Mr. Temple moved that the rules be suspended, be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barkley, Black, Blakemore, Calderwood, Carden, Carter, Cassel, Christianson, Clarke, Coburn, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Hasselquist, Hawk, Head, Hertert, Hillsinger, Hughes, Hurn, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Roome, Secor, Sokol, Stratton, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wright, Mr. Speaker—77.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Barker, Bealer, Boysen, Buchanan, Campbell, Cheney, Cowles, Greeley, Greene, Hamann, Hufschmidt, Jenks, Koontz, Langan of Clinton, Larrabee, Nagle, Payne, Pritchard, Robinson, Springer, Stuckslager, Wise—23.

So the bill passed and the title was agreed to.

On motion of Hurn of Cerro Gordo, House file No. 225, a bill for an act to amend section 308 and repeal section 303 of the code, and enact a substitute therefor, relating to the compensation of county attorneys, was taken up and considered with Senate amendments thereto.

Mr. Hurn moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Barker, Blakemore, Carter, Christianson, Clarke, Coburn, Colclo, Cruikshank, Cummings, Davenport, Donahue, Dunham, Edwards, English, Hasselquist, Hilsinger, Hufschmidt, Hughes, Hurn, Keagy, Kendall, Kling, Leech, McNie, Marshall, Meservey, Patton, Sokol, Springer, Sweeley, Sweet, Temple, Townsend, Utterback, Walters, Whiting, Willett, Wilson of Washington, Mr. Speaker—40.

The nays were:

Messrs. Barkley, Buchanan, Calderwood, Cheney, Cowles, Crouse, Dodds, Fields, Flenniken, Freeman, Furry, Gilchrist, Graff, Hamann, Hawk, Head, Hertert, Jaeger, Jones, Kerr, Koontz, Langan of Crawford, Larrabee, McClure, McClurkin, Mattes, Moore, Nichols, Pipher, Powers, Robinson, Roome, Secor, Stratton, Walden, Wilson of Buena Vista, Wise, Wright—38.

Absent or not voting:

Messrs. Anderson, Bealer, Black, Boysen, Campbell, Carden, Cassel, Eiker, Frudden, Greeley, Greene, Jenks, Koontz, Langan of Clinton, Lyman, Mordhorst, Nagle, Payne, Pritchard, Stuckslager, Teachout, Warren—22.

So the motion to concur was lost.

Temple of Clarke called up the motion to reconsider the vote on the concurrent resolution relative to Wesley Elkins.

Messrs. Jones of Mahaska and Dunham of Delaware demanded a roll call.

On the question, Shall the motion to reconsider prevail?

The yeas were:

Messrs. Bealer, Boysen, Buchanan, Calderwood, Carden, Cassel, Coburn, Cowles, Donahue, Edwards, Eiker, Fields, Freeman, Frudden, Graff, Hamann, Head, Hertert, Hufschmidt, Jaeger, Keagy, Kendall, Kerr, Kling, Leech, McClurkin, McNie, Meservey, Moore, Patton, Powers, Robinson, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Mr. Speaker—49.

The nays were:

Messrs. Bailey, Barker, Barkley, Black, Blakemore, Carter, Cheney, Christianson, Clarke, Colclo, Davenport, Dodds, Dunham, Flenniken, Furry, Gilchrist, Hilsinger, Hughes, Hurn, Jones, Langan of Clinton, Langan of Crawford, Larrabee, Lyman, McClure, Mattes, Mordhorst, Pipher, Roome, Springer, Townsend, Utterback—32.

Absent or not voting:

Messrs. Anderson, Campbell, Crouse, Cruikshank, Cummings, English, Greeley, Greene, Hasselquist, Hawk, Jenks, Kolthoff, Koontz, Marshall, Nagle, Nichols, Payne, Pritchard, Wright—19.

So the motion to reconsider prevailed.

On the motion that the concurrent resolution of the Senate be concurred in, Messrs. Jones of Mahaska and Dunham of Delaware demanded a roll call, which resulted as follows:

On the question, Shall the concurrent resolution be concurred in?

The yeas were:

Messrs. Barkley, Bealer, Boysen, Calderwood, Carden, Coburn, Cowles, Donahue, Edwards, Eike, Fields, Freeman, Frudden, Graff, Hamann, Head, Hertert, Hufschmidt, Jaeger, Keagy, Kendall, Kerr, Kling, McClurkin, McNie, Marshall, Meservey, Moore, Patton, Powers, Robinson, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Mr. Speaker—48.

The nays were:

Messrs. Bailey, Barker, Black, Blakemore, Buchanan, Carter, Cheney, Christianson, Clarke, Colclo, Crouse, Davenport, Dodds, Dunham, English, Flenniken, Furry, Gilchrist, Hilsinger, Hughes, Hurn, Jones, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, Mattes, Mordhorst, Pipher, Roome, Springer, Townsend, Utterback—35.

Absent or not voting:

Messrs. Anderson, Campbell, Cassel, Cruikshank, Cummings, Hasselquist, Hawk, Jenks, Kolthoff, Koontz, Nagle, Nichols, Payne, Pritchard, Wright—17.

So the House concurred in the Senate resolution.

The following explanation of vote was filed:

**MR. SPEAKER**—Yesterday, when I voted "No", I had grave doubts as to how I ought to vote and so expressed myself. I found extenuating circumstances in this case; first, on account of his extreme youth; second, that he confessed and did not have the benefit of the instructions of court on account of his age, and that the moral effect of granting a parole to a person who committed a crime at such an age would not have the deleterious effect as if he had been of mature age. I had been informed that no one had ever been able to gain the confidence of this young man. When I found the matter was likely to be called up again, I sought to inform myself on this point, and on inquiry and reading letters written by him, I am led to believe that this statement is not correct.

**MAHLON HEAD.**

Carter of Sioux moved that House file No. 441 be made a special order for next Monday, April 7th, at 2:30 o'clock P. M.

Carried.

Clarke of Dallas moved that the House recall Senate file No. 230 from the Senate.

Carried.

On motion of Langan of Clinton, House file No. 189 was made a special order for next Monday, April 7th, at 2 P. M.

The Speaker appointed as a conference committee on the part of the House on House file No. 78, Sweet of Bremer, Jones of Mahaska, Lyman of Poweshiek, Furry of Hardin.

The Speaker announced that he had signed, in the presence of the House, the following bills: House files Nos. 293, 35, 408, 367, 162, 273, 416, 331; Senate joint resolution No. 2; Senate file No. 197.

Buchanan of Wapello called up his motion to reconsider the vote on Senate file No. 228.

Motion to reconsider carried.

Hamann of Scott moved that this bill, Senate file No. 228, be referred to the committee on Elections.

Carried and the bill was so referred.

Cummings of Marshall moved that House file No. 128 be made a special order for tomorrow morning at 9 A. M., April 5th.

Carried.

On motion of Stratton of Montgomery, Senate file No. 95, a bill for an act to amend section 3287 of the code, relating to the recording of wills, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Stratton moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Freeman, Furry, Gilchrist, Graff, Hamann, Hasselquist, Head, Hertert, Hilsinger, Hughes, Hurn, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Springer, Stratton, Sweeley, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—77.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Bealer, Black, Campbell, Coburn, Colclo, Flenniken, Frudden, Greeley, Greene, Hawk, Hufschmidt, Jenks, Kolthoff, Koontz, Langan of Clinton, Marshall, Payne, Pritchard, Sokol, Stuckslager, Sweet, Walters—23.

So the bill passed and the title was agreed to.

On motion of Teachout of Polk, House file No. 366, a bill for an act providing for the organization of trust companies and loan and trust companies, defining their powers and providing for their examination and control, with report of committee recommend-

ing passage as amended by substitute, was taken up, considered and the report of the committee adopted.

On motion of Mr. Teachout the substitute recommended by the committee as an amendment was adopted.

Mr. Teachout moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barkley, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Cheney, Christianson, Clarke, Cruikshank, Cummings, Dodds, Dunham, Edwards, English, Fields, Freeman, Frudden, Furry, Gilchrist, Graff, Head, Hufschmidt, Hughes, Keagy, Kendall, Kerr, Kling, Larrabee, Lyman, McClurkin, McNie, Mattes, Moore, Mordhorst, Nagle, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Stuckslager, Sweet, Teachout, Temple, Townsend, Walden, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—58.

The nays were:

Messrs. Hasselquist, Hertert, Hilsinger, Jaeger, Leech, Nichols, Stratton, Sweeley, Utterback—9.

Absent or not voting:

Messrs. Anderson, Barker, Bealer, Black, Campbell, Cassel, Coburn, Colclo, Cowles, Crouse, Davenport, Donahue, Eiker, Flenniken, Greeley, Greene, Hamann, Hawk, Hurn, Jenks, Jones, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, McClure, Marshall, Meservey, Payne, Pritchard, Springer, Walters, Willett—33.

So the bill passed and the title was agreed to.

On motion of Temple of Clarke, Senate file No. 115, a bill for an act to amend section 1333 of the code, relating to the assessment of taxes upon foreign insurance companies, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.



Mr. Temple moved that the rules be suspended, and that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barkley, Bealer, Black, Boysen, Calderwood, Carden, Carter, Cheney, Christianson, Clarke, Colclo, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, English, Fields, Freeman, Frudden, Furry, Gilchrist, Graff, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jones, Keagy, Kendall, Kling, Kolt-hoff, Koontz, Leech, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Nagle Nichols, Patton, Pipher, Powers, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Temple, Townsend, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—73.

The nays were:

Mr. Barker.

Absent or not voting:

Messrs. Anderson, Blakemore, Buchanan, Campbell, Cassel, Coburn, Cowles, Davenport, Eiker, Flenniken, Greeley, Greene, Hurn, Jenks, Kerr, Langan of Clinton, Langan of Crawford, Larrabee, Lyman, Mordhorst, Payne, Pritchard, Robinson, Stuckslager, Teachout, Utterback—26.

So the bill passed and the title was agreed to.

On motion of Clarke of Dallas, substitute for Senate file No. 125, a bill for an act to amend section 355, chapter 12, title 3 of the code, providing form of bond to be given under the requirements of this section, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Clarke moved that the rules be suspended, and that the bill be read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Frudden, Furry, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hughes, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temp.e, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Campbell, Coburn, Flenniken, Freeman, Gilchrist, Greene, Hertert, Hilsinger, Hufschmidt, Hurn, Jenks, Marshall, Moore, Payne, Pritchard, Secor, Stuckslager, Walters—19.

So the bill passed and the title was agreed to.

On motion of Powers of Floyd, substitute for Senate file No. 37, a bill for an act to amend section 1272 of the code, in relation to filling vacancies in elective city offices, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Powers moved the adoption of the amendments of the committee.

Adopted.

On motion of Furry of Hardin, substitute for Senate file No. 37 was made a special order for tomorrow morning, following consideration of House file No. 128.

On motion of Clarke of Dallas, substitute for Senate file No. 155, a bill for an act fixing the rules of descent in respect to the property or estate of children by adoption, who die intestate, without issue, with report of committee recommending passage:

was taken up, considered and the report of the committee adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Barker, Barkley, Blakemore, Boysen, Calderwood, Carden, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Dodds, Dunham, Edwards, Eiker, English, Fields, Flenniken, Frudden, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jones, Keagy, Kendall, Kerr, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Lyman, McClure, McClurkin, Mattes, Meservey, Moore, Mordhorst, Patton, Pipher, Powers, Robinson, Roome, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—71. \*

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Bailey, Bealer, Black, Buchanan, Campbell, Carter, Cassel, Cheney, Christianson, Cowles, Cruikshank, Donahue, Freeman, Greene, Head, Hertert, Jenks, Kling, Kolt-hoff, Leach, McNie, Marshall, Nagle, Nichols, Payne, Pritchard Secor, Stuckslager—29.

So the bill passed and the tittle was agreed to.

On motion of Clarke of Dallas, substitute for Senate file No. 156, a bill for an act to amend section 3253 of the code, relating to the rights, duties and relations between parent and child by adoption, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Clarke moved that the rules be suspended, that the bill b read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Barker, Barkley, Blakemore, Boysen, Buchanan, Calderwood, Carden, Cassel, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Lyman, McClure, McClurkin, Mat-tes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Pow-ers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—74.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Bailey, Bealer, Black, Campbell, Carter, Cheney, Christianson, Cowles, Cruikshank, Freeman, Frudden, Greene, Head, Hertert, Jenks, Langan of Crawford, Larrabee, Leech, McNie, Marshall, Nagle, Payne, Pritchard, Stuckslager, Townsend—26.

So the bill passed and the title was agreed to.

On motion of Wilson of Buena Vista, Senate file No. 187, a bill for an act to amend section 1870 of the code, relating to savings banks, with report of committee recommending passage as amended, was taken up, considered and the report of the com-mittee adopted.

Mr. Wilson moved the adoption of the amendments offered by the committee.

Adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Barker, Boysen, Buchanan, Carden, Chrstianson, Clarke, Coburn, Cruikshank, Cummings, Davenport, Dodds

Dunham, Edwards, Eiker, Frudden, Graff, Greeley, Hilsinger, Hufschmidt, Keagy, Kerr, Kling, Kocntz, Langan of Clinton, Langan of Crawford, Lyman, McClure, McClurkin, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Mr. Speaker—54.

The nays were:

Messrs. Barkley, Colclo, Cowles, English, Gilchrist, Hasselquist, Hawk, Hughes, Jaeger, Jones, Kendall, Kolthoff, Larrabee, Stratton, Walden, Wright—16.

Absent or not voting:

Messrs. Anderson, Bailey, Bealer, Black, Blakemore, Calderwood, Campbell, Carter, Cassel, Cheney, Crouse, Donahue, Fields, Flenniken, Freeman, Furry, Greene, Hamann, Head, Hertert, Hurn, Jenks, Leech, McNie, Marshall, Nagle, Payne, Pritchard, Springer, Stuckslager—30.

So the bill passed and the title was agreed to.

On motion of Hilsinger of Jackson, House file No. 302, a bill for an act making an appropriation for the fish and game commission of the state of Iowa, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Hilsinger moved the adoption of the amendments of the committee.

Adopted.

Mr. Hilsinger moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Barker, Blakemore, Boysen, Calderwood, Cassel, Clarke, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Dunham, Edwards, Eiker, English, Fields, Flenniken, Frudden, Furry, Gilchrist, Graff, Greeley, Hasselquist, Hil-

singer, Hufschmidt, Hughes, Jaeger, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Lyman, McClure, McClurkin, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Sweeley, Sweet, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—69.

The nays were:

Mr. Barkley.

The absent or not voting:

Messrs. Anderson, Bailey, Bealer, Black, Buchanan, Campbell, Carden, Carter, Cheney, Christianson, Coburn, Donahue, Freeman, Greene, Hamann, Hawk, Head, Hertert, Hurn, Jenks, Jones, Langan of Crawford, Leech, McNie, Marshall, Payne, Pritchard, Stratton, S tuckslager, Teachout—30.

So the bill passed and the title was agreed to.

On motion of Furry of Hardin, House file No. 432, a bill for an act to amend section twenty-six hundred twenty-nine (2629) of the code, relating to examinations of applicants for state certificates and diplomas, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Furry moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Barker, Barkley, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Cassel, Cheney, Christianson, Clarke, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, Fields, Flenniken, Frudden, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Head, Hilsinger, Hughes, Hurn, Jaeger, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor,

Sokol, Springer, Stratton, Sweeley, Sweet, Temple, Townsend, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—77.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Bailey, Bealer, Campbell, Carter, Coburn, Davenport, English, Freeman, Greene, Hawk, Hertert, Hufschmidt, Jenks, Jones, Langan of Clinton, Marshall, Mordhorst, Payne, Pritchard, Stuckslager, Teachout, Utterback—23.

So the bill passed and the title was agreed to.

Wilson of Washington called up the reports of the committee on Pardons recommending that executive clemency be denied the following named people: Betsey Smith, Thomas W. Watson, Byron Guinn, Christina Behrens, William Toole and Jasper Mason and moved the adoption of the several reports of the committee.

Adopted.

On motion of Frudden of Dubuque, Senate file No. 285, a bill for an act to amend section 2086 of the code, relating to the voting of taxes in aid of railways, which was ordered recalled from the committee on Railroads and Commerce.

Mr. Frudden moved that the rules be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time?

On the question, Shall the bill pass?

The yeas were:

Messrs. Bealer, Boysen, Carter, Clarke, Coburn, Colclo, Cowles, Cruikshank, Cummings, Davenport, Dodds, Dunham, Edwards, Fields, Frudden, Furry, Graff, Greeley, Hamann, Hasselquist, Head, Hilsinger, Hufschmidt, Hughes, Jaeger, Keagy, Kerr, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, McClurkin, McNie, Meservey, Mordhorst, Nagle, Patton, Pipher, Powers, Roome, Sokol, Springer, Sweeley, Sweet, Townsend, Utterback, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wise, Mr. Speaker—54.

The nays were:

Messrs. Barkley, Black, Calderwood, Cassel, Cheney, Christianson, English, Gilchrist, Kendall, Larrabee, McClure, Moore, Nichols, Walden, Wright—15.

Absent or not voting:

Messrs. Anderson, Bailey, Barker, Blakemore, Buchanan, Campbell, Carden, Crouse, Donahue, Eiker, Flenniken, Freeman, Greene, Hawk, Hertert, Hurn, Jenks, Jones, Kling, Lyman, Marshall, Mattes, Payne, Pritchard, Robinson, Secor, Stratton, Stucklagger, Teachout, Temple, Wilson of Washington—31.

So the bill passed and the title was agreed to.

On motion of Cummings of Marshall, House file No. 107, a bill for an act to amend section twenty-six hundred eight (2608 of the code, and to provide additional support for the Soldiers' Home at Marshalltown, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Lyman of Poweshiek moved that the words "twenty-six hundred and eight" be inserted in line 1 of section 1, and that the figures be enclosed in brackets.

Carried.

Mr. Cummings moved that the rules be suspended, that the bill be considered engrossed, read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Cassel, Cheney, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, English, Flenniken, Frudden, Furry, Gilchrist, Graff, Greeley, Hasselquist, Hawk, Head, Hilsinger, Hughes, Jaeger, Keagy, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Sokol,



Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Walden, Walters, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—78.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Bailey, Campbell, Christianson, Dodds, Fields, Freeman, Greene, Hamann, Hertert, Hufschmidt, Hurn, Jenks, Jones, Kolthoff, Langan of Crawford, Marshall, Payne, Pritchard, Secor, Utterback, Whiting—22.

So the bill passed and title was agreed to.

Lyman of Poweshiek moved to amend the title by inserting the words "twenty-six hundred and eight", before the figures "2608" and enclosing the figures in parentheses.

Adopted and the title, as amended, was agreed to.

On motion of Temple of Clarke, House file No. 341, a bill for an act to regulate the practice of osteopathy in the state of Iowa and fixing penalties for the violation thereof was indefinitely postponed.

House file No. 253, a bill for an act for the protection of cities and to regulate contracts for public purposes involving the use of streets and alleys, public squares and highways in such cities, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 407, a bill for an act to amend section 1370 of the code, relating to local boards of review, and making said section applicable to cities acting under special charter, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 406, a bill for an act to amend section 555 of the code, relating to township assessors, where cities are included

in the township and making said section applicable to cities acting under special charters, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

House file No. 405, a bill for an act to make section 1350 of the code applicable to cities acting under special charters, with report of committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

So the bill was indefinitely postponed.

On motion of Wright of Guthrie, House file No. 213, a bill for an act to amend chapter 43 of the acts of the Twenty-seventh General Assembly, relative to the distribution of money to county or agricultural societies, was indefinitely postponed.

On motion of Greeley of Story, House file No. 205, a bill for an act to repeal chapter 99 of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor providing for a levy of a special tax of one-fifth of a mill on the dollar upon the assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the Iowa State College of Agriculture and Mechanic Arts, was indefinitely postponed.

Willett of Woodbury announced that Rev. Anna B. Shaw, national president of the Political Equality club, was upon the floor of the House and moved that a committee of three be appointed to escort her to the Speaker's desk.

The Speaker appointed as such committee, Messrs. Willett of Woodbury, Carter of Sioux and Cheney of Clay.

Carried.

Rev. Anna B. Shaw was then conducted to the Speaker's desk and there introduced to the House.

On motion of Temple of Clarke, House adjourned till 9 A. M., tomorrow, Saturday, April 5th.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, Saturday, April 5, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. F. M. C. Lenihan of Marshalltown, Iowa.

Eiker of Decatur in the chair.

Journal of Wednesday, April 2d, corrected and approved.

Journal of Thursday, April 3d, corrected and approved.

#### REPORTS OF COMMITTEES.

Stuckslager of Linn, from the committee on Claims, submitted the following report:

MR. SPEAKER—Your committee on Claims, to whom was referred Senate file No. 31, a bill for an act to reimburse Greene county for money expended for care of a non-resident insane person, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. C. STUCKSLAGER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Claims, to whom was referred House file No. 426, a bill for an act making an appropriation for the payment of the costs in the case of the state of Iowa, ex rel Milton Remley, attorney general v. Byron F. Meek, Kirk L. Meek and Hugh H. Meek et al, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

Amend the title by adding after the words "attorney-general", the words, "v. Byron F. Meek, Kirk L. Meek and Hugh H. Meek et al."

Amend section 1 of the original bill by adding after the words "attorney-general," in the fifth line thereof, the words, "v. Byron F. Meek, Kirk L. Meek and Hugh H. Meek et al."

And that when so amended the same do pass.

W. C. STUCKSLAGER,  
*Chairman.*

Ordered passed on file.

Anderson of Warren, from the committee on Printing, submitted the following report:

MR. SPEAKER—Your committee on Printing, to whom was referred Senate file No. 44, a bill for an act to amend section one hundred eighteen (118) of the code, defining the duties of the state printer and binder, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. M. ANDERSON,  
*Chairman.*

Ordered passed on file.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 386, a bill for an act to amend sections twenty-four hundred thirty-three (2433) and twenty-four hundred thirty-five (2435) of the code, relating to the listing of places where intoxicating liquors are kept for sale or sold, and the assessment of the mulct tax against the property and its owner or owners and the occupant or tenant of such property.

Also, House file No. 77, a bill for an act to amend section thirteen hundred four (1304) of the code, relating to the exemption of property from assessment and taxation.

Also, House file No. 424, a bill for an act to legalize the incorporation of the town of Kinross, in the county of Keokuk and state of Iowa, and the official acts of the officers of said town, and all ordinances and resolutions adopted by the council of said town.

Also, House file No. 228, a bill for an act to provide for the admission of feeble-minded women to the Institution for Feeble-Minded Children at Glenwood, and the maintenance thereof.

Also, House file No. 350, a bill for an act to amend section sixty-five (65), chapter one (1) of the code, in relation to the salary of the governor.

Also, House file No. 248, a bill for an act relating to, defining, regulating and conferring rights and powers upon interurban street railways, and

amending section two thousand twenty-six (2026) of the code, relating to such railways.

J. P. LYMAN,  
*Chairman.*

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 386, a bill for an act to amend sections twenty-four hundred thirty-three (2433) and twenty-four hundred thirty-five (2435) of the code, relating to the listing of places where intoxicating liquors are kept for sale or sold, and the assessment of the mulct tax against the property and its owner or owners and the occupant or tenant of such property.

Also, House file No. 77, a bill for an act to amend section thirteen hundred and four (1304) of the code, relating to the exemption of property from assessment and taxation.

Also, House file No. 424, a bill for an act to legalize the incorporation of the town of Kinross, in the county of Keokuk and state of Iowa, and the official acts of the officers of said town, and all ordinances and resolutions adopted by the council of said town.

Also, House file No. 228, a bill for an act to provide for the admission of feeble-minded women to the Institution for Feeble-Minded Children at Glenwood, and the maintenance thereof.

Also, House file No. 350, a bill for an act to amend section sixty-five (65), chapter one (1) of the code, in relation to the salary of the governor.

Also, House file No. 248, a bill for an act relating to, defining, regulating and conferring rights and powers upon interurban street railways, and amending section two thousand twenty-six (2026) of the code, relating to such railways.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House concurrent resolution, relative to granting conditional pardon to George Stanley.

GEO. A. NEWMAN,  
*Secretary.*

Also:

**MR. SPEAKER**—I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 252, a bill for an act to define and regulate the practice of optometry and for the creation of a board of examiners in optometry.

GEO. A. NEWMAN,

*Secretary.*

Also:

**MR. SPEAKER**—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 230, a bill for an act to require the county auditor to compile and prepare a financial report and providing for the printing and distribution thereof.

GEO. A. NEWMAN,

*Secretary.*

Also:

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

Senate file No. 232 a bill for an act to amend section 2581 of the code, in relation to itinerant physicians.

GEO. A. NEWMAN,

*Secretary.*

Also:

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

Senate file No 126, a bill for an act to amend section 212 of the code, relating to the salary of the assistant attorney-general.

GEO. A. NEWMAN,

*Secretary.*

Also:

**MR. SPEAKER**—I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate was asked:

House file No. 3, a bill for an act relating to the use of streets and highways by automobiles or similar motor vehicles and requiring the owners of such vehicles to register with the secretary of state.

GEO. A. NEWMAN,

*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate file No. 10, a bill for an act to repeal chapter 97, acts of the Twenty-eighth General Assembly, and to enact a substitute therefor, providing for the levy of a special tax of one-fifth of a mill upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the State University of Iowa.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate file No. 153, a bill for an act to repeal chapter 99 of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor, providing for a levy of a special tax of one-fifth of a mill on the dollar upon the assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the Iowa State College of Agriculture and Mechanic Arts.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House resolution, relative to conditional pardon of William Young.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House resolution, relative to conditional pardon of Joseph McCreary.

GEO. A. NEWMAN,  
*Secretary.*

SENATE MESSAGE CONSIDERED.

Senate file No. 348, a bill for an act amending chapter 13 of the code and chapter 69 of the acts of the Twenty-eighth General Assembly, relating to building and loan associations and defining and regulating the same.

Read first and second time and referred to committee on Building and Loan.

Moore of Davis called up the concurrent resolution relative to the appointment of a commission to examine the oil portrait of Senator Harlan, and moved its adoption.

Adopted.

## BILLS ON THEIR PASSAGE.

On motion of Secor of Winnebago, House file No. 71, a bill for an act to amend sections 1672 and 1673 of the code, relating to the reports and making appropriations for the Horticultural society, with Senate amendments thereto, was taken up and considered.

Mr. Secor moved that the House concur in the Senate amendments to House file No. 71.

On the question, Shall the House concur?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Buchanan, Calderwood, Cassel, Christianson, Coburn, Colclo, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, Fields, Freeman, Frudden, Furry, Graff, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Jaeger, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Teachout, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise Wright—72.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Blakemore, Boysen, Buchanan, Campbell, Carden, Carter, Cheney, Clarke, Cowles, Cruikshank, English, Flenniken, Gilchrist, Greeley, Greene, Hertert, Hurn, Jenks, Jones, McClurkin, Marshall, Payne, Pritchard, Springer, Sweet, Temple, Townsend, Walters, Mr. Speaker—28.

So the House concurred in Senate amendments to House file No. 71.

On motion of Edwards of Butler, substitute for House file No. 52, a bill for an act making it a crime to advise, counsel, encourage, advocate or incite the unlawful killing of any human being and fixing the punishment therefor, with Senate amendments thereto, was taken up and considered.



Mr. Edwards moved that the House do concur in the Senate amendments to substitute for House file No. 52.

On the question, Shall the House concur?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Buchanan, Calderwood, Carter, Cassel, Cheney, Christianson, Coburn, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Freeman, Frudden, Furry, Gilchrist, Graff, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Jaeger, Keagy, Kendall, Kerr, Kling, Kolt-hoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McNie, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wright—72.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Boysen, Campbell, Carden, Clarke, Colclo, Cowles, Cruikshank, Flenniken, Greeley, Greene, Hertert, Hurn, Jenks, Jones, McClurkin, Marshall, Mattes, Payne, Pritchard, Stuckslager, Sweet, Teachout, Temple, Townsend, Walters, Wise, Mr. Speaker—28.

So the House concurred in Senate amendments to House file No. 52.

On motion of Cummings of Marshall, substitute for House file No. 128, which was set for special order this morning, with Senate amendments thereto, was taken up and considered.

Speaker Eaton in the chair.

Hasselquist of Lucas moved to amend substitute for House file No. 128 by substituting for section 8, the following:

Section 8. That no member of the supreme court of Iowa shall do any labor for compensation other than his official duty.

Lost.

Sweeley moved to amend the Senate amendment by striking out section 8.

Adopted.

Speaker *pro tem* Kendall in the chair.

Carter of Sioux moved to amend the Senate amendment by striking out of line 1, section 5, the word "six" and inserting in lieu thereof the word "five".

Messrs. Carter and Hasselquist demanded the roll call, which resulted as follows:

On the question, Shall the motion prevail?

The yeas were:

Messrs. Anderson, Bailey, Barker, Black, Buchanan, Carter, Cassel, Clarke, Colclo, Cowles, Crouse, Davenport, Dodds, Flenniken, Freeman, Graff, Hasselquist, Head, Jaeger, Larrabee, McClure, Payne, Roome, Utterback, Walden, Whiting, Wilson of Buena Vista, Wright—28.

The nays were:

Messrs. Barkley, Bealer, Boysen, Calderwood, Cheney, Christianson, Coburn, Cummings, Donahue, Dunham, Edwards, Eiker, English, Fields, Furry, Gilchrist, Hawk, Hertert, Hilsinger, Hughes, Hurn, Keagy, Kendall, Kerr, Kling, Koontz, Leech, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Pipher, Powers, Robinson, Sokol, Springer, Stuckslager, Sweeley, Sweet, Teachout, Temple, Walters, Warren, Willett, Wilson of Washington, Wise, Mr. Speaker—49.

Absent or not voting:

Messrs. Blakemore, Campbell, Carden, Cruikshank, Frudden, Greeley, Greene, Hamann, Hufschmidt, Jenks, Jones, Kolthoff, Langan of Clinton, Langan of Crawford, Lyman, McClurkin, Marshall, Mordhorst, Payne, Pritchard, Secor, Stratton, Townsend—23.

So the amendment was lost.

Speaker Eaton in the chair.

Sweeley of Woodbury moved to reconsider the vote by which the amendment striking out section 8 was adopted.

Carried.

The amendment to the Senate substitute to strike out section 8 was lost.

Cheney of Clay moved that the House do now concur in the Senate substitute as amendment to House file No. 128.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Black, Boysen, Calderwood, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Furry, Gilchrist, Greeley, Hamann, Hawk, Hertert, Hilsinger, Hughes, Hurn, Keagy, Kendall, Kerr, Kling, Kolt-hoff, Koontz, Langan of Clinton, Leech, McClure, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Pipher, Powers, Robinson, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Walters, Warren, Wilson of Buena Vista, Wilson of Washington, Mr. Speaker—63.

The nays were:

Messrs. Anderson, Cowles, Crouse, Freeman, Frudden, Graff, Hasselquist, Head, Larrabee, Patton, Roome, Secor, Utterback, Walden, Whiting, Willett, Wright—16.

Absent or not voting:

Messrs. Blakemore, Buchanan, Campbell, Carden, Colclo, Cruikshank, Dodds, Frudden, Greene, Hufschmidt, Jaeger Jenks, Jones, Langan of Crawford, Lyman, McClurkin, Marshall, Payne, Pritchard, Townsend, Wise—21.

So the House concurred.

On motion the Journal of January 22, was ordered corrected to show the following roll call on the question of concurrence in Senate amendments to House file No. 9.

On the question, Shall the House concur?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Carter, Cassel, Cheney, Christianson, Coburn, Colclo, Cowles, Crouse, Cummings, Davenport,

Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Graff, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hughes, Jaeger, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, McClure, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweet, Teachout, Temple, Utterback, Walden, Warren, Wilson of Buena Vista, Wilson of Washington, Mr. Speaker—73.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Campbell, Carden, Clarke, Cruikshank, Frudden, Greeley, Greene, Hufschmidt, Hurn, Jenks, Jones, Keagy, Langan of Crawford, Lyman, McClurkin, Marshall, Payne, Pritchard, Stuckslager, Sweeley, Townsend, Walters, Whiting, Willett, Wise, Wright—27.

So the House concurred in Senate amendments to House file No. 9.

On motion of Powers of Floyd, substitute for Senate file No. 37, a bill for an act to amend section 1272 of the code, in relation to filling vacancies in elective city offices, which was set for special order for this morning, was taken up and considered.

Mr. Powers offered the following amendment:

Amend the committee substitute for Senate file No. 37 by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That section one thousand two hundred seventy-two (1272) of the code be and the same is hereby amended by striking out the words "of any city", in line eighteen (18), and by inserting the words "in cities of the first class" after the word "offices", in the nineteenth (19) line.

Sec. 2. That section one thousand two hundred seventy-two of the code is further amended by inserting after the word "made", in the twenty-sixth (26) line, the words "in all offices of cities of the second class and".

Adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Boysen, Buchanan, Calderwood, Carter, Cheney, Christianson, Cowles, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Graff, Greeley, Hamann, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, McClure, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Powers, Robinson, Roome, Secor, Sokol, Stuckslager, Sweeley, Sweet, Teachout, Temple, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena, Vista, Wilson of Washington, Wright, Mr. Speaker—74.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Blakemore, Campbell, Carden, Cassel, Clarke, Coburn, Colclo, Cruikshank, Frudden, Greene, Hasselquist, Jenks, Jones, Keagy, Langan of Crawford, Lyman, McClurkin, Marshall, Payne, Pipher, Pritchard, Springer, Stratton, Townsend, Wise—26.

So the bill passed and the title was agreed to.

On motion of Meservey of Webster, Senate file No. 254, a bill for an act repealing section one hundred sixty-one (161) of the code and enacting a substitute therefor, providing for the appointment of an expert accountant and an assistant and appropriating money to pay the same, and granting to the executive council power to determine systems of records and accounts to be kept by state officers under certain conditions, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Boysen, Buchanan, Calderwood, Carter, Cassel, Cheney, Christianson, Coburn, Cowles, Crouse, Cummings, Davenport, Dodds, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Gilchrist, Graff, Greeley, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Keagy, Kendall, Kling, Langan of Clinton, Larrabee, Leech, Lyman, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Robinson, Roome, Secor, Sokol, Springer, Stuckslager, Sweeley, Sweet, Teachout, Temple, Uterback, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wright, Mr. Speaker—67.

The nays were:

Messrs. Donahue, Hamann, Hertert, Jaeger, Kolthoff, Koontz, Powers, Whiting—8.

Absent or not voting:

Messrs. Bealer, Blakemore, Campbell, Carden, Clarke, Colclo, Cruikshank, Frudden, Furry, Greene, Hurn, Jenks, Jones, Kerr, Langan of Crawford, McClure, McClurkin, Marshall, Payne, Pritchard, Stratton, Townsend, Walden, Walters, Wise—25.

So the bill passed and the title was agreed to.

On motion of Stuckslager of Linn, House file No. 342, a bill for an act to amend section 915 of the code, relating to the recording and certification of plats, with report of committee recommending passage as amended, was taken up, considered and the report of the committee was adopted.

On motion of Mr. Stuckslager, the committee amendments were adopted.

Mr. Stuckslager moved that the rules be suspended, that the bill be considered engrossed, read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Boysen, Buchanan, Christianson, Clarke, Coburn, Cowles, Cummings, Donahue, Edwards, Eiker, Fields, Furry, Gilchrist, Graff, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Keagy, Kendall, Kolthoff, Koontz, Langan of Clinton,

Leech, Lyman, McClure, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweet, Temple, Utterback, Walden, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wright, Mr. Speaker—60.

The nays were:

Messrs. Calderwood, Carter, Cheney, Freeman, Powers—5.

Absent or not voting:

Messrs. Barker, Blakemore, Campbell, Carden, Cassel, Colclo, Crouse, Cruikshank, Davenport, Dodds, Dunham, English, Flen-  
niken, Frudden, Greeley, Greene, Hamann, Hurn, Jenks, Jones  
Kerr, Kling, Langan of Crawford, Larrabee, McClurkin, Mar-  
shall, Payne, Pritchard, Springer, Sweeley, Teachout, Townsend,  
Walters, Willett, Wise—35.

So the bill passed and the title was agreed to.

On motion of Hughes of Iowa, House file No. 209, a bill for an act to appropriate money in aid of the quarterly conferences of the board of control and executive officers of state institutions, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Hughes moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Cassel, Cheney, Christianson, Clarke, Coburn, Cowles, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Freeman, Furry, Graff, Hamann, Hasselquist, Hawk, Head, Hertert, Hillsinger, Hufschmidt, Hughes, Jaeger, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClure, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Sweet, Teachout, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wright—71.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Campbell, Carden, Carter, Colclo, Davenport, Flenniken, Frudden, Gilchrist, Greeley, Greene, Hurn, Jenks, Jones, Langan of Crawford, McClurkin, McNie, Marshall, Payne, Powers, Pritchard, Springer, Stuckslager, Temple, Townsend, Utterback, Wilson of Washington, Wise, Mr. Speaker—29.

So the bill passed and the title was agreed to.

Clarke of Dallas called up Senate file No. 230, which was ordered recalled from the Senate, and moved to reconsider the vote by which Senate file No. 230 passed the House; also the vote by which it was passed to its third reading.

Motion to reconsider carried by unanimous vote.

Mr. Clarke moved to amend the bill, Senate file No. 230, by inserting an enacting clause before section 1, following the title.

Adopted.

The motion, that the rules be suspended, that the bill be read a third time now, prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Boysen, Buchanan, Calderwood, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Freeman, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Keagy, Kendall, Kerr, Kling, Kolthoff, Larrabee, Leech, Lyman, McClure, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Teachout, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wright, Mr. Speaker—76.

The nays were:

None.



Absent or not voting:

Messrs. Bealer, Blakemore, Campbell, Carden, Flenniken, Frudden, Greene, Hawk, Hurn, Jenks, Jones, Koontz, Langan of Clinton, Langan of Crawford, McClurkin, Marshall, Payne, Pritchard, Springer, Sweet, Temple, Townsend, Wilson of Washington, Wise—24.

So the bill passed and the title was agreed to.

On motion of Cowles of Kossuth, Senate file No. 161, a bill for an act to provide for the support of the hospitals for the insane, and for the transfer of patients on account of the opening of the hospital at Cherokee, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Boysen, Buchanan, Calderwood, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Furry, Graff, Greeley, Hamann, Hasselquist, Head, Hertert, Hughes, Jaeger, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Teachout, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—76.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Blakemore, Campbell, Carden, Frudden, Gilchrist, Greene, Hawk, Hilsinger, Hufschmidt, Hurn, Jenks, Jones, McClure, McClurkin, Marshall, Payne, Pritchard,

Springer, Stuckslager, Sweet, Temple, Townsend, Wilson of Washington—24.

So the bill passed and the title was agreed to.

On motion of Sweet of Bremer, House file No. 17, a bill for an act to reimburse Louis Case for money paid by him for clothing to equip a portion of the Ninth regiment of Iowa volunteers in the war of the rebellion, was indefinitely postponed.

House file No. 303, a bill for an act to repeal section 2523 of the code, relating to milk tests and to enact a substitute therefor, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

So the bill was indefinitely postponed.

Temple of Clarke moved that House file No. 90 be dropped from the calendar.

Carried.

Hughes of Iowa moved that House file No. 391 be passed on the calendar, but be allowed to retain its place thereon

Carried.

The Speaker announced that he had signed in the presence of the House, House files Nos. 350, 228, 424, 77, 386 and 248.

On motion of Nagle of Van Buren, the House adjourned until 2 o'clock P. M.

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#### AFTERNOON SESSION.

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The House met pursuant to adjournment, Speaker Eaton in the chair.

On motion of Hughes of Iowa, House file No. 391 was recommitted to the committee on Appropriations and allowed to retain its place on the calendar.

On motion, leave of absence was granted Messrs. Stuckslager, Teachout, McClurkin, Christianson, Dodds and Anderson till Monday

On motion of Jeager of Des Moines, leave of absence was granted Carden of Henry until Tuesday morning.

On motion, leave of absence was granted Messrs. Wilson of Washington, Jones of Mahaska, Townsend of Calhoun, Hawk of Jasper indefinitely on account of sickness.

On motion of Edwards of Butler, Senate file No. 117 was made a special order for Tuesday, April 8th, at 10 o'clock A. M.

Carried.

#### REPORTS OF COMMITTEES.

Stuckslager of Linn, for the committee on Claims, submitted the following report:

MR. SPEAKER—Your committee on Claims, to whom was referred Senate file No. 318, a bill for an act appropriating money to pay certain expenses in the case of the State of Iowa v. McFarland and others, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

W. C. STUCKSLAGER,  
*Chairman.*

Ordered passed on file.

Wise of Black Hawk, from the committee on Railroads and Commerce, submitted the following report:

MR. SPEAKER—Your committee on Railroads and Commerce, to whom was referred Senate file No. 117, a bill for an act to authorize and empower railroad corporations of this state, to transact business, lease or purchase railroads, or to purchase the stock, bonds, or securities of railroads in other states, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. A. WISE,  
*Chairman.*

Ordered passed on file.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the committee on Enrolled Bills submitted the following report:

MR SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 52, a bill for an act making it a crime to advise, counsel, encourage, advocate or incite the unlawful killing of any human being, and fixing the punishment therefor.

Also, House file No. 71, a bill for an act to amend sections sixteen hundred seventy-two (1672) and sixteen hundred seventy-three (1673) of the code, relating to the reports and making appropriation for the Horticultural society.

Also, House file No. 128, a bill for an act to amend chapter 1, title 3 of the code relating to the organization of the supreme court.

J. P. LYMAN,  
*Chairman.*

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 52, a bill for an act making it a crime to advise, counsel, encourage advocate, or incite the unlawful killing of any human being, and fixing the punishment therefor.

Also, House file No. 71, a bill for an act to amend sections sixteen hundred seventy-two (1672) and sixteen hundred seventy-three (1673) of the code, relating to the reports and making appropriations for the Horticultural Society.

Also, House file No. 128, a bill for an act to amend chapter 1, title 3 of the code, relating to the organization of the supreme court.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 153, a bill for an act to repeal chapter ninety-nine (99) of the acts of the Twenty-eighth General Assembly and to enact a substitute therefor providing for the levy of a special tax of one-fifth (1-5) of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the Iowa State College of Agriculture and Mechanic Arts.

Also, Senate file No. 10, a bill for an act to repeal chapter ninety-seven (97) of the acts of the Twenty-eighth (28) General Assembly and to enact a substitute therefor, providing for the levy of a special tax of one fifth (1-5) of a mill on the dollar upon the assessed valuation of the taxable property of the state for the erection, repair, improvement of buildings for the State University of Iowa.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 25, a bill for an act to amend section seven hundred and twenty-seven (727) of the code, relating to gifts and bequests for library purposes.

Also, Senate file No. 72, a bill for an act to amend section one thousand and four (1004) of the code, in reference to levying taxes in special charter cities.

Also, Senate file No. 167, a bill for an act to amend section twenty-seven hundred ninety-four (2794) of the code of Iowa, relating to the organization of independent districts.

Also, Senate file No. 220, a bill for an act to amend chapter eighty-three (83) of the acts of the Twenty-eighth General Assembly, in relation to the inspection and use of the products of petroleum.

Also, Senate file No. 221, a bill for an act to amend section two thousand five hundred eight (2508) of the code, in relation to the inspection and use of the products of petroleum.

Also, Senate file No. 253, a bill for an act to amend sections one thousand nine hundred forty-six (1946), one thousand nine hundred forty-eight (1948) and one thousand nine hundred fifty-one (1951) of the code, relating to levees, drains and water courses.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

BILLS ON THEIR PASSAGE.

On motion of Hughes of Iowa, House file No. 208, a bill for for an act to defray the cost of inspecting county and private

institutions in which insane persons are kept, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Hughes moved to amend the bill by inserting the words "one hundred forty-four" before the figures "144" and inclosing the figures in brackets.

Mr. Hughes moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cruikshank, Davenport, Donahue, Dunham, Edwards, Eiker, English, Fields, Freeman, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Head, Hertert, Hilsinger, Hughes, Jaeger, Keagy, Kendall, Kerr, Kling, Kolt-hoff, Leech, Lyman, McClure, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Powers, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—72.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Campbell, Carden, Carter, Cowles, Cummings, Dodds, Flenniken, Frudden, Greene, Hawk, Hufschmidt, Hurn, Jenks, Jones, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, McClurkin, Marshall, Payne, Pipher, Pritchard, Springer, Stuckslager, Walters, Wilson of Washington—28.

So the bill passed.

Hughes of Iowa moved to amend the title by adding thereto the words, "and to make an appropriation therefor."

Carried.

The title as amended was agreed to.

On motion of Lyman of Poweshiek, House file No. 291, a bill for an act to amend section 2451 of the code in regard to revocation of statements of consent for sale of intoxicating liquors, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Hamann of Scott moved that this bill, House file No. 291, be referred to the committee on Judiciary.

Carried.

Mr. Lyman moved that the bill be recalled from the committee on Judiciary and that it be indefinitely postponed.]

Carried, and the bill was indefinitely postponed.

On motion of Hamann of Scott, House file No. 80, a bill for an act to amend sections twenty-five hundred sixty-one (2561) and twenty-five hundred fifty-one (2551) of the code, relating to the protection of birds and game, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Hamann of Scott moved that this bill, House file No. 80, be indefinitely postponed.

Carried.

On motion of Mattes of Sac, House file No. 333, a bill for an act to amend sections 2448, 2449 and 2452 of chapter 6, title 12 of the code, in relation to intoxicating liquors, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Mattes, the amendments of the committee were adopted.

Kerr of Grundy moved to strike out section 3 of the bill.

On this question, a roll call was demanded.

On the question, Shall the motion prevail?

The yeas were:

Messrs. Black, Cassel, Cowles, Dunham, Edwards, Fields, Freeman, Gilchrist, Graff, Head, Jenks, Keagy, Kerr, Larrabee, McNie, Moore, Nagle, Nichols, Robinson, Secor, Stratton, Sweeley, Walden, Wilson of Buena Vista, Mr. Speaker—24.

The nays were:

Messrs. Bealer, Boysen, Buchanan, Calderwood, Christianson, Crouse, Cruikshank, Donahue, Eiker, English, Flenniken, Greeley, Hamann, Hasselquist, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Kendall, Kolthoff, Koontz, Leech, McClure, Mattes, Meservey, Mordhorst, Patton, Pipher, Powers, Roome, Sokol, Springer, Stuckslager, Sweet, Teachout, Townsend, Utterback, Walters, Warren, Whiting, Willett, Wise, Wright—44.

Absent or not voting:

Messrs. Anderson, Bailey, Barker, Barkley, Blakemore, Campbell, Carden, Carter, Cheney, Clarke, Coburn, Colclo, Cummings, Davenport, Dodds, Frudden, Furry, Greene, Hawk, Hurn, Jenks, Jones, Kling, Langan of Clinton, Langan of Crawford, Lyman, McClurkin, Marshall, Payne, Pritchard, Temple, Wilson of Washington—32.

So the motion was lost.

Stratton of Montgomery moved to amend as follows:

Add to section 3 of House file No. 333, the following words:

Provided, that if it is shown by competent evidence submitted before the completion of the canvass of the statement of general consent by the board of supervisors, that any name has been signed on the said statement of consent because of the payment to the signer of any money or other valuable consideration, because of fraudulent representation of the purpose of the statement of consent, or because of intimidation or threats against the property or person of the signer, or provided that any name is signed on the statement of general consent without the knowledge or consent of the person whose name it is, such forgery being shown by competent evidence, then such name or names shall not be counted by the board of supervisors.

Adopted.

Dunham of Delaware moved to refer this bill, House file No. 333, to the committee on Judiciary.

On this question a roll call was demanded.

On the question, Shall the motion prevail?

The yeas were:

Messrs. Bealer, Black, Cassel, Cheney, Cowles, Dunham, Edwards, Fields, Freeman, Graff, Hasselquist, Head, Kerr, Nagle, Nichols, Secor, Stratton, Sweeley, Wilson of Buena Vista—19.



The nays were:

Messrs. Barkley, Boysen, Calderwood, Christianson, Coburn, Colclo, Crouse, Cruikshank, Donahue, Eiker, English, Flenniken, Gilchrist, Hamann, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Keagy, Kendall, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leach, McClure, McNie, Mattes, Meservey, Moore, Mordhorst, Patton, Pipher, Powers, Robinson, Roome, Sokol, Springer, Stuckslager, Sweet, Teachout, Townsend, Utterback, Walters, Warren, Whiting, Willett, Wise, Wright, Mr. Speaker—51.

Absent or not voting:

Messrs. Anderson, Bailey, Barker, Blakemore, Buchanan, Campbell, Carden, Carter, Clarke, Cummings, Davenport, Dodds, Frudden, Furry, Greeley, Greene, Hawk, Hurn, Jenks, Jones, Langan of Crawford, Lyman, McClurkin, Marshall, Payne, Pritchard, Temple, Walden, Wilson of Washington—30.

So the motion to refer was lost.

Hasselquist of Lucas moved to amend the bill by striking out the words "chapter six and title twelve" wherever they occur in the bill.

Adopted.

Mr. Mattes moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barkley, Bealer, Boysen, Buchanan, Calderwood, Christianson, Coburn, Colclo, Crouse, Cruikshank, Donahue, Eiker, English, Flenniken, Freeman, Gilchrist, Hamann, Hasselquist, Hertert, Hufschmidt, Hughes, Jaeger, Keagy, Kendall, Kolthoff, Koontz, Langan of Clinton, Leech, McClure, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Pipher, Powers, Robinson, Roome, Sokol, Springer, Stuckslager, Sweet, Teachout, Temple, Townsend, Utterback, Walters, Warren, Whiting, Willett, Wise, Wright, Mr. Speaker—54.

The nays were:

Messrs. Barker, Black, Cassel, Cheney, Cowles, Dunham, Edwards, Freeman, Graff, Head, Kerr, Larrabee, Nagle, Patton, Secor, Stratton, Sweeley, Walden, Wilson of Buena Vista—19.

Absent or not voting:

Messrs. Anderson, Blakemore, Campbell, Carden, Carter, Clarke, Cummings, Davenport, Dodds, Fields, Frudden, Furry, Greeley, Greene, Hawk, Hurn, Jenks, Jones, Kling, Langan of Crawford, Lyman, McClurkin, Marshall, Payne, Pritchard, Temple, Wilson of Washington—27.

So the bill passed.

Hasselquist of Lucas moved to amend the title by striking out the words "chapter six and title twelve".

Carried.

The title as amended was agreed to.

On motion of Temple of Clarke, House file No. 271, a bill for an act to repeal section 2701 of the code, and to enact a substitute therefor, relating to the compensation of the superintendent and assistants of the Institution for Feeble-Minded Children, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Temple, the amendments of the committee were adopted.

Mr. Temple moved that the rules be suspended, that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Cheney, Coburn, Colclo, Cruikshank, Cummings, Davenport, Dodds, Dunham, Edwards, English, Fields, Flenniken, Freeman, Gilchrist, Greeley, Hasselquist, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Keagy, Kendall, Kling, Langan of Clinton, Langan of Crawford, Larrabee, Leech, McClure, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Patton, Pipher, Robinson, Roome, Secor,

Sokol, Springer, Stratton, Stuckslager, Sweeley, Temple, Townsend, Walden, Whiting, Willett, Wilson of Buena Vista, Wright, Mr. Speaker—61.

The nays were:

Messrs. Barker, Graff, Hamann, Kolthoff, Nichols, Powers—6.

Absent or not voting:

Messrs. Blakemore, Campbell, Carden, Carter, Cassel, Christianson, Clarke, Cowles, Crouse, Dodds, Donahue, Eiker, Frudden, Furry, Greene, Hawk, Head, Jenks, Jones, Kerr, Koontz, Lyman, McClurkin, Marshall, Payne, Pritchard, Sweet, Teachout, Utterback, Walters, Warren, Wilson of Washington, Wise—33.

So the bill passed and the title was agreed to.

Speaker *pro tem* Kendall in the chair.

On motion of Buchanan of Wapello, House file No. 373, a bill for an act to repeal section 2812 of the code, section 1 of chapter 95 of the acts of the Twenty-seventh General Assembly, and chapter 142, acts of the Twenty-eighth General Assembly and to enact a substitute therefor, providing for the issuance of school bonds, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Buchanan, the amendments of the committee were adopted.

Sweeley of Woodbury moved to amend by striking out the word "its", in line 1 of section 2, and the word "name", in line 2, section 2, and by inserting in lieu thereof, the words, "the name of the corporation."

Adopted.

Mr. Buchanan moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs, Bailey, Barker, Barkley, Bealer, Boysen, Buchanan, Calderwood, Cheney, Coburn, Colclo, Cowles, Cruikshank; Cummings, Davenport, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Head, Hufschmidt, Hughes, Hurn, Jaeger, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McNie, Matte\$, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Roome, Sokol, Stratton, Stuckslager, Sweeley, Townsend, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wise, Mr. Speaker—65.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Black, Blakemore, Campbell, Carden, Carter, Cassel, Christianson, Clarke, Crouse, Dodds, Donahue, Frudden, Furry, Greene, Hawk, Hertert, Hilsinger, Jenks, Jones, McClure, McClurkin, Marshall, Nagle, Payne, Pritchard, Robinson, Secor, Springer, Sweet, Teachout, Temple, Utterback, Wilson of Washington, Wright—35.

So the bill passed and the title was agreed to.

#### INTRODUCTION OF BILLS.

By Sweet of Bremer, by unanimous consent, House file No. 449, a bill for an act to legalize the official acts of the town council of the incorporated town of Denver, Bremer county, Iowa, and the acts of F. C. Richardson, acting as clerk of said town.

Read first and second time and referred to committee on Judiciary.

By Cruikshank of Lee, by unanimous consent, House file No. 450, a bill for an act to provide for the appointment of an assistant deputy warden for the penitentiary at Fort Madison and to amend section fifty-seven hundred sixteen (5716) of the code, fixing the salary thereof.

Read first and second time and referred to committee on Penitentiaries

The Speaker announced that he had signed in the presence of the House, Senate files Nos. 25, 72, 167, 220, 221, 253, 153 and 10, also House files Nos. 52, 71 and 128.

The Speaker appointed as the committee on the part of the House to examine and report regarding the oil painting of Senator Harlan, Moore of Davis, Meservey of Webster, Whiting of Monona.

On motion of Hughes of Iowa, House adjourned till 9 A. M. Monday, April 7th.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, Monday, April 7, 1902. }

The House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. A. C. Douglas of Des Moines.

On motion of Springer of Buchanan, leave of absence was granted Frudden of Dubuque till tomorrow.

On motion of Stuckslager of Linn, leave of absence was granted Bealer of Linn until today noon.

On motion of Larrabee of Fayette, leave of absence was granted Green of Madison indefinitely on account of sickness.

#### REPORTS OF COMMITTEES.

Hughes of Iowa, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 152, a bill for an act making an appropriation and providing for the erection of monuments in memory of the Iowa troops on Lookout Mountain and Missionary Ridge (The battles of Chattanooga), beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 447, a bill for an act to appropriate money for the construction of a laundry building for the Hospital for the Insane at Mt. Pleasant, Iowa, and to provide it with heat, water, lights and sewer connections, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the

recommendation that the same be amended by inserting after the word "construction" and before the word "of" in line 3 of section 1, the words, "and equipment."

Also, that it be further amended by striking out all of said section 1 after the period following the word "connections", in line 6.

And that when so amended the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file

Dunham of Delaware submitted the following report:

MR. SPEAKER—Your committee on Schools and Text-Books to whom was referred House file No. 434, a bill for an act to amend section 2773 of the code, relating to the minimum length of time that schools must be taught and the establishment of school holidays, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

GEO. W. DUNHAM,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Schools and Text-Books, to whom was referred House file No. 390, a bill for an act to provide for a county board of examiners for the examination of teachers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by inserting after the word "receive" and before the figures "\$4.00," both appearing in the fourth line of section 3, the words "four dollars," and by inserting after the word "exceed" and before the figures "\$80.00," both appearing in the seventh line of section 3, the words "eighty dollars," and by inserting after the word "exceed" and before the figures "\$120.00," both appearing in the eighth line of section 3, the words "one hundred and twenty dollars;" and by striking out the latter part of section 10, beginning with the words "nor to an applicant," and including the remainder of the section.

And that the same when so amended do pass.

GEO. W. DUNHAM,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Schools and Text-Books, to whom was referred Senate file No. 13, a bill for an act to amend section 2742 of the code, relating to county superintendents, beg leave to report that they have had the same under consideration and have instructed me to report

the same back to the House with the recommendation that the same do pass.

GEO. W. DUNHAM,  
*Chairman.*

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, House file No. 386 a bill for an act to amend sections twenty-four hundred thirty-three (2433) and twenty-four hundred thirty-five (2435) of the code, relating to the listing of places where intoxicating liquors are kept for sale or sold, and the assessment of the mulct tax against the property and its owner or owners and the occupant or tenant of such property.

Also, House file No. 77, a bill for an act to amend section thirteen hundred and four (1304) of the code, relating to the exemption of property from assessment and taxation.

Also, House file No. 424, a bill for an act to legalize the incorporation of the town of Kinross, in the county of Keokuk and state of Iowa, and the official acts of the officers of said town, and all ordinances and resolutions adopted by the council of said town.

Also, House file No. 228, a bill for an act to provide for the admission of feeble-minded women to the Institution for Feeble-Minded Children at Glenwood, and the maintenance thereof.

Also, House file No. 350, a bill for an act to amend section sixty-five (65), chapter one (1) of the code, in relation to the salary of the governor.

Also, House file No. 248, a bill for an act relating to, defining, regulating and conferring rights and powers upon interurban street railways, and amending section two thousand twenty-six (2026) of the code, relating to such railways.

J. P. LYMAN,  
*Chairman.*

April 5, 1902.

Adopted.

Also:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, House file No. 52, a bill for an act making it a crime to advise, counsel, encourage, advocate or incite the unlawful killing of any human being, and fixing the punishment therefor.

Also, House file No. 71, a bill for an act to amend sections sixteen hundred seventy-two (1672) and sixteen hundred seventy-three (1673) of the code, relating to the reports and making appropriations for the Horticultural society.



Also, House file No. 128, a bill for an act to amend chapter 1, title 3 of the code, relating to the organization of the supreme court.

J. P. LYMAN,  
*Chairman.*

April 5, 1902.

Adopted.

#### INTRODUCTION OF BILLS.

By Langan of Clinton, by unanimous consent, House file No. 451, a bill for an act to legalize the election of the city of Clinton in favor of establishing a free public library in said city.

Read first and second time.

On motion of Langan of Clinton, House file No. 451 was taken up by unanimous consent and considered.

Mr. Langan moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed by a two-thirds vote, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Black, Blakemore, Buchanan, Calderwood, Cassel, Cheney, Christianson, Coburn, Cowles, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Graff, Greeley, Hamann, Hasselquist, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, McNie, Mattes, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Sokol Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Whiting, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—68.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Bealer, Boysen, Campbell, Carden, Carter, Clarke, Colclo, Cruikshank, Flenniken, Freeman, Frudden, Furry, Gilchrist, Greene, Hawk, Head, Hilsinger, Jones, Larrabee, Lyman, McClure, McClurkin, Marshall, Meservey, Moore,

Payne, Pritchard, Secor, Warren, Willett, Wilson of Washington—32.

So the bill passed and the title was agreed to.

Barker of Howard offered the following resolution which was laid over under rule 34:

*Resolved*, By the House, the Senate concurring: That this General Assembly adjourn *sine die*, on Thursday, April 10th, at 12 m.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate refuses to recede from Senate amendments to House file No. 225, a bill for an act to amend section 308 of the code, relating to compensation for county attorneys and names as a conference committee on the part of the Senate, Senators Dowell, Lister, Bachman and Lambert.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 359, a bill for an act providing for the levy of a special tax of one-tenth of a mill on the dollar upon assessed valuation of taxable property of the state for the erection, repair, improvement and equipment of buildings for the State Normal School at Cedar Falls, Iowa.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 432, a bill for an act to amend section 2629 of the code, relating to the examination of applicants for state certificates and diplomas.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

House file No. 145, a bill for an act to repeal chapter eight (8) of title sixteen (16) of the code, and enact a substitute therefor, relating to the care of friendless children, and the establishment, regulation and visitation of homes for friendless children.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Resolution relative to the appointment of a joint committee to report as to the advisability of purchasing portrait of Senator Harlan.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 232, a bill for an act to amend section twenty-five hundred and eighty-one (2581) of the code, in relation to itinerant physicians.

GEO. A. NEWMAN,  
*Secretary.*

Also

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

House file No. 125, a bill for an act making it a crime to sell property upon which there is a landlord's lien for rent, without the written consent of the landlord and fixing the penalty therefor.

GEO. A. NEWMAN  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 374, a bill for an act to amend section 1709 of the code, relating to insurance.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Substitute for Senate file No. 211, a bill for an act relating to the duties of the commissioner of labor statistics and amending sections 2470, 2471 and 2472 of the code.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 212, a bill for an act to provide for the safety and comfort of laborers and other persons assembled in factories and buildings.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 321, a bill for an act to amend subdivision three (3), of section twenty-four hundred forty-eight (2448) of the code, relating to surety on bonds.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No 328, a bill for an act to provide for the inspection, recognition and supervision of schools for the instruction and training of teachers for the common schools and providing for the licensing of the graduates of the same.

GEO. A. NEWMAN,  
*Secretary.*

The Speaker appointed Messrs. Hurn of Cerro Gordo, Fields of Plymouth, Robinson of Emmet and English of Polk, as a conference committee on the part of the House on House file No. 225.

On motion of Sweeley of Woodbury, House files Nos. 254 and 411 were dropped from the calendar.

On motion of Buchanan of Wapello, House file No. 279 was dropped from the calendar.

#### SENATE MESSAGES CONSIDERED.

Senate file No. 232, a bill for an act to amend section 2581 of the code, in relation to itinerant physicians.

Read first and second time.

On motion of Pipher of Cass, by unanimous consent, Senate file No. 232, just messaged from the Senate and read first and econd time, was taken up and considered.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Black, Blakemore, Boysen, Calderwood, Cassel, Cheney, Christianson, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Flenniken, Freeman, Gilchrist, Greeley, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Keagy, Kendall, Kerr, Kling, Kolthoff, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Roome, Sokol, Stratton, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Whiting, Willett, Wilson of Buena Vista, Wise, Wright—68.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Bealer, Buchanan, Campbell, Carden, Carter, Clarke, Eiker, English, Fields, Frudden, Furry, Graff, Greene, Head, Hurn, Jones, Koontz, Langan of Clinton, Langan of Crawford, McClure, Marshall, Meservey, Payne, Pritchard, Robinson, Secor, Springer, Stuckslager, Warren, Wilson of Washington, Mr. Speaker—32.

So the bill passed and the title was agreed to.

Coburn of Cherokee called up House file No. 125, just messaged from the Senate with Senate amendments thereto, and moved that the House concur in the Senate amendments to House file No. 125.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Black, Boysen, Calderwood, Cassel, Cheney, Christianson, Coburn, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Dunham, Edwards, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Greeley, Hamann, Hasselquist

Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jenks, Keagy, Kendall, Kerr, Koontz, Leech, Lyman, McClurkin, McNie, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Townsend, Utterback, Walden, Walters, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—66.

The nays were:

Messrs. Barkley, Kolthoff—2.

Absent or not voting:

Messrs. Anderson, Barker, Bealer, Blakemore, Buchanan, Campbell, Carden, Carter, Clarke, Cowles, Donahue, Eiker, Frudden, Graff, Greene, Head, Jaeger, Jones, Kling, Langan of Clinton, Langan of Crawford, Larrabee, McClure, Marshall, Meservey, Payne, Pritchard, Secor, Springer, Temple, Warren, Wilson of Washington—32.

So the House concurred in the Senate amendments to House file No. 125.

#### SENATE MESSAGES CONSIDERED.

Senate file No. 328, a bill for an act to provide for the inspection, recognition and supervision of schools for the instruction and training of teachers for the common schools and providing for the licensing of the graduates of the same.

Read first and second time.

On motion of Kling of Harrison, by unanimous consent, Senate file No. 328, just read first and second times, was taken up and considered.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barkley, Black, Boysen, Buchanan, Calderwood, Cassel, Cheney, Christianson, Colclo, Crouse, Cruikshank, Cummings, Dayenport, Dodds, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Graff, Greeley, Hassel-

quist, Hawk, Hilsinger, Hufschmidt, Hughes, Hurn, Jenks, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Moore Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Sokol, Springer, Stratton, Sweeley, Teachout, Temple, Townsend, Utterback, Walden, Whiting, Willett, Wise, Wright, Mr. Speaker—67.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Barker, Bealer, Blakemore, Campbell, Carden, Carter, Clarke, Coburn, Cowles, Dunham, Frudden, Furry, Gilchrist, Greene, Hamann, Head, Hertert, Jaeger, Jones, Langan of Crawford, McClure, Marshall, Meservey, Payne, Pritchard, Secor, Stuckslager, Sweet, Walters, Warren, Wilson of Buena Vista, Wilson of Washington—33.

So the bill passed and the title was agreed to.

On motion of Hurn of Cerro Gordo, House file No. 436, a bill for an act to authorize the commander-in-chief to organize naval militia, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Hurn moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Black, Blakemore, Buchanan, Calderwood, Cheney, Christianson, Coburn, Cowles, Crouse, Cummings, Dodds, Donahue, Dunham, Edwards, English, Fields, Greeley, Hamann, Hasselquist, Hawk, Hertert, Hufschmidt, Hughes, Hurn, Jenks, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, McClurkin, McNie, Mattes, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Sokol, Springer, Sweeley, Teachout, Walden, Walters, Whiting, Wilson of Buena Vista, Wright, Mr. Speaker—59.

The nays were:

None

Absent or not voting:

Messrs. Anderson, Barkley, Bealer, Boysen, Campbell, Carden, Carter, Cassel, Clarke, Colclo, Cruikshank, Davenport, Eiker, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Head, Hilsinger, Jaeger, Lyman, Jones, McClure, Marshall, Meservey, Nagle, Payne, Secor, Stratton, Stuckslager, Sweet, Temple, Townsend, Utterback, Warren, Willett, Wilson of Washington, Wise—41.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, House file No. 418, a bill for an act to add to and amend section two thousand four hundred eighty-nine (2489) of the code, relating to mines and mining, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Cummings of Marshall in the chair.

Lyman of Poweshiek moved to amend House file No. 418 by striking out from section 1, in lines 6, 7 and 8 of the printed bill, the words "and fire the same after all persons connected with said mine, except shot-firers, have retired to a safe distance from the vicinity of such shots."

Also, by adding to said bill, as section 2, the following:

Section 2. In any mine where a majority of the miners so desire, they may employ shot-firers, and in any such mine the operator shall adopt such rules and regulations as may be necessary to adapt his mine to the changed conditions occasioned by such employment. Where shot-firers are employed, all persons not employed in shot firing shall be removed from the mine before any shot is fired.

Lost.

Mr. Kendall moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:



Messrs. Bailey, Barker, Black, Blakemore, Boysen, Buchanan, Calderwood, Cassel, Cheney, Coburn, Colclo, Cowles, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, English, Freeman, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, McClurkin, McNie, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Sokol, Springer, Stratton, Sweeley, Teachout, Townsend, Utterback, Walde., Walters, Whiting, Willett, Wilson of Buena Vista, Wise, Wright—68.

The nays were:

Mr. Temple.

Absent or not voting:

Messrs. Anderson, Barkley, Bealer, Blakemore, Campbell, Carden, Carter, Christianson, Clarke, Crouse, Cruikshank, Eiker, Fields, Flenniken, Frudden, Furry, Greene, Head, Jones, Lyman, McClure, Marshall, Meservey, Payne, Pritchard, Secor, Stuckslager, Sweet, Warren, Wilson of Washington, Mr. Speaker—31.

So the bill passed and the title was agreed to.

On motion of Coburn of Cherokee, House file No. 308, a bill for an act appropriating money to reimburse Samuel Purcell for losses in the suppression of the Sioux Indian insurrection in Cherokee county, upon the 5th day of August, 1861, with reports of committees on Claims, also on Appropriations, recommending passage, was taken up, considered and the reports of both committees adopted.

Mr. Coburn moved that the rules be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Black, Boysen, Buchanan, Calderwood, Cassel, Cheney, Christianson, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, English, Fields, Freeman, Furry, Gilchrist, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt,

Hurn, Jaeger, Jenks, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Leech, Lyman, McClurkin, McNie, Mattes, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Robinson, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—70.

The nays were:

Messrs. Eiker, Flenniken, Graff, Hughes, Larrabee, Roome—6.

Absent or not voting:

Messrs. Anderson, Bealer, Blakemore, Campbell, Carden, Carter, Clarke, Frudden, Greeley, Greene, Hamann, Head, Jones, Keagy, Langan of Crawford, McClure, Marshall, Meservey, Nagle, Payne, Pritchard, Secor, Warren, Wilson of Washington—24.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Mr. Dunham submitted the following report:

MR. SPEAKER—Your committee on conference, appointed to act with a like committee from the Senate, to whom was referred House file No. 78, a bill for an act to amend section seventeen hundred and ninety-six (1796) of the code, in relation to notes taken for policies of insurance, as amended by the Senate, beg leave to report that they have had the same under consideration and after conferring together, have agreed upon the following as amendments thereto: That the word "assignee" first appearing in the third line of section 1 of said Senate amendment be stricken out and the word "assigns" be inserted in lieu thereof, and that the same be further amended by inserting the word "company" after the word "such" and before the word "receiver" appearing in the third line of said section, and that when the same is so amended the said amendments, with the Senate amendment and bill do pass.

JAS. A. SMITH,  
J. M. JUNKIN,  
J. H. TREWIN,  
D. A. LYONS,

*On the part of the Senate.*

WM. G. JONES,  
BURTON E. SWEET,  
MARK J. FURRY,  
J. P. LYMAN.

*On the part of the House.*

Adopted.

Speaker Eaton in the chair.

On motion of Dunham of Delaware, House file No. 78, a bill for an act to amend section 1796 of the code, in relation to notes taken for policies of insurance, with report of conference committee recommending passage as amended by Senate with other amendments, was taken up, considered and the report of the committee adopted.

Mr. Dunham moved that the amendments offered by the conference committee be adopted.

On the question, Shall the amendments of the committee be adopted?

The yeas were:

Messrs. Bailey, Barker, Barkley, Black, Blakemore, Boysen, Calderwood, Cassel, Cheney, Christianson, Colclo, Cowles, Crouse, Cruikshank, Davenport, Dodds, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Graff, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Temple, Townsend, Walden, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—71.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Bealer, Buchanan, Campbell, Carden, Carter, Clarke, Coburn, Cummings, Donahue, Frudden, Greeley, Greene, Head, Hurn, Jenks, Jones, Langan of Crawford, McClure, Marshall, Meservey, Payne, Pritchard, Secor, Teachout, Utterback, Walters, Warren, Wilson of Washington—29.

So the amendments of the conference committee were adopted.

On motion of Nagle of Van Buren, House file No. 426, a bill for an act making an appropriation for the payment of the costs in the case of the state of Iowa, ex rel Milton Remley, attorney-general, with report of committee on Claims recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Nagle moved that the amendments offered by the committee on Claims be adopted.

Adopted.

Sweeley of Woodbury moved to amend by striking out the publication clause.

Adopted.

Mr. Nagle moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barkley, Black, Boysen, Buchanan, Calderwood, Cassel, Cheney, Christianson, Coburn, Cowles, Crouse, Cruikshank, Davenport, Dodds, Edwards, Eiker, English, Fields, Flenniken, Freeman, Graff, Greeley, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Powers, Robinson, Roome, Sokol, Springer, Stratton, Stuckslager, Sweeley, Teachout, Temple, Townsend, Utterback, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—69.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Barker, Bealer, Blakemore, Campbell, Carden, Carter, Clarke, Colclo, Cummings, Donahue, Dunham, Frudden, Furry, Gilchrist, Greene, Head, Jones, Langan of Crawford, McClure, Marshall, Meservey, Payne, Pipher, Pritchard, Secor, Sweet, Walden, Walters, Warren, Wilson of Washington—31.

So the bill passed and the title was agreed to as amended by the committee on Claims.

On motion of Edwards of Butler, Senate file No. 236, a bill for an act to amend section seventeen hundred seventy-one (1771) of

the code, in relation to stock or premium notes, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Barker, Barkley, Black, Buchanan, Calderwood, Cheney, Christianson, Coburn, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Edwards, Eiker, English, Fields, Freeman, Graff, Greeley, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Hughes, Hurn, Jaeger, Jenks, Keagy Kerr, Kling, Kolt-hoff, Leech, Lyman, McClurkin, McNie, Mattes, Moore, Nichols, Patton, Pipher, Powers, Robinson, Roome, Sokol, Stratton, Swee ley, Teachout, Temple, Townsend, Utterback, Walden, Whiting, Wise, Wright, Mr. Speaker—58.

The nays were:

Messrs. Cowles, Stratton—2.

Absent or not voting:

Messrs. Anderson, Bailey, Bealer, Blakemore, Boysen, Camp-bell, Carden, Carter, Cassel, Clarke, Donahue, Dunham, Flenni-ken, Frudden, Furry, Gilchrist, Greene, Head, Hufschmidt, Jones, Kendall, Langan of Clinton, Langan of Crawford, Larrabee, McClure, Marshall, Meservey, Mordhorst, Nagle, Payne, Pritchard, Secor, Springer, Stuckslager, Sweet, Walters, Warren, Wil-lett, Wilson of Buena Vista, Wilson of Washington—40.

So the bill passed and the title was agreed to.

On motion of Cruikshank of Lee, Senate file No. 297, a bill for an act to amend sections 2540, 2551, 2556, 2561 of the code and section 2569 of the code as amended by chapter 64 of the laws of the Twenty-seventh General Assembly, repealing section 5 of chapter 64 of the laws of the Twenty-seventh General Assembly, and making further provisions additional to said chapter 15, title 12 of the code, relating to the care and propagation of fish and the protection of birds and game, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barkley, Black, Boysen, Calderwood, Cassel, Cheney, Christianson, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Freeman, Furry, Greeley, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Leech, Lyman, McClurkin, McNie, Mattes, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Robinson, Sokol, Springer, Stratton, Stuckslager, Sweeley, Teachout, Temple, Townsend, Utterback, Walden, Whiting, Willett, Wilson of Buena Vista, Wise, Mr. Speaker—67.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Barker, Bealer, Blakemore, Buchanan, Campbell, Carden, Carter, Clarke, Coburn, Flenniken, Frudden, Gilchrist, Graff, Greene, Head, Hurn, Jones, Langan of Crawford, Larrabee, McClure, Marshall, Meservey, Nagle, Payne, Pritchard, Roome, Secor, Sweet, Walters, Warren, Wright—33.

So the bill passed and the title was agreed to.

McClurkin of Louisa moved that House file No. 330 be recalled from the Senate.

On motion of Hawk of Jasper, Senate file No. 224, a bill for an act to provide safe means of egress from buildings, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Carried.

On motion of McNie of Benton, House adjourned till 2 P. M.

## AFTERNOON SESSION.

House met at 2 P. M., Speaker Eaton in the chair.

The House resumed consideration of Senate file No. 224.

Hawk of Jasper moved that the rules be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barkley, Black, Blakemore, Buchanan, Carter, Cheney, Clarke, Cummings, Dodds, Edwards, Eiker, English, Fields, Furry, Gilchrist, Graff, Greeley, Hasselquist, Head, Hertert, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Langan of Crawford, McClurkin, Meservey, Nagle, Patton, Robinson, Roome, Sweeley, Sweet, Teachout, Townsend, Utterback, Wilson of Washington, Mr. Speaker—45.

The nays were:

Messrs. Bailey, Bealer, Calderwood, Cassel, Christianson, Coburn, Colclo, Crouse, Davenport, Donahue, Freeman, Hamann, Hawk, Hurn, Koontz, Leach, McNie, Mattes, Moore, Nichols, Powers, Sokol, Springer, Stratton, Stuckslager, Temple, Walden, Warren, Willett, Wilson of Buena Vista, Wise, Wright—32.

Absent or not voting:

Messrs. Barker, Boysen, Campbell, Carden, Cowles, Cruikshank, Dunham, Flenniken, Frudden, Greene, Hilsinger, Kolthoff, Langan of Clinton, Larrabee, Lyman, McClure, Marshall, Mordhorst, Payne, Pipher, Pritchard, Secor, Walters, Whiting—23.

So the bill, having failed to receive a constitutional majority, was declared lost.

## PETITIONS AND MEMORIALS.

Keagy of Dubuque presented petition of citizens of Dubuque county, asking the passage of Senate bill relative to the salary of waterworks trustees.

Referred to committee on Compensation of Public Officers.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 95, a bill for an act to amend section thirty-two hundred and eighty-seven (3287) of the code, relating to the recording of wills.

Also, Senate file No. 115, a bill for an act to amend section one thousand three hundred and thirty-three (1333) of the code, relating to the assessment of taxes upon foreign insurance companies.

Also, Senate file No. 156, a bill for an act to amend section three thousand two hundred and fifty-three of the code, relating to the rights, duties and relations between parent and child by adoption.

Also, Senate file No. 230, a bill for an act for preservation of life and protection of property, to require the construction of fire escapes to certain buildings and enclosures, now constructed or hereafter to be erected, providing the manner of constructing same and imposing penalties for violation thereof.

Also, Senate file No. 285, a bill for an act to amend section two thousand eighty-six (2086) of the code, relating to the voting of taxes in aid of railways.

Also, Senate file No. 273, a bill for an act to repeal chapter sixty-nine (69) of the laws of the Twenty-seventh General Assembly, regulating the the practice of osteopathy in the state of Iowa and enacting a substitute therefor.

Also, Senate file No. 254, a bill for an act repealing section one hundred sixty-one (161) of the code and enacting a substitute therefor, providing for the appointment of an expert accountant and an assistant, and appropriating money to pay the same, and granting the executive council power to determine systems of records and accounts to be kept by the state officers under certain conditions.

J. P. LYMAN,

*Chairman House Committee.*

E. K. WINNE,

*Chairman Senate Committee.*

Adopted.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has failed to pass the following bill, in which the concurrence of the Senate was asked:



House file No 343, a bill for an act providing that the civil actions authorized in section four thousand three hundred two (4302) of the code, may be brought in any county where a nuisance is committed in part, or in any county where any of the acts or effects constituting or requisite to the consummation of a nuisance occur.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill in which the concurrence of the Senate was asked:

House file No. 92, a bill for an act defining the crime of the commission of crime as an occupation, and providing the penalty therefor.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

House file No. 287, a bill for an act to amend section four hundred ninety-six (496) of the code, relating to the employment of additional help by county recorders.

GEO. A. NEWMAN,  
*Secretary.*

Also.

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

Senate file No. 256, a bill for an act to amend sections ten hundred sixty-seven (1067) and two hundred sixteen (216) of the code, concerning the election, appointment, terms, compensation and duties of the supreme court reporters.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

House file No. 252, a bill for an act to define and regulate the practice of optometry, and for the creation of a board of examiners in optometry.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 40, a bill for an act to amend section fifteen hundred thirty (1530) of the code, in relation to the working of highways.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Freeman of Pottawattamie, House file No. 287, a bill for an act to amend section 496 of the code, relating to the employment of additional help by county recorders, with Senate amendments thereto, was taken up and considered.

Mr. Feeman moved that the House do concur in Senate amendments to House file No. 287.

On the question, Shall the House concur?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Carter, Cheney, Christianson, Coburn, Colclo, Cummings, Davenport, Dodds, Donahue, Edwards, Eiker, English, Fields, Freeman, Furry, Gilchrist, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Hurn, Jenks, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Powers, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Townsend, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—72.

The nays were:

Mr. Graff.

Absent or not voting:

Messrs. Barker, Buchanan, Campbell, Carden, Cassel, Clarke, Cowles, Crouse, Cruikshank, Dunham, Flenniken, Frudden, Greene, Hilsinger, Jaeger, Jones, Koontz, McClure, Marshall, Mordhorst, Payne, Pipher, Pritchard, Robinson, Temple, Utterback, Walters—27.

So the House concurred in the Senate amendments.

On motion of Langan of Clinton, Senate file No. 152 was substituted for House file No. 189, a bill for an act making an appropriation and providing for the erection of monuments in memory of the Iowa troops on Lookout Mountain and Missionary Ridge,

the battles of Chattanooga, with report of committee recommending passage, and the Senate bill was taken up and considered.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carter, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Graff, Greeley, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—88.

The nays were:

None.

Absent or not voting:

Messrs. Campbell, Carden, Cassel, Frudden, Greene, Hamann, Kling, McClure, Marshall, Payne, Pipher, Pritchard—12.

So the bill passed and the title was agreed to.

On motion of Carter of Sioux, House file No. 441, a bill for an act fixing the number of senators in the general assembly, apportioning the ratio among the several counties according to the number of inhabitants in each and dividing the state into senatorial districts, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Carter moved that the amendments offered by the committee be adopted.

Boysen of Audubon moved to amend as follows:

Amend the committee amendments to House file No. 441 by striking out the changes made in districts Nos. 11, 16, 17 and 48.

Adopted.

Amendments of the committee, as amended, were adopted.

Cassel of Jefferson moved to amend House file No. 441, by making Davis and Appanoose the Third district and Mahaska and Monroe the Fourteenth district.

Mattes of Sac moved to lay the amendment offered by Mr. Cassel on the table.

Cowles of Kossuth and Hurn of Cerro Gordo demanded the roll call.

On the question, Shall the amendment be laid on the table?

The yeas were:

Messrs. Bailey, Bealer, Black, Blakemore, Boysen, Cassel, Clarke, Coburn, Crouse, Cruikshank, Cummings, Davenport, Dodds, Dunham, Eiker, Flenniken, Frudden, Graff, Hasselquist, Hawk, Head, Jaeger, Jones, Keagy, Kendall, Kolthoff, Leech, Lyman, McNie, Mattes, Moore, Mordhorst, Nagle, Powers, Roome, Sokol, Stratton, Stuckslager, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Washington, Wright—48.

The nays were:

Messrs. Anderson, Barker, Barkley, Calderwood, Carter, Cheney, Christianson, Colclo, Cowles, Donahue, Edwards, English, Fields, Freeman, Frudden, Furry, Gilchrist, Hamann, Hilsinger, Hufschmidt, Hughes, Hurn, Jenks, Kerr, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, McClurkin, Meservey, Patton, Robinson, Secor, Springer, Sweeley, Sweet, Teachout, Wilson of Buena Vista, Mr. Speaker—38.

Absent or not voting:

Messrs. Buchanan, Campbell, Carden, Greeley, Greene, Hertert, Kling, McClure, Marshall, Nichols, Payne, Pipher, Pritchard, Wise—14.

So the amendment was laid on the table, which carried with it the whole bill, House file No. 441.

On motion of Kerr of Grundy, Senate file No. 13, a bill for an act to amend section 2742 of the code, relating to county superintendents, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Boysen, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hughes, Jaeger, Jenks, Keagy, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Robinson, Roome, Sokol, Springer, Sweeley, Temple, Townsend, Utterback, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—70.

The nays were:

Messrs. Calderwood, Stratton, Walden, Warren—4.

Absent or not voting:

Messrs. Barker, Blakemore, Buchanan, Campbell, Carden, Colclo, Cowles, Eiker, Frudden, Greene, Hufschmidt, Hurn, Jones, Kendall, McClure, Marshall, Payne, Pipher, Powers, Pritchard, Secor, Stuckslager, Sweet, Teachout, Walters, Wilson of Washington—26.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Hughes of Iowa, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 391, a bill for an act making appropriations for the construction, repair, support and contingent funds for the hospitals for the insane at Mt. Pleasant, Independence and Clarinda, the penitentiaries, the Industrial schools for boys and girls, the Institution for feeble-minded children, the School for the deaf, the College for the blind, the Soldiers' Orphans' Home and the Soldiers' Home, and relating to the Industrial Home for the blind. Also, authorizing the use of a portion of the balance in the support fund at the Hospital for the Insane at Clarinda in the enlargement and equipment of the shop building, and of a portion of the balance of certain funds of the penitentiary at Ft. Madison in the erection of the hospital and library building, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended as follows:

Amend by striking out of line 3, section 1, the compound word "thirty-one" and inserting in lieu thereof, the word "six".

Also, amend by striking out of line 4 of said section 1, the figures, "731,577.50" and inserting in lieu thereof the figures, "706,577.50".

Also, amend by adding to said section 1, the following: "Provided, that two hundred thousand dollars (\$200,000) of said sum shall not be drawn during the biennial period ending June 30, 1903,"

Also, amend by striking out of section 4, "the seventh line," relating to the purchase of land.

And that when so amended the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

On motion of Hughes of Iowa, House file No. 391, a bill for an act making appropriations for the construction, repair, support and contingent funds of the hospitals for the insane at Mt. Pleasant, Independence and Clarinda, the penitentiaries, the industrial schools for boys and girls, the Institution for feeble-minded children, the School for the deaf, the College for the blind, the Soldiers' Orphans' Home and the Soldiers' Home, and relating to the Industrial Home for the blind; also, authorizing the use of a portion of the balance in the support fund at the Hospital for the Insane at Clarinda, in the enlargement and equipment of the shop building, and a portion of the balance of certain funds of the penitentiary at Ft. Madison, in the erection of the hospital and library building, with report of committee recommending passage as amended, was taken up at once, considered and the report of the committee adopted.

On motion of Mr. Hughes the amendments offered by the committee were adopted.

Nagle of Van Buren moved to amend House file No. 391 by striking out of section 7 the twelfth line, section 10 the nineteenth line, section 11 the fifteenth line, section 12 the seventh line of the printed bill.

Lost.

Calderwood of Scott moved to amend section 4 by inserting as line 6, which has been stricken out, the following: "For the purchase of land, ten thousand (\$10,000) dollars."

Adopted.

Mr. Calderwood moved to amend by striking out of line 4, section 1, the figures "706,577.50", and inserting in lieu thereof "716,577.50."

Adopted.

Mr. Hughes moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blake-more, Boysen, Buchanan, Calderwood, Carden, Carter, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Cruikshank, Cummings, Davenport, Dodds, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Patton, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweet, Teachout, Temple, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—82.

The nays were:

None.

Absent or not voting:

Messrs. Campbell, Cassel, Crouse, Donahue, Frudden, Greene, Keagy, Kolthoff, Langan of Crawford, McClure, Marshall,

Nichols, Payne, Pipher, Powers, Pritchard, Sweeley, Townsend—17.

So the bill passed and the title was agreed to.

Fields of Plymouth called up House file No. 252, a bill for an act to regulate the practice of optometry and for the creation of a board of examiners in optometry, with Senate amendments thereto, and moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Anderson, Bailey, Bealer, Black, Blakemore, Calderwood, Carter, Cheney, Coburn, Colclo, Cowles, Crouse, Cummings, Edwards, Eiker, English, Furry, Greeley, Hasselquist, Hufschmidt, Hughes, Jaeger, Kendall, Kolthoff, Koontz, McClurkin, McNie, Meservey, Mordhorst, Patton, Robinson, Secor, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Walden, Warren, Wilson of Buena Vista, Wilson of Washington, Mr. Speaker—44.

The nays were:

Messrs. Barker, Boysen, Buchanan, Christianson, Clarke, Cruikshank, Davenport, Dodds, Donahue, Dunham, Fields, Flenniken, Freeman, Gilchrist, Graff, Hertert, Hurn, Jenks, Keagy, Larrabee, Lyman, Mattes, Moore, Nichols, Powers, Roome, Sokol, Townsend, Utterback, Walters, Whiting, Willett, Wise, Wright—35.

Absent or not voting:

Messrs. Barkley, Campbell, Carden, Cassel, Frudden, Greene, Hamann, Hawk, Head, Hilsinger, Jones, Kling, Langan of Clinton, Langan of Crawford, Leech, McClure, Marshall, Nagle, Payne, Pipher, Pritchard—21.

So the House refused to concur.

On motion of Anderson of Warren, Senate file No. 44, a bill for an act to amend section 118 of the code, defining the duties of the state printer and binder, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.



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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carter, Cheney, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClurkin, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—81.

The nays were:

Messrs. Temple, Townsend—2.

Absent or not voting:

Messrs. Campbell, Carden, Cassel, Christianson, Cowles, Cruikshank, Frudden, Greene, Hawk, Jaeger, Langan of Crawford, McClure, McNie, Marshall, Payne, Pipher, Pritchard—17.

So the bill passed and the title was agreed to.

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote by which Senate file No. 224 was lost and also the vote by which it was passed to its third reading.

W. W. HAWK.

I second the motion.

B. F. CUMMINGS.

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote by which House file No. 333 was passed, also the vote by which the same passed to its third reading.

J. L. WARREN.

I second the motion.

R. A. HASSELQUIST.

Hasselquist of Lucas offered the following resolution and moved its adoption:

WHEREAS, H. H. Day, an honored citizen of Lucas county and who served in the House of Representatives in Tenth General Assembly, has departed this life; therefore, be it

*Resolved*, That the Speaker of the House of Representatives appoint a committee of three to prepare appropriate resolutions upon the life and character of the deceased and present them to the House.

Rules suspended and the resolution was adopted.

The Speaker appointed Messrs. Hasselquist of Lucas, Walden of Wayne and Kendall of Monroe as this committee to present resolutions on the life and character of H. H. Day.

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote by which the House refused to concur in Senate amendments to House file No. 252.

second the motion.

E. A. FIELDS.

W. D. DODDS.

Moore of Davis called up House concurrent resolution relative to the appointment of a committee to report on the expediency of purchasing the portrait of Senator Harlan, and moved that the House concur in the Senate amendment to this resolution.

Carried and the House concurred.

On motion of Warren of Marion, House adjourned till 7:30 P. M.

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### EVENING SESSION.

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House met at 7:30 o'clock P. M., Speaker Eaton in the chair.

On motion of Christianson of Hamilton, leave of absence was granted Gilchrist of Pocahontas, and Wilson of Washington, until tomorrow on account of sickness.

The following statement by Warren of Marion was filed:

MR. SPEAKER—I desire the record to show that I was out of the city this morning when House file No. 418 passed the House and that if I had been present I would have voted for said bill.

J. L. WARREN.

The Speaker announced that he had signed, in the presence of the House, Senate files Nos. 95, 115, 156, 230, 285, 273 and 254.

SENATE MESSAGES CONSIDERED.

Senate file No. 126, a bill for an act to amend section two hundred twelve (212) of the code, relating to the salary of assistant attorney-general.

Read first and second time and referred to committee on Compensation of Public Officers.

Substitute for Senate file No. 211, a bill for an act relating to the duties of the commissioner of labor statistics and amending sections twenty-four hundred seventy (2470), twenty-four hundred seventy-one (2471) and twenty-four hundred seventy-two (2472) of the code.

Read first and second time and referred to committee on Labor.

Senate file No. 212, a bill for an act to provide for the safety and comfort of laborers and other persons assembled in factories and buildings.

Read first and second time and referred to committee on Labor.

Senate file No. 256, a bill for an act to amend sections 1067 and 216 of the code, concerning the election, appointment, term, compensation and duties of the supreme court reporter.

Read first and second time and referred to committee on Judiciary.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has adopted the conference committee amendments to House file No. 678, a bill for an act to amend section 1796 of the code in relation to notes taken for policies of insurance.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Substitute for Senate file No. 278, a bill for an act making an appropriation for the erection of a monument in Forest Home cemetery, Mt. Pleasant, Iowa, in remembrance of one Charles Shepherd, and providing the method of such erection.

GEO. A. NEWMAN,  
*Secretary,*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill, in which the concurrence of the Senate was asked:

House file No. 27, a bill for an act to amend sections 118 and 119 of the code, defining the duties of the state printer and state binder.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 334, a bill for an act to amend sections one hundred twenty-five (125) and one hundred twenty-six (126) of the code, relating to the printing, binding and distribution of public reports and documents.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 444, a bill for an act to legalize all acts done and ordinances passed by the council of the incorporated town of Bondurant, Polk county.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 245, a bill for an act to refund to administrators and executors any surplus they have paid to the treasurer of state as collateral inheritance tax in excess of that legally due.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate herewith returns House file No. 330, a bill for an act to amend chapter 2, title 10 of the code, relating to levees, drains and water courses.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 436, a bill for an act to authorize the commander-in-chief to organize naval militia.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 425, a bill for an act authorizing the executive council to sell and convey islands newly formed by accretion in the Mississippi river.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 451, a bill for an act legalizing the election of the city of Clinton, in favor of establishing a free public library in said city.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has failed to pass the following bill, in which the concurrence of the Senate was asked:

House file No. 314, a bill for an act authorizing the publication and sale, and directing the purchase of the laws of Iowa, relating to townships and township officers, other than justices of the peace and constables.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate refuses to concur in House amendments to Senate file No. 188, a bill

for an act to legalize certain instruments in writing which were defectively acknowledged.

GEO. A. NEWMAN,  
*Secretary.*

Hurn of Cerro Gordo, called up House file No. 230, with Senate amendments thereto, and moved that the House do concur in Senate amendments to House file No. 230.

On the question Shall the House concur?

The yeas were:

Messrs. Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Cassel, Cheney, Christianson, Clarke, Cummings, Davenport, Dunham, Edwards, Eiker, Flenniken, Furry, Graff, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jenks, Keagy, Kendall, Kerr, Kolthoff, Koontz, Langan of Crawford, Larrabee, Lyman, McClurkin, McNie, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Powers, Robinson, Roome, Secor, Sokol, Springer, Stuckslager, Teachout, Temple, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—60.

The nays were:

Messrs. Colclo, Fields, Leech, Mattes, Stratton—5.

Absent or not voting:

Messrs. Anderson, Bailey, Blakemore, Campbell, Carden, Carter, Coburn, Cowles, Crouse, Cruikshank, Dodds, Donahue, English, Freeman, Frudden, Gilchrist, Greeley, Greene, Hamann, Head, Jenks, Jones, Kling, Langan of Clinton, McClure, Marshall, Payne, Pipher, Pritchard, Sweeley, Sweet, Townsend, Utterback, Walters, Wilson of Washington—35.

So the House concurred.

On motion of Powers of Floyd, Senate file No. 175, a bill for an act to amend section 2738 of the code, in relation to county superintendents, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Kendall of Monroe moved to amend Senate file No. 175 by striking out the word "they", in line 5 of section 1, and inserting in lieu thereof the word "it". Also, by striking out the word

"their", in line 5 of section 1, and inserting in lieu thereof the word "it".

Adopted.

On motion of Eiker of Decatur, further consideration of Senate file No. 175 was postponed for the present and the bill allowed to retain its place on the calendar.

On motion of Wilson of Buena Vista, House file No. 369, a bill for an act to amend sections sixteen hundred ten (1610), sixteen hundred fourteen (1614), sixteen hundred fifteen (1615) and sixteen hundred seventeen (1617) of the code, relating to corporations for pecuniary profit, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Wilson moved to amend the bill by inserting in line 2 of section 1, the words "after the word section" before the words, "in the sixteenth line".

Adopted.

Kendall of Monroe moved to insert the word "shall" between the words "and" and "incorporate", in line 4, section 2 of the printed bill.

Adopted.

Wilson of Buena Vista moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Carter, Cassel, Cheney, Christianson, Clarke, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, Fields, Flenniken, Furry, Graff, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Keagy, Kendall, Kerr, Kolthoff, Koontz, Langan of Crawford, Leech, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinsrn, Roome, Secor, Sokol, Springer, Stratton, Sweet, Teachout, Temple, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—71.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Blakemore, Campbell, Carden, Coburn, Cowles, English, Freeman, Frudden, Gilchrist, Greeley, Greene, Hamann, Head, Jenks, Jones, Kling, Langan of Clinton, Larrabee, Lyman, McClure, Marshall, Payne, Pritchard, Stuckslager, Sweeley, Townsend, Walters, Wilson of Washington—29.

So the bill passed and the title was agreed to.

On motion of Hilsinger of Jackson, House file No. 427, a bill for an act to amend section 1406 of the code, in relation to the collection of taxes by distress and sale, and providing for the garnishment of persons indebted to the delinquent taxpayer, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Hilsinger moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Carter, Cassel, Cheney, Christianson, Clarke, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Fields, Flenniken, Furry, Graff, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Keagy, Kendall, Kerr, Kolthoff, Koontz, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweet, Teachout, Temple, Utterback, Walden, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—70.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Blakemore, Campbell, Carden, Coburn, Colclo, Cowles, Cruikshank, Eiker, English, Freeman, Frudden, Gilchrist,



Greeley, Greene, Hamann, Head, Hurn, Jenks, Jones, Kling, Langan of Clinton, Marshall, Payne, Pritchard, Sweeley, Townsend, Walters, Warren, Wilson of Washington—30.

So the bill passed and the title was agreed to.

On motion of Mattes of Sac, House file No. 292 was indefinitely postponed.

On motion of Keagy of Dubuque, Senate file No. 340, a bill for an act to amend section 2, chapter 25, acts of the Twenty-eighth General Assembly, relative to disbursements of tax money levied and collected for and on account of waterworks, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Eiker of Decatur moved that further consideration of this bill be postponed for the present, but that the bill be allowed to retain its place on the calendar.

Lost.

Carter of Sioux moved to amend as follows:

Amend Senate file No. 340, by striking out the words and figures "six (6)" in line 5, section 1, and inserting in lieu thereof the words and figures "seventh (7)".

Adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Carter, Cassel, Cheney, Christianson, Clarke, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, Fields, Furry, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Keagy, Kendall, Kerr, Kolthoff, Koontz, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Robinson, Roome, Secor, Springer, Stratton, Stuckslager, Sweet, Temple, Walden, Warren, Whiting, Willett, Wilson of Buena Vista Wise, Wright, Mr. Speaker—68.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Blakemore, Campbell, Carden, Coburn, English, Flenniken, Freeman, Frudden, Gilchrist, Graff, Greeley, Greene, Hamann, Head, Jenks, Jones, Kling, Langan of Clinton, McClure, Marshall, Mordhorst, Payne, Powers, Pritchard, Sokol, Sweeley, Teachout, Townsend, Utterback, Walters, Wilson of Washington—32.

So the bill passed and the title was agreed to.

#### REPORTS OF COMMITTEES.

Anderson of Warren, from the committee on Printing, submitted the following report:

MR. SPEAKER—Your committee on Printing, to whom was referred House file No. 445, a bill for an act to amend section one hundred thirty-seven (137) of the code, relating to the publication of the proceedings of the State Teachers association, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

J. M. ANDERSON,  
*Chairman.*

Ordered passed on file.

Cruikshank of Lee, from the committee on Fish and Game, submitted the following report:

MR. SPEAKER—Your committee on Fish and Game, to whom was referred House file No. 414, a bill for an act to amend chapter four (4), title twenty-four (24), section four thousand eight hundred and twenty-one (4821) of the code, relating to malicious mischief and trespass, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be amended by substituting the following attached substitute in lieu thereof, and when so amended that the same do pass:

#### A BILL

For an act to amend chapter four (4) of title twenty-four (24) of the code, by repealing section four thousand eight hundred and twenty-one (4821) of the code, relative to trespass, and by enacting the following in lieu thereof:

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

Section 1. That section four thousand eight hundred and twenty-one (4821), chapter four (4) of title twenty-four (24) of the code be and the same, s hereby repealed, and the following enacted in lieu thereof:

Sec. 2. Any person who shall hunt with dog or gun upon the cultivated or enclosed lands of another or upon any grounds or premises leased, owned or controlled by any club, person or association of persons, leased, owned or kept for hunting or fishing purposes without first obtaining permission of the owner, lessee or occupant thereof or his agent, shall for each offense be fined not more than \$10.00 and costs of prosecution, and shall stand committed until such fines and costs are paid. No person shall be held guilty under this section who shall hunt or enter upon unenclosed land owned, leased or kept as a hunting and fishing preserve unless the said premises shall have conspicuously posted thereon a sufficient number of signboards or other notices indicating that the unenclosed land is being kept as a hunting and fishing preserve and that trespassing is forbidden thereon. No prosecution shall be commenced under this section except upon information of the owner, his agent or occupant of such cultivated or enclosed lands of such hunting or fishing preserve.

J. P. CRUIKSHANK,  
*Chairman.*

Ordered passed on file.

Clarke of Dallas offered the following report:

MR. SPEAKER—Your committee on Judiciary, to whom were referred Senate file No. 251, a bill for an act to authorize the improvement and to regulate the use of Governor's square in the city of Des Moines for park purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 129, a bill for an act relating to notice of proof of loss of personal property insured, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by the adoption of the attached substitute, and when so amended the same do pass.

G. W. CLARKE,  
*Chairman.*

SUBSTITUTE FOR SENATE FILE NO. 129.

A bill for an act relating to notice and proofs of personal property insured.  
*Be it Enacted by the General Assembly of the State of Iowa:*

Section 1. In furnishing proofs of loss under any contract of insurance for damages or loss to personal property it shall only be necessary for the assured, within sixty days from the time the loss occurs, to give notice in writing to the company issuing such contract of insurance, accompanied by affidavit, stating the facts as to how the loss occurred so far as same are within his knowledge, and the extent of the loss, any agreement or contract to the contrary notwithstanding.

Sec. 2. This act, being deemed of immediate importance, shall be in force and effect from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Ordered passed on file.

Also:

**MR. SPEAKER**—Your committee on Judiciary, to whom was referred House file No. 449, a bill for an act to legalize the official acts of the town council of the incorporated town of Denver, in Bremer county, Iowa, and the acts of F. C. Richmann, acting as clerk of said town, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

G. W. CLARKE,  
*Chairman.*

Ordered passed on file.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the committee on Enrolled Bills, submitted the following report;

**MR. SPEAKER**—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 359, a bill for an act providing for the levy of a special tax of one-tenth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for State Normal School at Cedar Falls.

Also, House file 432, a bill for an act to amend section twenty-six hundred twenty-nine (2629) of the code, relating to examinations of applicants for state certificates and diplomas.

Also, House file No. 321, a bill for an act to amend subdivision three (3) of section twenty-four hundred forty-eight (2448) of the code, relating to surety on bonds.

Also, House file No. 125, a bill for an act making it a crime to sell property upon which there is a landlord's lien for the rent, without the written consent of the landlord, and fixing the penalty therefor.

Also, House file No. 40, a bill for an act to amend section fifteen hundred and thirty (1530) of the code, in relation to the working of highways.

Also, House file No. 374, a bill for an act to amend section one thousand seven hundred and nine (1709) of the code, relating to insurance.

J. P. LYMAN,  
*Chairman.*

Ordered passed on file.

#### REPORT OF COMMITTEE.

Walden of Wayne, from the committee on Building and Loan, submitted the following report:

**MR. SPEAKER**—Your committee on Building and Loan, to whom was referred Senate file No. 348, a bill for an act to amend chapter thirteen (13)

of the code and chapter sixty-nine (69) of the acts of the Twenty-eighth General Assembly, relating to building and loan associations and defining and regulating the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

T. P. WALDEN,  
*Chairman.*

On motion of Walden of Wayne, Senate file No. 348, just reported back by the committee on Building and Loan, recommending passage, was taken up out of its order, considered and the report of the committee adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Carter, Cassel, Cheney, Clarke, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, Fields, Flenniken, Furry, Graff, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Keagy, Kendall, Kerr, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—78.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Campbell, Carden, Christianson, Coburn, English, Freeman, Frudden, Gilchrist, Greeley, Greene, Hamann, Head, Jenks, Jones, Kling, McClure, Marshall, Payne, Pritchard, Springer, Sweeley, Walters, Wilson of Washington—22.

So the bill passed and the title was agreed to.

The Journals of Friday, April 4th, and Saturday, April 5th, were corrected and approved.

On motion of Flenniken of Clayton, the House adjourned until 9 A. M., tomorrow, April 8th.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, Tuesday, April 8, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. Walter M. Walker of Des Moines, Iowa.

Barker of Howard called up his concurrent resolution relative to adjournment *sine die* and moved the adoption of the resolution.

Wilson of Washington moved to amend the resolution by striking out the words "Thursday, April 10th", and inserting in lieu thereof the words "Friday, April 11th".

Lost.

Resolution adopted.

On motion of Larrabee of Fayette, leave of absence was granted Greene of Madison from noon, April 3d.

On motion of Wilson of Buena Vista, leave of absence was granted Carter of Sioux until this afternoon.

#### REPORT OF COMMITTEE.

Sokol of Jones, from the committee on Penitentiaries, submitted the following report:

MR. SPEAKER—Your committee on Penitentiaries, to whom was referred House file No. 450, a bill for an act to provide for the appointment of an assistant deputy warden for the penitentiary at Fort Madison, and to amend section five thousand seven hundred and sixteen (5716) of the code, fixing the salary thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

F. J. SOKOL,  
*Chairman.*

Ordered passed on file.

## SENATE MESSAGE CONSIDERED.

Senate file No. 278, a bill for an act making appropriation for the erection of a monument in Forest Home cemetery, Mt. Pleasant, in remembrance of one Charles Shepherd and providing the method of such erection.

Read first and second time.

On motion of Cowles of Kossuth, Senate file No. 278, which was just read first and second times was, by unanimous consent, taken up and considered now.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Carden, Cassel, Christianson, Coburn, Cowles, Cummings, Davenport, Dodds, Donahue, Edwards, Eiker, Freeman, Frudden, Furry, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol Springer, Stratton, Stuckslager, Sweeley, Sweet, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—76.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Campbell, Carter, Cheney, Clarke, Colclo, Crouse, Cruikshank, Dunham, English, Fields, Flenniken, Gilchrist, Graff, Greene, Hilsinger, Hurn, Koontz, Langan of Crawford, McClure, Marshall, Payne, Sweet, Teachout, Wilson of Buena Vista—24.

So the bill passed and the title was agreed to.

Jones of Mahaska in the chair.

On motion of Nichols of Muscatine, House file No. 277, a bill for an act to provide for the encouragement of the live stock interests of the state, and to appropriate money therefor, was indefinitely postponed.

On motion of Edwards of Butler, House file No. 443, a bill for an act to amend section 1721 of the code, in relation to insurance companies, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Edwards moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Blake-more, Boysen, Buchanan, Calderwood, Carden, Cassel, Cheney, Christianson, Clarke, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Freeman, Frudden, Furry, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Powers, Pritchard, Robinson, Roome, Secor, Springer, Stratton, Stuck-slager, Sweeley, Teachout, Temple, Utterback, Walden, Warren, Whiting, Willett, Wilson of Washington, Wise, Mr. Speaker—76.

The nays were:

Messrs. Black, Larrabee, Wright—3.

Absent or not voting:

Messrs. Barker, Campbell, Carter, Coburn, Colclo, Cowles, Cruikshank, Flenniken, Gilchrist, Greene, Hufschmidt, Hurn, Koontz, Marshall, Payne, Pipher, Sokol, Sweet, Townsend, Walters, Wilson of Buena Vista—21.

So the bill passed and the title was agreed to.



On motion of Secor of Winnebago, House file No. 145, a bill for an act to repeal chapter 8, title 16 of the code and enact a substitute therefor, relating to the care of friendless children and the establishment, regulation and visitation of homes for friendless children, with Senate amendments thereto, was taken up and considered.

Mr. Secor moved that the House do concur in Senate amendments to House file No. 145.

On the question, Shall the House concur?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Black, Blakemore, Boysen, Calderwood, Carden, Cassel, Cheney, Christianson, Clarke, Colclo, Cowles, Crouse, Cummings, Davenport, Donahue, Dunham, Edwards, English, Fields, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Teachout, Temple, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright—78.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Bealer, Buchanan, Campbell, Carter, Coburn, Cruikshank, Dodds, Eiker, Flenniken, Greene, Hurn, Koontz, Larrabee, Marshall, Mordhorst, Payne, Stuckslager, Sweet, Townsend, Walters, Mr. Speaker—22.

So the House concurred in the Senate amendments.

On motion of Meservey of Webster, House file No. 428, a bill for an act to amend section 2754 of the code of 1897, as amended by chapter 105 of the acts of the Twenty-eighth General Assembly, relating to the registration of voters for school elections, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Meservey moved that the amendment of the committee in the form of a substitute be adopted.

Sweeley of Woodbury moved to amend substitute for House file No. 428, offered by the committee, by striking out the word "first" in line 5 of section 1 and inserting in lieu thereof the word "last".

Adopted.

Amendment of the committee as amended was adopted.

Mr. Meservey moved that the rules be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Boysen, Calderwood, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cummings, Davenport, Donahue, Dunham, Edwards, English, Fields, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Teachout, Townsend, Utterback, Walden, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright—83.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Buchanan, Campbell, Carter, Cruikshank, Dodds, Eiker, Flenniken, Greene, Hilsinger, Marshall, Payne Stuckslager, Sweet, Temple, Walters, Willett, Mr. Speaker—17.

So the bill passed and the title was agreed to.

On motion of Blakemore of Taylor, Senate file No. 271, a bill for an act to legalize the publication of notice and vote for the incorporated town of Gravity, with report of committee recom-

mending passage, was taken up, considered and the report of the committee adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Boysen, Calderwood, Cassel, Cheney, Clarke, Coburn, Crouse, Cummings, Davenport, Donahue, Dunham, Edwards, Fields, Freeman, Frudden, Furry, Gilchrist, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—76.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Buchanan, Campbell, Carden, Carter, Christianson, Colclo, Cowles, Cruikshank, Dodds, Eiker, English, Flenniken, Graff, Greene, Hilsinger, Langan of Crawford, Marshall, Meservey, Payne, Pritchard, Stuckslager, Sweet, Walters—24.

So the bill passed and the title was agreed to.

Speaker Eaton in the chair.

On motion of Edwards of Butler, special order, being Senate file No. 117, a bill for an act to authorize and empower railroad corporations of this state to transact business, lease or purchase railroads, or to purchase the stocks, bonds or securities of railroads in other states, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Edwards moved to amend section 1 of the bill by striking out the word "and", between the words "control" and "operate", and inserting in lieu thereof the word "or".

Adopted.

Also amend section 1 by adding the words "for the purposes set forth in section 2 hereof" at the end of said section.

Adopted.

Also amend section 2 by substituting the following in lieu thereof:

Sec. 2. That any railroad corporation so organized under the laws of Iowa (and owning and operating a railroad therein) may lease, purchase or otherwise acquire and own, control or operate any connecting extension of its said railroad not parallel or competing therewith in any other state or territory of the United States, and to that end may purchase and control the stocks, bonds or securities of any such extension if not contrary to the laws of such other state or territory.

Adopted.

Gilchrist of Pocahontas offered the following amendment:

Section 3. Railroads which shall transport or offer to transport property or persons between, or whose lines shall extend into the corporate limits of any same two towns or cities more than fifty miles apart shall be deemed to be competing roads; and such railroads shall not be held to be connecting lines, nor shall one be construed to be a connecting extension of the other, and no corporation shall hereafter acquire the stocks, bonds or securities of any two competing railroads except as may have been permitted by the laws of Iowa in force on January 1, 1902.

On this question, the roll call was demanded by Messrs. Christianson of Hamilton and Gilchrist of Pocahontas.

On the question, Shall the amendment be adopted?

The yeas were:

Messrs. Bailey, Barker, Black, Calderwood, Cassel, Cheney, Christianson, Colclo, Cowles, Eiker, English, Furry, Gilchrist, Head, Hilsinger, Hughes, Jenks, Kendall, Kolthoff, Langan of Crawford, Larrabee, Mattes, Nichols, Pritchard, Robinson, Springer, Sweeley, Walters, Whiting, Willett, Wilson of Buena Vista—31.

The nays were:

Messrs. Anderson, Bealer, Blakemore, Boysen, Buchanan, Carden, Clarke, Coburn, Crouse, Cruikshank, Cummings, Davenport, Dodds, Dunham, Edwards, Freeman, Graff, Greeley,

Hamann, Hasselquist, Hawk, Hertert, Hurn, Jaeger, Kerr, Kling, Koontz, Leech, McClure, McClurkin, McNie, Marshall, Meservey, Moore, Nagle, Patton, Pipher, Powers, Roome, Secor, Sokol, Stratton, Stuckslager, Sweet, Temple, Walden, Wilson of Washington, Wise, Wright, Mr. Speaker—50.

Absent or not voting:

Messrs. Barkley, Campbell, Carter, Donahue, Fields, Flenniken, Frudden, Greene, Hufschmidt, Jones, Keagy, Langan of Clinton, Lyman, Mordhorst, Payne, Teachout, Townsend, Utterback, Warren—19.

So the amendment was lost.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bealer, Blakemore, Boysen, Buchanan, Carden, Clarke, Coburn, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, Fields, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Hertert, Hurn, Jaeger, Keagy, Kling, Koontz, Langan of Clinton, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Meservey, Moore, Nagle, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Walden, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—60.

The nays were:

Messrs. Bailey, Barker, Barkley, Black, Calderwood, Cheney, Christianson, Colclo, Cowles, English, Freeman, Head, Hilsinger, Hughes, Jenks, Kendall, Kerr, Kolthoff, Langan of Crawford, Larrabee, Mattes, Nichols, Springer, Walters, Warren, Whiting, Wilson of Buena Vista—27.

Absent or not voting:

Messrs. Campbell, Carter, Cassel, Flenniken, Frudden, Furry, Greene, Hufschmidt, Jones, Mordhorst, Payne, Townsend, Utterback—13.

So the bill passed and the title was agreed to.

The following explanation of vote was filed:

MR. SPEAKER—I vote in the negative on this bill for two reasons; first because it seeks to authorize Iowa corporations to exercise powers in other states not permitted by the laws of such states; second, because it seems to sanction the consolidation of the great railroad systems of the country.

N. E. KENDALL.

On motion of Hasselquist of Lucas, House file No. 419, a bill for an act to apportion the state into representative districts and declare the ratio of representation, by committee on Representative Districts, recommending passage, was taken up, considered and the report of the committee adopted.

Sweeley of Woodbury in the chair.

Cheney of Clay moved to amend the bill by striking out all after the enacting clause and inserting in lieu thereof House file No. 442 which is the following:

Section 1. Apportionment. That one representative from every twenty-six thousand five hundred (26,500) inhabitants is hereby constituted the ratio of apportionment, and that each representative district shall be as hereinafter described.

Sec. 2. First district. Lee county shall be the first district and entitled to one representative. (Population 39,719.)

Sec. 3. Second district. Van Buren county shall be the second district and entitled to one representative. (Population 17,354.)

Sec. 4. Third district. Davis county shall be the third district and entitled to one representative. (Population 16,620.)

Sec. 5. Fourth district. Appanoose county shall be the fourth district and entitled to one representative. (Population 25,927.)

Sec. 6. Fifth district. Wayne county shall be the fifth district and entitled to one representative. (Population 17,491.)

Sec. 7. Sixth district. Decatur county shall be the sixth district and entitled to one representative. (Population 18,115.)

Sec. 8. Seventh district. Ringgold county and Clarke county shall be the seventh district and entitled to one representative. (Population 27,765.)

Sec. 9. Eighth district. Taylor county shall be the eighth district and entitled to one representative. (Population 18,784.)

Sec. 10. Ninth district. Page county shall be the ninth district and entitled to one representative. (Population 24,187.)

Sec. 11. Tenth district. Fremont county shall be the tenth district and entitled to one representative. (Population 18,546.)

Sec. 12. Eleventh district. Mills county shall be the eleventh district and entitled to one representative. (Population 16,764.)

Sec. 13. Twelfth district. Montgomery county shall be the twelfth district and entitled to one representative. (Population 17,803.)

Sec. 14. Thirteenth district. Adams county shall be the thirteenth district and entitled to one representative. (Population 13,601.)

Sec. 15. Fourteenth district. Union county shall be the fourteenth district and entitled to one representative. (Population 19,926.)

Sec. 16. Fifteenth district. Lucas county shall be the fifteenth district and entitled to one representative. (Population 16,126.)

Sec. 17. Sixteenth district. Monroe county shall be the sixteenth district and entitled to one representative. (Population 17,985.)

Sec. 18. Seventeenth district. Wapello county shall be the seventeenth district and entitled to one representative. (Population 35,426.)

Sec. 19. Eighteenth district. Jefferson county shall be the eighteenth district and entitled to one representative. (Population 17,437.)

Sec. 20. Nineteenth district. Henry county shall be the nineteenth district and entitled to one representative. (Population 20,022.)

Sec. 21. Twentieth district. Des Moines county shall be the twentieth district and entitled to one representative. (Population 35,989.)

Sec. 22. Twenty-first district. Louisia county shall be the twenty-first district and entitled to one representative. (Population 13,516.)

Sec. 23. Twenty-second district. Washington county shall be the twenty-second district and entitled to one representative. (Population 20,718.)

Sec. 24. Twenty-third district. Keokuk county shall be the twenty-third district and entitled to one representative. (Population 24,979.)

Sec. 25. Twenty-fourth district. Mahaska county shall be the twenty-fourth district and entitled to one representative. (Population 34,273.)

Sec. 26. Twenty-fifth district. Marion county shall be the twenty-fifth district and entitled to one representative. (Population 24,159.)

Sec. 27. Twenty-sixth district. Warren county shall be the twenty-sixth district and entitled to one representative. (Population 20,376.)

Sec. 28. Twenty-seventh district. Madison county shall be the twenty-seventh district and entitled to one representative. (Population 17,710.)

Sec. 29. Twenty-eighth district. Adair county shall be the twenty-eighth district and entitled to one representative. (Population 16,192.)

Sec. 30. Twenty-ninth district. Cass county shall be the twenty-ninth district and entitled to one representative. (Population 21,274.)

Sec. 31. Thirtieth district. Pottawattamie county shall be the thirtieth district and entitled to two representatives. (Population 54,336.)

Sec. 32. Thirty-first district. Harrison county shall be the thirty-first district and entitled to one representative. (Population 25,597.)

Sec. 33. Thirty-second district. Shelby county shall be the thirty-second district and entitled to one representative. (Population 17,932.)

Sec. 34. Thirty-third district. Audubon county shall be the thirty-third district and entitled to one representative. (Population 13,626.)

Sec. 35. Thirty-fourth district. Guthrie county shall be the thirty-fourth district and entitled to one representative. (Population 18,729.)

Sec. 36. Thirty-fifth district. Dallas county shall be the thirty-fifth district and entitled to one representative. (Population 22,058.)

Sec. 37. Thirty-sixth district. Polk county shall be the thirty-sixth district and entitled to two representatives. (Population 82,624.)

Sec. 38. Thirty-seventh district. Jasper county shall be the thirty-seventh district and entitled to one representative. (Population 26,976.)

Sec. 39. Thirty-eighth district. Poweshiek county shall be the thirty-eighth district and entitled to one representative. (Population 19,414.)

Sec. 40. Thirty-ninth district. Iowa county shall be the thirty-ninth district and entitled to one representative. (Population 19,544.)

Sec. 41. Fortieth district. Johnson shall be the fortieth district and entitled to one representative. (Population 24,817.)

Sec. 42. Forty-first district. Muscatine county shall be the forty-first district and entitled to one representative. (Population 28,242.)

Sec. 43. Forty-second district. Scott county shall be the forty-second district and entitled to two representatives. (Population 51,558.)

Sec. 44. Forty-third district. Cedar county shall be the forty-third district and entitled to one representative. (Population 19,371.)

Sec. 45. Forty-fourth district. Clinton county shall be the forty-fourth district and entitled to two representatives. (Population 43,832.)

Sec. 46. Forty-fifth district. Jackson county shall be the forty-fifth district and entitled to one representative. (Population 23,615.)

Sec. 47. Forty-sixth district. Jones county shall be the forty-sixth district and entitled to one representative. (Population 21,954.)

Sec. 48. Forty-seventh district. Linn county shall be the forty-seventh district and entitled to two representatives. (Population 55,392.)

Sec. 49. Forty-eighth district. Benton county shall be the forty-eighth district and entitled to one representative. (Population 25,177.)



Sec. 50. Forty-ninth district. Tama county shall be the forty-ninth district and entitled to one representative. (Population 24,585.)

Sec. 51. Fiftieth district. Marshall county shall be the fiftieth district and entitled to one representative. (Population 29,991.)

Sec. 52. Fifty-first district. Story county shall be the fifty-first district and entitled to one representative. (Population 23,159.)

Sec. 53. Fifty-second district. Boone county shall be the fifty-second district and entitled to one representative. (Population 28,200.)

Sec. 54. Fifty-third district. Greene county shall be the fifty-third district and entitled to one representative. (Population 17,820.)

Sec. 55. Fifty-fourth district. Carroll county shall be the fifty-fourth district and entitled to one representative. (Population 20,319.)

Sec. 56. Fifty-fifth district. Crawford county shall be the fifty-fifth district and entitled to one representative. (Population 21,685.)

Sec. 57. Fifty-sixth district. Monona county shall be the fifty-sixth district and entitled to one representative. (Population 17,980.)

Sec. 58. Fifty-seventh district. Woodbury county shall be the fifty-seventh district and entitled to two representatives. (Population 54,610.)

Sec. 59. Fifty-eighth district. Cherokee county and Ida county shall be the fifty-eighth district and entitled to one representative. (Population 28,897.)

Sec. 60. Fifty-ninth district. Sac county shall be the fifty-ninth district and entitled to one representative. (Population 17,639.)

Sec. 61. Sixtieth district. Calhoun county shall be the sixtieth district and entitled to one representative. (Population 18,569.)

Sec. 62. Sixty-first district. Webster county shall be the sixty-first district and entitled to one representative. (Population 31,757.)

Sec. 63. Sixty-second district. Hamilton county shall be the sixty-second district and entitled to one representative. (Population 19,514.)

Sec. 64. Sixty-third district. Hardin county shall be the sixty-third district and entitled to one representative. (Population 22,794.)

Sec. 65. Sixty-fourth district. Grundy county shall be the sixty-fourth district and entitled to one representative. (Population 13,757.)

Sec. 66. Sixty-fifth district. Black Hawk county shall be the sixty-fifth district and entitled to one representative. (Population 32,399.)

Sec. 67. Sixty-sixth district. Buchanan county shall be the sixty-sixth district and entitled to one representative. (Population 21,427.)

Sec. 68. Sixty-seventh district. Delaware county shall be the sixty-seventh district and entitled to one representative. (Population 19,185.)

Sec. 69. Sixty-eighth district. Dubuque county shall be the sixty-eighth district and entitled to one representative. (Population 56,403.)

Sec. 70. Sixty-ninth district. Clayton county shall be the sixty-ninth district and entitled to one representative. (Population 27,750.)

Sec. 71. Seventieth district. Fayette county shall be the seventieth district and entitled to one representative. (Population 29,845.)

Sec. 72. Seventy-first district. Bremer county shall be the seventy-first district and entitled to one representative. (Population 16,305.)

Sec. 73. Seventy-second district. Butler county shall be the seventy-second district and entitled to one representative. (Population 17,955.)

Sec. 74. Seventy-third district. Franklin county shall be the seventy-third district and entitled to one representative. (Population 14,996.)

Sec. 75. Seventy-fourth district. Wright county shall be the seventy-fourth district and entitled to one representative. (Population 18,227.)

Sec. 76. Seventy-fifth district. Humboldt county and Hancock county shall be the seventy-fifth district and entitled to one representative. (Population 26,419.)

Sec. 77. Seventy-sixth district. Pocahontas county shall be the seventy-sixth district and entitled to one representative. (Population 15,339.)

Sec. 78. Seventy-seventh district. Buena Vista county shall be the seventy-seventh district and entitled to one representative. (Population 16,975.)

Sec. 79. Seventy-eighth district. Plymouth county shall be the seventy-eighth district and entitled to one representative. (Population 22,200.)

Sec. 80. Seventy-ninth district. Sioux county shall be the seventy-ninth district and entitled to one representative. (Population 23,337.)

Sec. 81. Eightieth district. O'Brien county shall be the eightieth district and entitled to one representative. (Population 16,985.)

Sec. 82. Eighty-first district. Lyon county and Osceola county shall be the eighty-first district and entitled to one representative. (Population 21,890.)

Sec. 83. Eighty-second district. Dickinson county and Emmet county shall be the eighty-second district and entitled to one representative. (Population 17,931.)

Sec. 84. Eighty-third district. Clay county shall be the eighty-third district and entitled to one representative. (Population 13,401.)

Sec. 85. Eighty-fourth district. Palo Alto county shall be the eighty-fourth district and entitled to one representative. (Population 14,354.)

Sec. 86. Eighty-fifth district. Kossuth county shall be the eighty-fifth district and entitled to one representative. (Population 22,720.)

Sec. 87. Eighty-sixth district. Cerro Gordo county shall be the eighty-sixth district and entitled to one representative. (Population 20,672.)

Sec. 88. Eighty-seventh district. Floyd county shall be the eighty-seventh district and entitled to one representative. (Population 17,754.)

Sec. 89. Eighty-eighth district. Chickasaw county shall be the eighty-eighth district and entitled to one representative. (Population 17,037.)

Sec. 90. Eighty-ninth district. Allamakee county shall be the eighty-ninth district and entitled to one representative. (Population 18,711.)

Sec. 91. Ninetieth district. Winneshiek county shall be the ninetieth district and entitled to one representative. (Population 23,731.)

Sec. 92. Ninety-first district. Howard county shall be the ninety-first district and entitled to one representative. (Population 14,512.)

Sec. 93. Ninety-second district. Mitchell county shall be the ninety-second district and entitled to one representative. (Population 14,916.)

Sec. 94. Ninety-third district. Worth county and Winnebago county shall be the ninety-third district and entitled to one representative. (Population 23,612.)

Walters of Tama moved to amend the amendment by substituting the following in lieu thereof:

Section 1. Apportionment. That one representative from every twenty-two thousand inhabitants is hereby constituted the ratio of apportionment, and that each representative district shall be as hereinafter described.

Sec. 2. First district. Lee county shall be the first district and entitled to two representatives (39,719).

Sec. 3. Second district. Van Buren county shall be the second district and entitled to one representative (17,354).

Sec. 4. Third district. Davis county shall be the third district and entitled to one representative (15,620).

Sec. 5. Fourth district. Appanoose county shall be the fourth district and entitled to one representative (25,827).

Sec. 6. Fifth district. Wayne county shall be the fifth district and entitled to one representative (17,491).

Sec. 7. Sixth district. Decatur county shall be the sixth district and entitled to one representative (18,115).

Sec. 8. Seventh district. Ringgold county shall be the seventh district and entitled to one representative (15,325).

Sec. 9. Eighth district. Taylor county shall be the eighth district and entitled to one representative (18,784).

Sec. 10. Ninth district. Page county shall be the ninth district and entitled to one representative (24,187).

Sec. 11. Tenth district. Fremont county shall be the tenth district and entitled to one representative (18,546).

Sec. 12. Eleventh district. Mills county shall be the eleventh district and entitled to one representative (16,764).

Sec. 13. Twelfth district. Montgomery county shall be the twelfth district and entitled to one representative (17,803).

Sec. 14. Thirteenth district. Adams county shall be the thirteenth district and entitled to one representative (13,601).

Sec. 15. Fourteenth district. Union county shall be the fourteenth district and entitled to one representative (19,928).

Sec. 16. Fifteenth district. Clarke county shall be the fifteenth district and entitled to one representative (12,440).

Sec. 17. Sixteenth district. Lucas county shall be the sixteenth district and entitled to one representative (16,126).

Sec. 18. Seventeenth district. Monroe county shall be the seventeenth district and entitled to one representative (17,985).

Sec. 19. Eighteenth district. Wapello county shall be the eighteenth district and entitled to one representative (35,426).

Sec. 20. Nineteenth district. Jefferson county shall be the nineteenth district and entitled to one representative (17,437).

Sec. 21. Twentieth district. Henry county shall be the twentieth district and entitled to one representative (20,022).

Sec. 22. Twenty-first district. Des Moines county shall be the twenty-first district and entitled to two representatives (35,989).

Sec. 23. Twenty-second district. Louisa county shall be [the twenty-second district and entitled to one representative (13,516).

Sec. 24. Twenty-third district. Washington county shall be the twenty-third district and entitled to one representative (20,718).

Sec. 25. Twenty-fourth district. Keokuk county shall be the twenty-fourth district and entitled to one representative (24,979).

Sec. 26. Twenty-fifth district. Mahaska county shall be the twenty-fifth district and entitled to one representative (34,273).

Sec. 27. Twenty-sixth district. Marion county shall be the twenty-sixth district and entitled to one representative (24,159).

Sec. 28. Twenty-seventh district. Warren county shall be the twenty-seventh district and entitled to one representative (20,376).

Sec. 29. Twenty-eighth district. Madison county shall be the twenty-eighth district and entitled to one representative (17,710).

Sec. 30. Twenty-ninth district. Adair county shall be the twenty-ninth district and entitled to one representative (16,192).

Sec. 31. Thirtieth district. Cass county shall be the thirtieth district and entitled to one representative (21,274).

Sec. 32. Thirty-first district. Pottawattamie county shall be the thirty-first district and entitled to two representatives (54,336).

Sec. 33. Thirty-second district. Harrison county shall be the thirty-second district and entitled to one representative (25,597).

Sec. 34. Thirty-third district. Shelby county shall be the thirty-third district and entitled to one representative (17,932).

Sec. 35. Thirty-fourth district. Audubon county shall be the thirty-fourth district and entitled to one representative (13,626).

Sec. 36. Thirty-fifth district. Guthrie county shall be the thirty-fifth district and entitled to one representative (18,729).

Sec. 37. Thirty-sixth district. Dallas county shall be the thirty-sixth district and entitled to one representative (23,058).

Sec. 38. Thirty-seventh district. Polk county shall be the thirty-seventh district and entitled to two representatives (82,624).

Sec. 39. Thirty-eighth district. Jasper county shall be the thirty-eighth district and entitled to one representative (26,976).

Sec. 40. Thirty-ninth district. Poweshiek county shall be the thirty-ninth district and entitled to one representative (19,414).

Sec. 41. Fortieth district. Iowa county shall be the fortieth district and entitled to one representative (19,544).

Sec. 42. Forty-first district. Johnson county shall be the forty-first district and entitled to one representative (24,817).

Sec. 43. Forty-second district. Muscatine county shall be the forty-second district and entitled to one representative (28,242).

Sec. 44. Forty-third district. Scott county shall be the forty-third district and entitled to two representatives (51,558).

Sec. 45. Forty-fourth district. Cedar county shall be the forty-fourth district and entitled to one representative (19,371).

Sec. 46. Forty fifth district. Clinton county shall be the forty-fifth district and entitled to two representatives (43,832).

Sec. 47. Forty-sixth district. Jackson county shall be the forty-sixth district and entitled to one representative (23,615).

Sec. 48. Forty-seventh district. Jones county shall be the forty-seventh district and entitled to one representative (21,954).

Sec. 49. Forty-eighth district. Linn county shall be the forty-eighth district and entitled to two representatives (55,392).

Sec. 50. Forty-ninth district. Benton county shall be the forty-ninth district and entitled to one representative (25,177).

Sec. 51. Fiftieth district. Tama county shall be the fiftieth district and entitled to one representative (24,585).

Sec. 52. Fifty-first district. Marshall county shall be the fifty-first district and entitled to one representative (29,991).

Sec. 53. Fifty-second district. Story county shall be the fifty-second district and entitled to one representative (23,159).

Sec. 54. Fifty-third district. Boone county shall be the fifty third district and entitled to one representative (26,200).

Sec. 55. Fifty-fourth district. Greene county shall be the fifty-fourth district and entitled to one representative (17,820).

Sec. 56. Fifty-fifth district. Carroll county shall be the fifty-fifth district and entitled to one representative (20,319).

Sec. 57. Fifty-sixth district. Crawford county shall be the fifty-sixth district and entitled to one representative (21,685).

Sec. 58. Fifty-seventh district. Monona county and Ida county shall be the fifty-seventh district and entitled to one representative (30,307).

Sec. 59. Fifty-eighth district. Woodbury county shall be the fifty-eighth district and entitled to two representatives (54,610).

Sec. 60. Fifty-ninth district. Cherokee county shall be the fifty-ninth district and entitled to one representative (16,570).

Sec. 61. Sixtieth district. Sac county shall be the sixtieth district and entitled to one representative (17,639).

Sec. 62. Sixty-first district. Calhoun county shall be the sixty-first district and entitled to one representative (18,569).

Sec. 63. Sixty-second district. Webster county shall be the sixty-second district and entitled to one representative (31,757).

Sec. 64. Sixty-third district. Hamilton county shall be the sixty-third district and entitled to one representative (19,514).

Sec. 65. Sixty-fourth district. Hardin county shall be the sixty-fourth district and entitled to one representative (22,794).

Sec. 66. Sixty-fifth district. Grundy county shall be the sixty-fifth district and entitled to one representative (13,758).

Sec. 67. Sixty-sixth district. Black Hawk county shall be the sixty-sixth district and entitled to one representative (32,399).

Sec. 68. Sixty-seventh district. Buchanan county shall be the sixty-seventh district and entitled to one representative (21,427).

Sec. 69. Sixty-eighth district. Delaware county shall be the sixty-eighth district and entitled to one representative (19,185).

Sec. 70. Sixty-ninth district. Dubuque county shall be the sixty-ninth district and entitled to two representatives (59,403).

Sec. 71. Seventieth district. Clayton county shall be the seventieth district and entitled to one representative (27,750).

Sec. 72. Seventy-first district. Fayette county shall be the seventy-first district and entitled to one representative (29,845).

Sec. 73. Seventy-second district. Bremer county shall be the seventy-second district and entitled to one representative (16,305).

Sec. 74. Seventy-third district. Butler county shall be the seventy-third district and entitled to one representative (17,955).

Sec. 75. Seventy-fourth district. Franklin county shall be the seventy-fourth district and entitled to one representative (14,996).

Sec. 76. Seventy-fifth district. Wright and Hancock counties shall be the seventy-fifth district and entitled to one representative (31,979).

Sec. 77. Seventy-sixth district. Humboldt and Pocahontas counties shall be the seventy-sixth district and entitled to one representative (28,006).

Sec. 78. Seventy-seventh district. Buena Vista county shall be the seventy-seventh district and entitled to one representative (16,975).

Sec. 79. Seventy-eighth district. Plymouth county shall be the seventy-eighth district and entitled to one representative (22,209).

Sec. 80. Seventy-ninth district. Sioux county shall be the seventy-ninth district and entitled to one representative (23,337).

Sec. 81. Eightieth district. O'Brien and Lyon counties shall be the eightieth district and entitled to one representative (30,150).

Sec. 82. Eighty-first district. Osceola, Emmet and Dickinson counties shall be the eighty-first district and entitled to one representative (25,659).

Sec. 83. Eighty-second district. Clay and Palo Alto counties shall be the eighty-second district and entitled to one representative (27,775).

Sec. 84. Eighty-third district. Kossuth county shall be the eighty-third district and entitled to one representative (22,720).

Sec. 85. Eighty-fourth district. Cerro Gordo county shall be the eighty-fourth district and entitled to one representative (20,672).

Sec. 86. Eighty-fifth district. Floyd county shall be the eighty-fifth district and entitled to one representative (17,754).

Sec. 87. Eighty-sixth district. Chickasaw county shall be the eighty-sixth district and entitled to one representative (17,037).

Sec. 88. Eighty-seventh district. Allamakee county shall be the eighty-seventh district and entitled to one representative (18,711).

Sec. 89. Eighty-eighth district. Winneshiek county shall be the eighty-eighth district and entitled to one representative (23,731).

Sec. 90. Eighty-ninth district. Howard county shall be the eighty-ninth district and entitled to one representative (14,512).

Sec. 91. Ninetieth district. Mitchell county shall be the ninetieth district and entitled to one representative (14,916).

Sec. 92. Ninety-first district. Worth and Winnebago counties shall be the ninety-first district and entitled to one representative (23,612).

Boysen of Audubon moved to lay the amendment offered by Walters of Tama on the table.

Lost.

Barkley of Boone moved the previous question.

Carried.

On the amendment offered by Walters of Tama, Messrs. Walters and Marshall demanded the roll call.

On the question, Shall the amendment be adopted?

The yeas were:

Messrs. Anderson, Bailey, Boysen, Buchanan, Calderwood, Carden, Colclo, Crouse, Cruikshank, Davenport, Dodds, Dunham, Eiker, Freeman, Graff, Hertert, Hufschmidt, Jaeger, Jones, Keagy, Kendall, Kerr, Koontz, Langan of Clinton, Leech, McClure, Marshall, Mordhorst, Nichols, Springer, Stuckslager, Temple, Utterback, Walden, Walters, Whiting, Wilson of Washington, Wright—38.

The nays were:

Messrs. Barker, Barkley, Black, Blakemore, Cassel, Cheney, Christianson, Clarke, Coburn, Cowles, Cummings, Donahue, Edwards, English, Fields, Furry, Gilchrist, Greeley, Hawk, Head, Hilsinger, Hughes, Hurn, Kling, Kolthoff, Langan of Crawford, Larrabee, Lyman, McNie, Meservey, Nagle, Patton, Pritchard, Robinson, Secor, Stratton, Sweeley, Sweet, Teachout, Townsend, Warren, Wilson of Buena Vista, Mr. Speaker—43.

Absent or not voting:

Messrs. Bealer, Campbell, Carter, Flenniken, Frudden, Greene, Hamann, Hasselquist, Jenks, McClurkin, Mattes, Moore, Payne, Pipher, Powers, Roome, Sokol, Willett, Wise—19.

So the amendment was lost.

On motion of Black of Mills, House adjourned till 2 o'clock p. m.



AFTERNOON SESSION.

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House met pursuant to adjournment, Speaker Eaton in the chair.

The House resumed consideration of House file No. 419, which was pending at the noon adjournment.

Messrs. Christianson and Gilchrist demanded the roll call on the adoption of the amendment offered by Cheney of Clay.

On the question, Shall the amendment be adopted?

The yeas were:

Messrs. Calderwood, Carter, Cheney, Clarke, Cowles, English, Fields, Furry, Gilchrist, Hamann, Head, Kendall, Kerr, Kolthoff, Langan of Clinton, Langan of Crawford, Larrabee, McClure, Mordhorst, Teachout, Utterback, Wilson of Buena Vista, Wright, Mr. Speaker—24.

The nays were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Blake-more, Buchanan, Carden, Christianson, Coburn, Cummings, Donahue, Edwards, Eiker, Freeman, Graff, Greeley, Hasselquist, Hilsinger, Hughes, Jenks, Jones, Keagy, Leech, McClurkin, Mattes, Meservey, Moore, Nichols, Patton, Pipher, Pritchard, Roome, Sokol, Stratton, Stuckslager, Sweet, Temple, Townsend, Walden, Wilson of Washington—41.

Absent or not voting:

Messrs. Black, Boysen, Campbell, Cassel, Colclo, Crouse, Cruikshank, Davenport, Dodds, Dunham, Flenniken, Frudden, Greene, Hawk, Hertert, Hufschmidt, Hurn, Jaeger, Kling, Koontz, Lyman, McNie, Marshall, Nagle, Payne, Powers, Robinson, Secor, Springer, Sweeley, Walters, Warren, Whiting, Willett, Wise—35.

So the amendment was lost.

Whiting of Monona moved to amend House file No 419, so as to give Monona and Ida counties independent districts and join Clarke and Ringgold together.

Lost.

Mr. Hasselquist moved that the rules [be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Buchanan, Calderwood, Carden, Cassel, Christianson, Clarke, Coburn, Cowles, Cummings, Donahue, Edwards, Eiker, English, Fields, Freeman, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hughes, Hurn, Jenks, Keagy, Kerr, Kolthoff, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Walden, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—67.

The nays were:

Messrs. Cheney, Colclo, Cruikshank, Davenport, Dodds, Flenniken, Frudden, Hertert, Hufschmidt, Jaeger, Jones, Kendall, Koontz, Langan of Clinton, Langan of Crawford, Marshall, Mattes, Mordhorst, Springer, Utterback, Walters, Warren, Whiting—23.

Absent or not voting:

Messrs. Boysen, Campbell, Carter, Crouse, Dunham, Greene, Kling, Payne, Roome, Willett—10.

So the bill passed and the title was agreed to.

Hasselquist of Lucas submitted the following:

MR. SPEAKER—Your committee appointed to present appropriate resolutions respecting the life character and public services of the late Hon. H. H. Day of Lucas county, beg leave to submit the following report:

WHEREAS, The Hon. H. H. Day, an honored member of the Tenth General Assembly, departed this life at his home in the city of Chariton, Lucas county, August 24, A. D. 1901, after a long and useful life; therefore, be it

*Resolved*, That in his death the wife has lost a devoted and loving husband, the children an affectionate father, the community and state a kind, upright, useful and patriotic citizen.

*Resolved*, That we extend to his widow and children our sincere sympathy in their sorrow and affliction.

*Resolved*, That these resolutions, together with the attached biography, be entered in the *Journal of the House*, and the Chief Clerk of the House be instructed to present an engrossed copy thereof to his widow.

R. A. HASSELQUIST,

T. P. WALDEN,

N. E. KENDALL,

April 8, 1902.

*Committee.*

Adopted.

#### IN MEMORIAM.

The Honorable Henry H. Day, member of the House of Representatives of the Tenth General Assembly, from the Twelfth District, composed of Lucas county.

Henry H. Day was a native of the state of Ohio. He was born in the town of Washington, Guernsey county, Ohio, February 8, A. D. 1824. He died at his home in Chariton, Iowa, August 24, A. D. 1901.

He was educated in the common schools of his native town. When he came to choose an occupation he chose that of carriage and wagonmaker, and after serving the usual apprenticeship in learning that business, he commenced business for himself in the village of Belmont, Belmont county, Ohio, about the year 1850. On August 19, 1852, he was married to Miss Rebecca A. Hatcher of Harrison county, Ohio, daughter of Malon B. Hatcher of the same county. He was fairly successful in business, and having accumulated some means, justifying him in going west to seek a permanent home and engage in agricultural pursuits, he, in March, 1857, sold his business and the property accumulated in Ohio, and moved to Lucas county, Iowa, and settled in Jackson township, purchasing a farm there and engaging in farming and stock-raising. He continued in that business for the next ten years, and by his industry, integrity and generous deportment, he soon became a leading citizen of his township. Such was the estimation in which his neighbors held him that, in the fall of 1863, they presented his name to the republican county convention for the office of representative in the Tenth General Assembly. He received the nomination and received a handsome majority at the general election that fall. Being a new member, and hence not taking a leading part in the labors of the session, yet by his fidelity to the interests of his constituents, his high order of intelligence and his fervid patriotism, he took a prominent part in all the measures adopted by that general assembly in that perilous period of our country's history to preserve the integrity of the union, and to keep Iowa in the front rank of its defenders.

In the fall of 1865, Mr. Day was chosen a member of the county board of supervisors to represent Jackson township, at a time when each township was entitled to a member of said board, for the term of two years, at the end of which time he removed to Chariton and there engaged in mercantile business.

After moving to Chariton he was again elected to a position on said board, and twice thereafter re-elected a member of said board, and each time he was chosen chairman of the board. His entire service on that board was eleven years and to his good judgment, marked business ability and strong common sense, is largely due the excellent credit and financial standing of the county today. He was a man of the people, courageous, clear-headed, and independent and worthily bore the character of a good citizen.

He was laid to rest in the Chariton cemetery, August 26, 1901, in charge of Chariton lodge No. 64, I. O. O. F., of which order the deceased had for many years been an honored member.

The profound respect entertained for Mr. Day by his neighbors and fellow-citizens was manifested by the large numbers who attended the last sad rit which consigned to earth all that was mortal of this respected and honored pioneer lawmaker of Iowa.

Mr. Day left a wife, a son and two daughters surviving him.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has substituted and failed to pass the following bill, in which the concurrence of the House was asked:

Senate substitute for House file No. 168, a bill for an act to enable the owners of lands to drain them, when the same cannot be done without affecting the lands of others, prescribing the powers and duties of county supervisors and other officers in the premises, and to provide for the repair and enlargement of such drains and repealing certain acts therein specified.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendments to Senate file No. 340, a bill for an act to amend section 2, chapter 25, of the acts of the Twenty-eighth General Assembly, relating to disbursements of tax money levied and collected for and on account of waterworks.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 298, a bill for an act to amend section 2522 of the code, relating to reports of dairy commissioners by milk dealers and operators of

creameries and cheese and condensed milk factories, and providing a penalty for violation of the actions of the section as amended.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 220, a bill for an act to amend the military code of Iowa.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has failed to pass the following bill, in which the concurrence of the Senate was asked:

House file No. 178, a bill for an act to protect owners of breeding stock.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill, in which the concurrence of the Senate was asked:

House file No. 281, a bill for an act to provide for the manner of paying salary or compensation of deputy state officers and deputy county officers, clerks or assistants, prohibiting their principals receiving or retaining any part and punishing the violation thereof.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill, in which the concurrence of the Senate was asked:

House file No. 388, a bill for an act to amend section 5 of chapter 48 of acts of the Twenty-eighth General Assembly, relating to the taxing of insurance corporations.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Sweet of Bremer, by unanimous consent, House file No. 449, a bill for an act to legalize the official acts of the town council of the incorporated town of Denver, Bremer county, Iowa, and the acts of F. C. Richmann, acting as clerk of said

town, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Sweet moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—88.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Campbell, Dodds, Dunham, Greeley, Greene, Hilsinger, Langan of Crawford, Payne, Stuckslager, Walters, Willett—12.

So the bill passed and the title was agreed to.

On motion of Wilson of Washington, House file No. 394, a bill for an act to amend section 5707 of the code, relative to the employment of persons sentenced to imprisonment in the penitentiary, in places or buildings owned or leased by the state, outside of penitentiary enclosures, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Wilson moved that the rules be suspended, that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Boysen, Buchanan, Calderwood, Carden, Carter, Cassel, Christianson, Clarke, Crouse, Cummings, Dodds, Donahue, Edwards, Eiker, Fields, Flenniken, Freeman, Frudden, Gilchrist, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Roome, Secor, Sokol, Springer, Sweeley, Teachout, Temple, Walden, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—70.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Blakemore, Campbell, Cheney, Coburn, Colclo, Cowles, Cruikshank, Davenport, Dunham, English, Furry, Graff, Greeley, Greene, Hertert, Hurn, Langan of Clinton, Langan of Crawford, Larrabee, Marshall, Payne, Robinson, Stratton, Stuckslager, Sweet, Townsend, Utterback, Walters, Whiting—30.

So the bill passed and the title was agreed to.

On motion of Wilson of Washington, House file No. 395, a bill for an act to repeal section 4897 of the code, and to enact a substitute therefor, relating to the escape of persons confined in a penitentiary for any less period than life, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Wilson moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Boysen, Buchanan, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Cummings, Davenport, Dodds, Donahue, Edwards, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Hamann, Hasselquist, Hawk, Head, Hughes, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Powers, Pritchard, Roome, Secor, Stratton, Sweeley, Teachout, Temple, Townsend, Walden, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—69.

The nays were:

Messrs. Calderwood, Coburn, Colclo, Jaeger—4.

Absent or not voting:

Messrs. Bealer, Campbell, Cowles, Crouse, Cruikshank, Dunham, Eiker, Greeley, Greene, Hertert, Hilsinger, Hufschmidt, Hurn, Langan of Crawford, Larrabee, Marshall, Payne, Pipher, Robinson, Sokol, Springer, Stuckslager, Sweet, Utterback, Walters, Warren, Whiting—27.

So the bill passed and the title was agreed to.

On motion of Langan of Clinton, House file No. 379 was dropped from the calendar.

On motion of Kendall of Monroe, House file No. 346 was passed on the calendar but allowed to retain its place thereon.

House file No. 370, a bill for an act to amend sections 5049, 5050 and 5051 of the code, relating to label, trade-mark or form of advertisement was, on motion of Wilson of Buena Vista, indefinitely postponed.

House file No. 146, a bill for an act to prevent cheating by the sale of adulterated and misbranded foods; to create the office of state food and dairy commissioner and define his duties, and for other purposes was, on motion of Teachout of Polk, indefinitely postponed.

On motion of Sweeley of Woodbury, House file No. 116, a bill for an act making an appropriation for the Woman's and Baby's Home of Sioux City, Iowa, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.



On motion of Mr. Sweeley, the amendments of the committee were adopted.

Mr. Sweeley moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Edwards, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Leech, Lyman, McClure McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Roome, Secor, Sokol, Stratton, Sweeley, Sweet, Teachout, Temple, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wright, Mr. Speaker—80.

The nays were:

Mr. Larrabee.

Absent or not voting:

Messrs. Bealer, Campbell, Cassel, Cowles, Dunham, Eiker, Greene, Langan of Clinton, Langan of Crawford, Marshall, Mordhorst, Payne, Robinson, Springer, Stuckslager, Townsend, Utterback, Walden, Wise—19.

So the bill passed and the title was agreed to.

On motion of English of Polk, House file No. 58, a bill for an act making an appropriation for the Benedict Home at Des Moines, Iowa, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of English the amendment offered by the committee were adopted.

Mr. English moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cruikshank, Cummings, Davenport, Donahue, Edwards, English, Flenniken, Freeman, Frudden, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Hurn, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Roome, Secor, Sokol, Stratton, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—80.

The nays were:

None.

Absent or not voting:

Messrs. Barkley, Bealer, Campbell, Cassel, Cowles, Dodds, Dunham, Eiker, Fields, Furry, Greene, Hilsinger, Jaeger, Langan of Clinton, Langan of Crawford, Marshall, Payne, Robinson, Springer, Stuckslager—20.

So the bill passed and the title was agreed to.

On motion of Keagy of Dubuque, House file No. 219, a bill for an act making an appropriation for the Dubuque Rescue Home of Dubuque, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Keagy the amendments of the committee were adopted.

Mr. Keagy moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Blakemore, Boysen, Buchanan, Calderwood, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Edwards, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Hurn, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Leech, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Roome, Secor, Sokol, Stratton, Sweeley, Sweet, Teachout, Temple, Townsend, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—77.

The nays were:

Mr. Larrabee.

Absent or not voting:

Messrs. Barker, Bealer, Black, Blakemore, Campbell, Carden, Cowles, Dunham, Greene, Hilsinger, Jaeger, Langan of Clinton, Langan of Crawford, Lyman, Marshall, Mordhorst, Payne, Robinson, Springer, Stuckslager, Utterback—22.

So the bill passed and the title was agreed to.

On motion of Clarke of Dallas, House file No. 300, a bill for an act to provide for an exhibit of the arts, industries and resources of the state of Iowa at the Louisiana Purchase exposition, to be held in the city of St. Louis, in the state of Missouri, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Clarke, the amendments of the committee were adopted.

Mr. Utterback moved to amend the bill by striking out the word "eight" in line 5, section 1, and insert in lieu thereof the word "seven."

Lost.

Mr. Utterback moved to amend by striking out the word "eight" and inserting in lieu thereof the word "thirteen" in line 5 of section 1.

Lost.

Gilchrist of Pocahontas moved to amend by striking out of line 1 of section 2 the words and figures "one hundred and fifty thousand dollars (\$150,000)," and inserting in lieu thereof the words and figures "one hundred thousand dollars (\$100,000)."

Lost.

Carter of Sioux moved to amend House file No. 300 by striking out the words and figures "one hundred and fifty thousand dollars (\$150,000)," and inserting in lieu thereof the words and figures "one hundred and twenty-five thousand dollars (\$125,000)."

Lost.

Mr. Utterback moved to amend the bill by striking out the words and figures "one hundred and fifty thousand dollars (\$150,000)," and inserting in lieu thereof the words and figures "two hundred thousand dollars (\$200,000)."

Lost.

Mr. Clarke moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Black, Boysen, Buchanan, Calderwood, Carden, Carter, Cassel, Christianson, Clarke, Coburn, Cowles, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Hertert, Hilsinger, Hufschmidt, Jaeger, Jones, Keagy, Kendall, Kling, Kolthoff, Koontz, Larrabee, Leech, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stuckslager, Sweeley, Sweet, Teachout, Temple, Utterback, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—75.

The nays were:

Messrs. Barker, Barkley, Blackemore, Cheney, Head, Hughes, Hurn, Jenks, Powers, Walden—10.

Absent or not voting:

Messrs. Bealer, Campbell, Colclo, Crouse, Greene, Kerr, Langan of Clinton, Langan of Crawford, Lyman, Mordhorst, Payne, Stratton, Townsend, Walters, Whiting—15.

So the bill passed and the title was agreed to.

On motion of English of Polk, House file No. 157, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Warren of Marion in the chair.

On motion of English of Polk, the amendments of the committee were adopted.

On motion of Jones of Mahaska, the publication clause of House file No. 157 was stricken out.

Mr. English moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barkley, Black, Boysen, Buchanan, Calderwood, Carden, Carter, Cheney, Christianson, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dodds, Dunham, Edwards, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Hamann, Hasselquist, Hawk, Hughes, Jaeger, Keagy, Kendall, Kling, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Patton, Pipher, Pritchard, Robinson, Secor, Springer, Teachout, Warren, Whiting, Wilson of Washington, Wise, Wright—57.

The nays were:

Messrs. Anderson, Barker, Blakemore, Clarke, Davenport, Head, Hertert, Hufschmidt, Hurn, Jones, Kolthoff, McClure, Pipher, Powers, Roome, Sokol, Utterback, Walden—15.

Absent or not voting:

Messrs. Bailey, Bealer, Blakemore, Campbell, Cassel, Donahue, Eiker, Greeley, Greene, Hilsinger, Jenks, Kerr, Langan of Crawford, Marshall, Mordhorst, Nichols, Payne, Stratton, Stuckslager, Sweely, Sweet, Temple, Townsend, Walters, Willett, Wilson of Buena Vista, Mr. Speaker—28.

So the bill passed.

On motion of Mr English the title was amended by inserting the words, "east wing of the," after the last "the" in line 1.

Adopted and the title, as amended, was agreed to.

#### REPORTS OF COMMITTEES.

Mr. Buchanan submitted the following report:

MR. SPEAKER—Your committee on Labor, to whom was referred Senate file No. 212, a bill for an act to provide for the safety and comfort of laborers and other persons assembled in factories and buildings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. W. BUCHANAN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Labor, to whom was referred substitute for Senate file No. 211, a bill for an act relating to the duties of the commissioner of labor statistics, and amending sections twenty-four hundred and seventy (2470), twenty-four hundred and seventy-one (2471) and twenty-four hundred and seventy-two (2472) of the code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. W. BUCHANAN,  
*Chairman.*

Ordered passed on file.

Hurn of Cerro Gordo submitted the following report:

MR. SPEAKER—Your conference committee, appointed to act with a like committee from the Senate, to whom was referred House file No. 225, as amended by the Senate, being a bill for an act to amend section 308 and to repeal section 303 of the code and to enact a substitute therefor, relating to the compensation of county attorneys, beg leave to report that they have had the same under consideration and, after conferring together, have agreed to submit herewith amendments to said bill, as follows:

Amend section 1 of the bill as amended by striking out the words and figures "thirty-five (35)", in line 4 and line 11, and inserting in lieu thereof the words and figures "thirty-six (36)". To further amend section 1 by inserting before the word "with", in the thirteenth line of the bill, the words "in any county"; and that the words "the crime of" be stricken out of the fifteenth line, and the word "a" be inserted in lieu thereof.

Amend the bill by substituting for section 2 the following:

Sec. 2. That section three hundred and eight (308) be amended by striking out the word "three", in the fifteenth line of said section, and inserting in lieu thereof the word "five".

And the committee further recommends that each of said amendments be adopted, and when so amended that the bill do pass.

All of which is respectfully submitted.

C. C. DOWELL,  
E. W. BACHMAN,  
THOS. LAMBERT,  
GEO. W. LISTER,  
E. W. HURN,  
B. F. ROBINSON,  
EMORY H. ENGLISH,  
E. A. FIELDS,

*Conference Committee.*

Passed on file.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, House file No. 359, a bill for an act providing for the levy of a special tax of one-tenth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for the State Normal School at Cedar Falls, Iowa.

Also, House file No. 493, a bill for an act to amend section twenty-six hundred twenty-nine (2629) of the code, relating to examination of applicants for state certificates and diplomas.

Also, House file No. 321, a bill for an act to amend subdivision three (3) of section twenty-four hundred forty-eight (2448) of the code, relating to surety on bonds.

Also, House file No. 125, a bill for an act making it a crime to sell property upon which there is a landlord's lien for the rent without the written consent of the landlord, and fixing the penalty therefor.

Also, House file No. 40, a bill for an act to amend section fifteen hundred and thirty (1530) of the code, in relation to the working of highways.

Also, House file No. 374, a bill for an act to amend section one thousand seven hundred and nine (1709) of the code, relating to insurance.

J. P. LYMAN,

*Chairman.*

April 8, 1902.

Adopted.

Also:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 241, a bill for an act to amend section seventeen hundred fifty-nine (1759) of the code, and to provide for the insurance of plate glass.

Also, House file No. 92, a bill for an act relating to the indictment and punishment of persons who have been convicted of felony two or more times in this state, or in this or other states, and making certain evidence competent proof thereof.

Also, House file No. 287, a bill for an act to amend section four hundred and ninety-six (496) of the code, relating to the employment of additional help by county recorders.

Also, House file No. 425, a bill for an act authorizing the executive council to sell and convey two islands newly formed by accretion in the Mississippi river, and located in sections three (3) and four (4), in township seventy-seven (77), north of range three (3), east of 5th P. M., in Scott county, the same being west of the main channel of said Mississippi river and adjacent to the Iowa shore.

J. P. LYMAN,  
*Chairman.*

Adopted.

On motion of Buchanan of Wapello, Senate file No. 3, a bill for an act regulating the employment of children at labor or service and to provide punishment for the violation thereof, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Buchanan, further consideration of this bill was postponed for the present.

On motion of Furry of Hardin, House file No. 375, a bill for an act to amend section 28 of chapter 118 of the laws of the Twenty-seventh General Assembly, in relation to insane patients, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Furry moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:



Messrs. Bailey, Barkley, Black, Boysen, Buchanan, Calderwood, Carter, Cassel, Cheney, Colclo, Cowles, Crouse, Cummings, Dodds, Dunham, Edwards, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hughes, Jaeger, Jones, Kendall, Koontz, Larrabee, Leech, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stuckslager, Sweeley, Teachout, Townsend, Walden, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—64.

The nays were:

Mr. Utterback.

Absent or not voting:

Messrs. Anderson, Barker, Bealer, Blakemore, Campbell, Carden, Christianson, Clarke, Coburn, Cruikshank, Davenport, Donahue, Eiker, Gilchrist, Greene, Hamann, Hufschmidt, Hurn, Jenks, Keagy, Kerr, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Lyman, Marshall, Mordhorst, Payne, Springer, Stratton, Sweet, Temple, Walters, Wilson of Buena Vista—35.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, Senate file No. 166, a bill for an act to amend section 1675 of the code, in relation to farmers county institutes, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Boysen, Buchanan, Calderwood, Carden, Carter, Cassel, Cheney, Clarke, Colclo, Cowles, Crouse, Cummings, Donahue, Dunham, Edwards, English, Flenniken, Freeman, Frudden, Furry, Graff, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hughes, Jenks, Jones, Kendall, Kolthoff, Koontz, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher

Powers, Robinson, Roome, Secor, Sokol, Stuckslager, Sweeley, Teachout, Temple, Walden, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—65.

The nays were:

Messrs. Black, Davenport, Dodds, Utterback—4.

Absent or not voting:

Messrs. Bailey, Bealer, Blakemore, Campbell, Christianson, Coburn, Cruikshank, Eiker, Fields, Gilchrist, Greeley, Greene, Hufschmidt, Hurn, Jaeger, Keagy, Kerr, Kling, Langan of Clinton, Langan of Crawford, Marshall, Mordhorst, Payne, Pritchard, Springer, Stratton, Sweet, Townsend, Walters, Wilson of Buena Vista—31.

So the bill passed and the title was agreed to.

On motion of Carter of Sioux, Senate file No. 11, a bill for an act to amend section seven hundred twenty-one (721) of the code, relating to publication of notice of questions submitted to the voters of cities and towns, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, English, Fields, Flenniken, Freeman, Frudden, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kolthoff, Koontz, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Moore, Nagle, Patton, Pipher, Powers, Roome, Secor, Sokol, Sweeley, Teachout, Temple, Townsend, Utterback, Walden, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—72.

The nays were:

Messrs. Cruikshank, Marshall, Walters—3.

Absent or not voting:

Messrs. Bealer, Campbell, Coburn, Colclo, Cowles, Furry, Greene, Hertert, Kerr, Kling, Langan of Clinton, Langan of Crawford, McClure, Meservey, Mordhorst, Nichols, Payne, Pritchard, Robinson, Springer, Stratton, Stuckslager, Sweet, Whiting—25.

So the bill passed and the title was agreed to.

On motion of Wise of Black Hawk, substitute for Senate file No. 140, a bill for an act to require railway companies to keep posted in their railway passenger stations, bulletins of the arrival and departure of trains, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Boysen, Calderwood, Carden, Carter, Cassel, Cheney, Clarke, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Dorahue, Dunham, Edwards, English, Fields, Flenniken, Freeman, Frudden, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jones, Kendall, Kolthoff, Koontz, Larrabee, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Powers, Roome, Secor, Sokol, Sweeley, Teachout, Walters, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—69.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Blakemore, Buchanan, Campbell, Christianson, Coburn, Eiker, Furry, Gilchrist, Greene, Jenks, Keagy, Kerr, Kling, Langan of Clinton, Langan of Crawford, Leech, Marshall,

Mordhorst, Payne, Pritchard, Robinson, Springer, Stratton, Stuckslager, Sweet, Temple, Townsend, Utterback, Walden, Wilson of Buena Vista—31.

So the bill passed and the title was agreed to.

On motion of Jaeger of Des Moines, House file No. 430, a bill for an act to amend chapter 9, title 9 of the code, relating to fraternal orders, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Jaeger moved to adopt the amendments of the committee.

Lyman of Poweshiek moved to amend the committee amendments by striking out section 3.

Adopted.

Amendments as amended adopted.

Mr. Jaeger moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Black, Boysen, Buchanan, Calderwood, Carden, Carter, Cassel, Cheney, Christianson, Coburn, Colclo, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Fields, Freeman, Frudden, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Kendall, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Patton, Pipher, Powers, Roome, Secor, Sokol, Sweeley, Teachout, Temple, Townsend, Utterback, Walden, Walters, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright—69.

The nays were:

None.

Absent or not voting:

Messrs. Barkley, Bealer, Blakemore, Campbell, Clarke, Cowles, Crouse, Eiker, English, Flenniken, Furry, Gilchrist, Greene,

Jones, Keagy, Kerr, Kling, Langan of Crawford, McClure, Marshall, Nichols, Payne, Pritchard, Robinson, Springer, Stratton, Stuckslager, Sweet, Whiting, Mr. Speaker—31.

So the bill passed and the title was agreed to.

On motion of Hamann of Scott, House file No. 325, a bill for an act to amend section 3308 of the code, relating to the release and discharge of liens by foreign administrators, executors and guardians, and to empower them to assign such liens, and to empower trustees under foreign wills to execute such releases and assignments, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Hamann the amendments of the committee were adopted.

Mr. Hamann moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barker, Barkley, Black, Boysen, Buchanan, Calderwood, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Cummings, Davenport, Donahue, Dunham, Edwards, English, Flenniken, Freeman, Frudden, Gilchrist, Graff, Greeley, Hamann, Hawk, Head, Hertert, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Kendall, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Powers, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Teachout, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—71.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Blakemore, Campbell, Crouse, Cruikshank, Dodds, Eiker, Fields, Furry, Greene, Hasselquist, Hillsinger, Hurn, Keagy, Kerr, Kling, Langan of Crawford, Marshall,

Mordhorst, Payne, Pritchard, Robinson, Stuckslager, Sweet, Temple, Walters, Wilson of Buena Vista—29.

So the bill passed and the title was agreed to.

On motion of Koontz of Johnson, House file No. 234, a bill for an act making an appropriation to the Iowa State Historical society, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Koontz moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Boysen, Buchanan, Calderwood, Carden, Carter, Cheney, Christianson, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Hamann, Hawk, Head, Hertert, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Koontz, Langan of Clinton, Langan of Crawford, Leech, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Teachout, Temple, Townsend, Walters, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—75.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Black, Blakemore, Campbell, Cassel, Clarke, Greene, Hasselquist, Hilsinger, Hurn, Kerr, Kling, Kolthoff, Larrabee, Lyman, Marshall, Mordhorst, Payne, Powers, Stuckslager, Sweet, Utterback, Walden, Wilson of Buena Vista—25.

So the bill passed and the title was agreed to.

Barker of Howard moved that the House do now adjourn till 9 A. M. tomorrow, Wednesday, April 9th.

Mattes of Sac moved that the motion be amended so that the House will adjourn at 5:30 till 9 A. M. tomorrow morning.

Carried.

Motion as amended carried.

On motion of Teachout of Polk, Senate file No. 251, a bill for an act to authorize the improvement and to regulate the use of Governor's square in the city of Des Moines, for park purposes, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Langan of Clinton moved to strike out section 5.

Lost.

Barker of Howard offered the following amendment to Senate file No. 251:

Amend by adding to section 1 thereof, the following: "Before the state relinquishes control over said Governor's square, it shall be required to establish a street over and along the south side thereof and pave the same, and there is hereby appropriated the sum of fifteen hundred (\$1,500) dollars in addition to the sum already appropriated for paving the street on the north side of said square and provided, further, that at no time shall the state be required to appropriate more than two thousand (\$2,000) dollars for improvement thereon.

Lost.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Barkley, Black, Blakemore, Boysen, Buchanan, Calderwood, Carden, Carter, Cassel, Christianson, Clarke, Cummings, Dodds, Donahue, Dunham, Edwards, English, Fields, Freeman, Furry, Gilchrist, Greeley, Hawk, Head, Hughes, Jenks, Kendall, Koontz, Larrabee, Leech, McClure, McClurkin, McNie, Mattes, Moore, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Secor, Sokol, Springer, Sweeley, Teachout, Townsend, Walden, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Mr. Speaker—54.

The nays were:

Messrs. Barker, Cheney, Coburn, Colclo, Cruikshank, Davenport, Graff, Hertert, Hurn, Jaeger, Kolthoff, Langan of Clinton,

Langan of Crawford, Marshall, Meservey, Mordhorst, Stratton, Utterback, Walters, Whiting, Wright—21.

Absent or not voting:

Messrs. Anderson, Bailey, Bealer, Campbell, Cowles, Crouse, Eiker, Flenniken, Frudden, Greene, Hamann, Hasselquist, Hilsinger, Hufschmidt, Jones, Keagy, Kerr, Kling, Lyman, Payne, Pritchard, Stuckslager, Sweet, Temple, Wise—25.

So the bill passed and the title was agreed to.

The following communication was read by the Speaker:

**MR. SPEAKER**—I move that the speeches on the appropriations for monuments on Lookout Mountain and Missionary Ridge be printed in the Journal.

**E. J. C. BEALER.**

Motion was taken up and prevailed.

The Speaker announced that he had signed in the presence of of the House, House files Nos. 359, 432, 321, 125, 40 and 376.

The hour having arrived the Speaker declared the House adjourned till 9 A. M., tomorrow, Wednesday, April 9th.



HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Wednesday, April 9, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by Rev. Joseph Stephen of Carson, Iowa.

Journal of Monday, April 7th, corrected and approved.

Warren of Marion in the chair.

Springer of Buchanan submitted the following report:

MR. SPEAKER—Your committee appointed to draft resolutions in memory of the late William H. Chamberlain of Buchanan county, beg leave to report the following:

WHEREAS, the Hon. William H. Chamberlin, a member of the House of Representatives of the Twentieth, Twenty-first, Twenty-third and Twenty-fourth General Assemblies, died on the 7th day of April, A. D. 1901; therefore, be it

*Resolved*, That in his death the state has lost an honorable, exemplary and patriotic citizen.

*Resolved*, That we extend to his family our sincere sympathy in their affliction; and the Clerk of the House is hereby instructed to mail an engrossed copy of these resolutions to the family of the deceased, and to enter them upon the Journal of the House.

L. F. SPRINGER,  
GEO. W. DUNHAM,  
S. T. MESERVEY.

*Committee.*

Rules suspended, report adopted unanimously.

Clarke of Dallas offered the following resolution and moved its adoption:

*Resolved*, By the House, the Senate concurring: That the Chief Clerk and first assistant and engrossing clerk of the House, and the Secretary and first assistant and engrossing clerk of the Senate and postmistress be

required to remain at the capitol and perform their respective duties as such for a period of three days after the close of the session of the Twenty-ninth General Assembly for the purpose of reading, correcting, arranging, preserving and certifying the records of the session and closing up the business of their respective offices, and that they receive the same compensation per day for such extra time as they now receive.

Rules suspended and the resolution adopted.

Donahue of O'Brien offered the following resolution:

*Resolved by the House of Representatives of the Twenty-ninth General Assembly:*

That as an appreciation of the efficiency of service on the part of the sergeant-at-arms, chief doorkeeper and assistants and pages, they are hereby presented with the official badges worn during the session.

Rules suspended and the resolution adopted.

Furry of Hardin offered the following resolution and moved that the rules be suspended and the resolution be adopted:

*Resolved by the House of Representatives of the Twenty-ninth General Assembly:*

That the chairman of the several committees and the clerks thereof, and the officers of the House are hereby directed to deliver to the Chief Clerk of the House all bills, papers and documents, belonging to the House, to be by him turned over to the secretary of state.

Adopted

McNie of Benton offered the following resolution and moved that the rules be suspended and the resolution be adopted:

*Resolved,* That the American flag and the picture of Abraham Lincoln, now suspended over the Speaker's chair, be placed in the custody of the superintendent of public instruction to adorn his office from the adjournment of the Twenty-ninth General Assembly until otherwise disposed of by the Thirtieth General Assembly.

Adopted.

#### REPORTS OF COMMITTEES.

Hurn of Cerro Gordo submitted the following report:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred Senate file No. 269, a bill for an act to amend section 2804 of the code, relating to the compensation to be allowed to the adjutant, quartermaster and surgeon of the Iowa Soldiers' Home, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended by striking out the word "fuel" in the last

line of section one (1), and by striking out the publication clause, and when so amended that the same do pass.

D. W. HURN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred Senate file No. 362, a bill for an act to fix the compensation of waterworks trustees in special charter cities, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

D. W. HURN,  
*Chairman.*

Ordered passed on file.

On motion of Wise of Black Hawk, Senate file No. 349, a bill for an act to amend section nineteen hundred and ninety-eight (1998) of the code, relating to depot grounds of railway corporations, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Wise moved that the bill be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Cowles, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, English, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hughes, Jenks, Jones, Keagy, Kendall, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Utterback, Walden, Warren, Whiting, Willett, Wilson of Washington, Wise—76.

The nays were:

Mr. Hertert.

Absent or not voting:

Messrs. Buchanan, Colclo, Cruikshank, Eiker, Fields, Flenniken, Greene, Hufschmidt, Hurn, Jaeger, Kerr, Larrabee, Marshall, Nichols, Payne, Stuckslager, Teachout, Temple, Townsend, Walters, Wilson of Buena Vista, Wright, Mr. Speaker—23.

So the bill passed and the title was agreed to.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 449, a bill for an act to legalize the official acts of the town council of the incorporated town of Denver, Bremer county, Iowa, and the acts of F. C. Richmann acting as clerk of said town.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 342, a bill for an act to amend section 2410 of the code, relating to sale of intoxicating liquors and the abatement of nuisances.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 358, a bill for an act to amend section 1611 of the code relating to the indebtedness of corporations.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has adopted the conference committee report and amendments to House file No. 225, a bill for an act to amend section 308 and to repeal section 308 of the code and enact a substitute therefor, relating to the compensation of county attorneys.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following concurrent resolution, in which the concurrence of the Senate was asked, relative to furnishing code and session laws to the employes of the Senate and House.

CONCURRENT RESOLUTION.

*Resolved*, By the Senate, the House concurring: That the secretary of state be and he is hereby directed to furnish the second assistant secretary of the Senate, and the two Journal clerks, and the second assistant clerk of the House and the two Journal clerks, each with a copy of the code, together with a copy of the session laws of the Twenty-seventh and Twenty-eighth General Assemblies.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 345, a bill for an act to amend chapter eight (8), title thirteen (13), of the code, granting to the governor of the state the power to parole inmates of the industrial schools in certain cases.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 309, a bill for an act authorizing the council in towns and cities having a population of five thousand inhabitants, or less, to appropriate money from their general fund for the improvement and maintenance of public parks, and providing for the expenditure thereof.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 313, a bill for an act to repeal section four hundred seventy-nine (479) of the code of Iowa, relating to the compensation of county auditors and to enact a substitute therefor.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 223, a bill for an act to amend sections eight hundred fifty (850) and eight hundred fifty-nine (859) of the code, as amended by the acts of the Twenty-seventh (27) General Assembly and as amended by the acts of the Twenty-eighth (28) General Assembly, in relation to park commissioners in certain cities.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following concurrent resolution, in which the concurrence of the Senate was asked, relative to the printing of 5,000 copies of the Official Register of 1903 and the binding of the Official Registers of 1902 and 1903.

CONCURRENT RESOLUTION.

*Be it Resolved*, By the Senate, the House concurring: That there be printed 5,000 copies of the Official Register of 1903, in addition to the number provided for in the code, and that 1,000 copies of the Official Register of 1902 and 1903 be bound in cloth, with gilt letters, and that the state binder be paid 15 cents per volume in full for folding, sewing and binding said Official Registers in cloth.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill, in which the concurrence of the Senate was asked:

House file No. 399, a bill for an act to provide for the inspection, recognition and supervision of schools for the instruction and training of teachers for the common schools, and providing for the licensing of the graduates of the same, and making an appropriation for accredited schools entitled to state recognition therefor.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked

House file No. 391, a bill for an act making appropriations for state institutions under the board of control.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has failed to pass, reconsidered and failed to pass the following bill, in which the concurrence of the Senate was asked:

House file No. 207, a bill for an act to amend section 3089 of the code, relating to mechanics liens.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked.

House file No. 62, a bill for an act to amend section 441 of the code, relating to compensation of official papers.

GEO. A. NEWMAN,  
*Secretary.*

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled, House file No. 241, a bill for an act to amend section seventeen hundred fifty-nine (1759) of the code and to provide for the insurance of plate glass.

Also, House file No. 93, a bill for an act relating to the indictment and punishment of persons who have been convicted of felony two or more times in this state, or in this and other states, and making certain evidence competent proof thereof.

Also, House file No. 287, a bill for an act to amend section four hundred and ninety-six (496) of the code, relating to the employment of additional help by county recorders.

Also, House file No. 425, a bill for an act authorizing the executive council to sell and convey two islands newly formed by accretion in the Mississippi river, and located in sections three and four, in township twenty-seven, north of range three, east of the 5th P. M., in Scott county, Iowa, the same being west of the main channel of said Mississippi river and adjacent to the Iowa shore.

Also, Senate file No. 125, a bill for an act providing for condition of bonds to be given by public officers and others.

Also, Senate file No. 152, a bill for an act making an appropriation, and providing for the erection of monuments in memory of the Iowa troops on Lookout Mountain and Missionary Ridge, the battles of Chattanooga.

Also, Senate file No. 161, a bill for an act to provide for the support of the hospitals for the insane and for the transfer of patients on account of the opening of the hospital at Cherokee.

Also, Senate file No. 187, a bill for an act to amend section eighteen hundred seventy (1870) of the code, in relation to limit of liabilities of banks.

Also, Senate file No. 232, a bill for an act to amend section twenty five hundred eighty-one (2581) of the code, in relation to itinerant physicians.

Also, Senate file No. 236, a bill for an act to amend section seventeen hundred seventy-one (1771) of the code, in relation to stock or premium notes.

Also, Senate file No. 297, a bill for an act to amend section two thousand five hundred forty (2540), two thousand five hundred fifty-one (2551), two thousand five hundred fifty-six (2556) and two thousand five hundred sixty-one (2561) of the code; and section two thousand five hundred thirty-nine (2539) of the code as amended by chapter sixty-four (64) of the laws of the Twenty-seventh (27th) General Assembly; repealing section five (5) of chapter sixty-four (64) of the laws of the Twenty-seventh (27th) General Assembly, and making further provisions additional to said chapter fifteen (15), title twelve (12) of the code, relating to the care and propagation of fish and the protection of birds and game.

Also, Senate file No. 328, a bill for an act to provide for the inspection, recognition and supervision of schools for the instruction and training of teachers for the common schools, and providing for the licensing of the graduates of the same.

Also, Senate file No. 44, a bill for an act to amend section one hundred eighteen (118) and one hundred nineteen (119) of the code, defining the duties of state printer and state binder.

Also, Senate file No. 155, a bill for an act relating to rules of descent of estates of children by adoption.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE  
*Chairman Senate Committee.*

Adopted.

On motion of Langan of Crawford, House file No. 346, a bill for an act to amend chapter 6 of the code, prohibiting the purchase of intoxicating liquors for the use of minors, drunkards and persons who have taken any of the so-called cures for drunkenness, and prescribing punishment of violation of same, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Langan the amendments of the committee were adopted.

Kendall of Monroe moved to amend House file No. 346 by adding the letter "s" to the word "cost", in lines 6 and 7.

Adopted.



Jenks of Pottawattamie moved to amend by striking out the word "so-called", in line 3, section 1.

Lost.

Jones of Mahaska moved to amend by inserting after the word "of" in line 5 of section 1, the words "not more than."

Lost.

Gilchrist of Pocahontas moved to amend by striking out the words "section 2" therefrom and inserting the words "section 3" in lieu thereof; also amend by inserting as section 2 the following:

Sec. 2. Nothing herein provided shall be construed to prevent physicians in actual practice or their agents or assistants from procuring or purchasing liquors for the use of any persons under the care or charge of such physician.

Kendall of Monroe moved to amend as a substitute for amendment of Mr. Gilchrist, by inserting the following at the end of section 1: "But nothing herein shall be construed to affect or repeal any provisions of section 2401."

Adopted.

Amendment of Mr. Gilchrist as amended adopted.

Mr. Langan moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Buchanan, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Crouse, Cummings, Davenport, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Graff, Greeley, Hasselquist, Hawk, Head, Hughes, Hurn, Jenks, Jones, Kendall, Kerr, Kling, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Temple, Townsend, Utterback, Walden, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright—69.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Boysen, Calderwood, Clarke, Coburn, Colclo, Cowles, Cruikshank, Dodds, Frudden, Greene, Hamann, Hertert, Hilsinger, Hufschmidt, Jaeger, Keagy, Kolthoff, Koontz, Langan of Clinton, Marshall, Mattes, Mordhorst, Payne, Springer, Stuckslager, Sweet, Teachout, Walters, Willett, Mr. Speaker—31.

So the bill passed and the title was agreed to.

On motion English of Polk, Senate file No. 175, a bill for an act to amend section 2738 of the code, in relation to county superintendents, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. English moved that the House reconsider the vote by which the amendments were adopted by the House on April 7th.

Carried.

The amendments were lost.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Coburn, Colclo, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jones, Keagy, Kerr, Kling, Kolthoff, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Sweeley, Teachout, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright—77.

The nays were:

None.

**Absent or not voting:**

Messrs. Bealer, Clarke, Cowles, Crouse, Cruikshank, Greene, Hamann, Jenks, Kendall, Koontz, Langan of Clinton, Langan of Crawford, Marshall, Mordhorst, Payne, Springer, Stratton, Stuckslager, Sweet, Temple, Townsend, Walters, Mr. Speaker—23.

So the bill passed and the title was agreed to.

On motion of Fields of Plymouth, House file No. 225, a bill for an act to amend section 308 and to repeal section 303 and enact a substitute therefor, relating to the compensation of county attorneys, with report of conference committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Fields moved the adoption of the amendments of the conference committee.

On the question, Shall the amendments of the conference committee be adopted, and the House concur?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Temple, Townsend, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright—81.

The nays were:

None.

Absent or not voting.

Messrs. Cowles, Crouse, Cruikshank, Furry, Gilchrist, Greene, Jenks, Langan of Clinton, Langan of Crawford, Meservey, Moore, Mordhorst, Payne, Springer, Sweet, Teachout, Utterback, Walters, Mr. Speaker—19.

So the amendments offered by the conference committee on House file No. 225 were adopted and the House concurred.

On motion of Kerr of Grundy, House file No. 251 was dropped from the calendar.

On motion of Sweeley of Woodbury, House file No. 296 was dropped from the calendar.

Speaker Eaton in the chair.

On motion of Mattes of Sac, House file No. 412, a bill for an act to enable incorporated towns to vote a special tax for one year for the purpose of erecting a town hall, assembly room and library building in incorporated towns, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Mattes moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Bealer, Black, Blakemore, Boysen, Buchanan, Campbell, Carden, Carter, Cheney, Christianson, Clarke, Cummings, Davenport, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Hamann, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Larrabee, Leech, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Patton, Pipher, Powers, Roome, Sokol, Springer, Teachout, Townsend, Utterback, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—67.

The nays were:

Mr. Hasselquist.

Absent or not voting:

Messrs. Barkley, Calderwood, Cassel, Coburn, Colclo, Cowles, Crouse, Cruikshank, Dodds, Dunham, Greeley, Greene, Hurn, Jenks, Jones, Keagy, Kolthoff, Langan of Crawford, Lyman, Marshall, Nichols, Payne, Pritchard, Robinson, Secor, Stratton, Stuckslager, Sweeley, Sweet, Temple, Walden, Walters—32.

So the bill passed and the title was agreed to.

On motion of Hughes of Iowa, House file No. 433, a bill for an act to amend section 2724 of the code, relating to admission to the Iowa School for the Deaf at Council Bluffs, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Hughes the amendments offered by the committee were adopted.

Mr. Hughes moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Calderwood, Campbell, Carden, Carter, Cas-  
sel, Cheney, Christianson, Clarke, Coburn, Cummings, Daven-  
port, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields,  
Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley,  
Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt,  
Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling,  
Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman,  
McClure, McClurkin, McNie, Meservey, Moore, Mordhorst, Pat-  
ton, Pipher, Powers, Pritchard, Roome, Secor, Sokol, Springer,  
Stratton, Sweeley, Sweet, Teachout, Temple, Townsend, Utter-  
back, Walden, Warren, Whiting, Willett, Wilson of Buena Vista,  
Wilson of Washington, Wise, Wright, Mr. Speaker—84.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Colclo, Cowles, Crouse, Cruikshank,  
Greene, Hamann, Langan of Crawford, Marshall, Mattes, Nagle,  
Nichols, Payne, Robinson, Stuckslager, Walters—16.

So the bill passed and the title was agreed to.

On motion of Wilson of Washington, House file No. 422, a bill for an act to amend section fifty-six hundred sixty-three (5663) of the code, limiting the number of guards at penitenti-

ries at Fort Madison and Anamosa, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Wilson moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Buchanan, Calderwood, Campbell, Carden, Cheney, Clarke, Coburn, Crouse, Cummings, Davenport, Dodds, Dunham, Edwards, Eiker, English, Fields, Freeman, Frudden, Furry, Graff, Greeley, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Keagy, Kerr, Koontz, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Mordhorst, Nagle, Patton, Pipher, Powers, Pritchard, Roome, Sokol, Stratton, Sweeley, Sweet, Teachout, Townsend, Willett, Wilson of Buena Vista, Wilson of Washinton, Wise, Wright, Mr. Speaker—67.

The nays were:

Messrs. Christianson, Jones, Nichols, Walden, Walters, Whiting—6.

Absent or not voting:

Messrs. Boysen, Carter, Cassel, Colclo, Cowles, Cruikshank, Donahue, Flenniken, Gilchrist, Greene, Hamann, Hertert, Hurn, Kendall, Kling, Kolthoff, Langan of Clinton, Marshall, Moore, Payne, Robinson, Secor, Springer, Stuckslager, Temple, Utterback, Warren—27.

So the bill passed and the title was agreed to.

On motion of Hughes of Iowa, House file No. 393, a bill for an act to repeal sections 5012, 5013 and 5014 of the code, relating to diseased animals and to enact a substitute therefor, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Hughes moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Barker, Barkley, Black, Boysen, Carden, Carter, Cas-  
sel, Cheney, Christianson, Cowles, Cummings, Davenport, Dodds,  
Dunham, Edwards, Fields, Freeman, Frudden, Furry, Hawk,  
Head, Hertert, Hughes, Jenks, Kling, Kolthoff, Langan of Clin-  
ton, Langan of Crawford, Larrabee, McNie, Mattes, Nagle, Pat-  
ton, Pipher, Secor, Sokol, Springer, Stratton, Sweet, Teachout,  
Townsend, Utterback, Walden, Whiting, Wilson of Buena Vista,  
Wise, Wright—47.

The nays were:

Messrs. Anderson, Bealer, Blakemore, Clarke, Eiker, Graff,  
Hamann, Hasselquist, Hilsinger, Hurn, Jones, Keagy, Kendall,  
Kerr, Koontz, Leech, McClure, Meservey, Moore, Mordhorst,  
Nichols, Powers, Pritchard, Roome, Sweeley, Temple, Warren,  
Willett, Mr. Speaker—29.

Absent or not voting:

Messrs. Bailey, Buchanan, Calderwood, Campbell, Coburn,  
Colclo, Crouse, Cruikshank, Donahue, English, Flenniken, Gil-  
christ, Greeley, Greene, Hufschmidt, Jaeger, Lyman, McClurkin,  
Marshall, Payne, Robinson, Stuckslager, Walters, Wilson of  
Washington—24.

So the bill failed to pass.

The Speaker announced that he had signed, in the presence of  
the House, the following bills:

Senate files Nos. 125, 152, 161, 187, 232, 235, 297, 328, 44 and  
155; House files Nos. 241, 92, 287 and 428.

Warren of Marion moved to recall House file No. 333 from  
the Senate.

Mattes of Sac moved to lay the motion on the table.

Carried.

Warren of Marion called up his motion to reconsider the votes  
on House file No. 333.

McNie of Benton moved that the House adjourn till 2 P. M.

Carried and the House adjourned.

## AFTERNOON SESSION.

House met pursuant to adjournment, Speaker Eaton in the chair.

House resumed consideration of the motion to reconsider House file No. 333, which was pending at the noon adjournment.

On the motion to reconsider Messrs. Warren and Nagle demand a roll call.

On the motion, Shall the motion prevail?

The yeas were:

Messrs. Barker, Campbell, Cassel, Cheney, Cowles, Edwards, Fields, Freeman, Gilchrist, Graff, Hasselquist, Hawk, Head, Hurn, Kerr, Larrabee, Lyman, McClurkin, Meservey, Moore, Nagle, Nichols, Patton, Pritchard, Secor, Stratton, Sweeley, Temple, Walden, Warren, Wilson of Buena Vista, Wilson of Washington, Mr. Speaker—32.

The nays were:

Messrs. Bailey, Barkley, Black, Boysen, Buchanan, Calderwood, Christianson, Coburn, Colclo, Crouse, Dodds, Donahue, Eiker, Flenniken, Frudden, Furry, Greeley, Hamann, Hertert, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, McClure, McNie, Marshall, Mattes, Mordhorst, Nichols, Pipher, Powers, Robinson, Roome, Sokol, Springer, Stuckslager, Sweet, Teachout, Utterback, Walters, Willett, Wright—49.

Absent or not voting:

Messrs. Anderson, Bealer, Blakemore, Carden, Carter, Clarke, Cruikshank, Cummings, Davenport, Dunham, English, Greene, Hilsinger, Kling, Payne, Townsend, Whiting, Wise—19.

So the motion to reconsider was lost.

On motion of Clarke of Dallas, Senate file No. 346, a bill for an act to amend section thirty-two hundred forty-six (3246) of the code, relating to binding minors as apprentices and to the appointment of guardian for minors in certain cases, with report



of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Clarke of Dallas the amendments of the committee were adopted.

Mr. Clarke moved that the rules be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Clarke, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Edwards, Eiker, Fields, Flenniken, Freeman, Frudden, Gilchrist, Graff, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kolthoff, Koontz, Larrabee, Leech, McClure, McClurkin, McNie, Marshall, Mordhorst, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple, Utterback, Walden, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wright, Mr. Speaker—77.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Christianson, Coburn, Dunham, English, Furry, Greeley, Greene, Hurn, Kling, Langan of Clinton, Langan of Crawford, Lyman, Mattes, Meservey, Moore, Nagle, Payne, Stuckslager, Townsend, Walters, Whiting, Wise—23.

So the bill passed and the title was agreed to.

On motion of Hufschmidt of Allamakee, concurrent resolution requesting senators and representatives in congress to use efforts to secure the enactment of the Nelson-Corliss bill, to amend the interstate commerce act, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

On motion of Mr. Hufschmidt the concurrent resolution was adopted.

On motion of Clarke of Dallas, Senate file No. 347, a bill for an act to amend section 325 of the code, relating to the removal or suspension of attorneys, and payment of costs and fees therefor, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Speaker *pro tem* Kendall in the chair.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell Carter, Cassel, Clarke, Coburn, Colclo, Crouse, Cruikshank, Cummings, Davenport, Donahue, Edwards, Eiker, Fields, Flenniken, Frudden, Furry, Gilchrist, Graff, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Mordhorst, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Teachout, Temple, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wright—73.

The nays were:

Mr. Freeman.

Absent or not voting:

Messrs. Bealer, Cheney, Christianson, Cowles, Dodds, Dunham, English, Greeley, Greene, Hamann, Hurn, Kerr, Kling, Langan of Crawford, Marshall, Meservey, Moore, Nagle, Payne, Stuckslager, Townsend, Walters, Wilson of Washington, Wise, Mr. Speaker—26.

So the bill passed and the title was agreed to.

On motion of Clarke of Dallas, House file No. 285 was dropped from the calendar.

On motion of Cummings of Marshall, Senate file No. 303, a bill for an act to amend chapter 92 of the acts of the Twenty-

eighth General Assembly, in relation to pension money of members of the Iowa Soldiers' Home at Marshalltown, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Blakemore, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Colclo, Cowles, Crouse, Cruikshank, Cummings, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kolthoff, Koontz, Langan of Clinton, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Sweet, Temple, Townsend, Walden, Walters, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wright—76.

The nays were:

Mr. Utterback.

Absent or not voting:

Messrs. Bealer, Boysen, Clarke, Coburn, Davenport, Dodds, Gilchrist, Greeley, Greene, Hufschmidt, Hurn, Kling, Langan of Crawford, McClure, Marshall, Payne, Springer, Stuckslager, Sweeley, Teachout, Warren, Wise, Mr. Speaker—23.

So the bill passed and the title was agreed to.

On motion of Larrabee of Fayette, Senate file No. 194, a bill for an act to amend section 120 of the code, relating to printing and binding, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Black, Blakemore, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Colclo, Cowles, Cruse, Cruikshank, Cummings, Davenport, Dodds, Dunham, Edwards, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kolthoff, Koontz, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Mattes, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wright, Mr. Speaker—79.

The nays were:

None.

Absent or not voting.

Messrs. Barker, Bealer, Boysen, Clarke, Coburn, Donahue, Eiker, Gilchrist, Greene, Hurn, Kling, Langan of Clinton, Marshall, Meservey, Nagle, Payne, Sweet, Teachout, Temple, Walters, Wise—21.

So the bill passed and the title was agreed to.

Kendall of Monroe moved that the House proceed with the calendar before taking up Senate messages.

Carried.

Head of Greene moved, however, that Senate messages be taken up and referred to their proper committees.

Carried.

Hurn of Cerro Gordo called up Senate file No. 188, in which the Senate refused to concur in House amendments to this bill.

Mr. Hurn moved that the House refuse to recede from its amendments to Senate file No. 188.

Carried.

Mr. Pipher moved that the House request a conference committee on Senate file No. 188.

Carried.

The Speaker appointed as this committee, Messrs. Cummings of Marshall, Sweeley of Woodbury, Gilchrist of Pocahontas, Davenport of Union.

SENATE MESSAGES CONSIDERED.

Senate file No. 342, a bill for an act to amend section 2410 of the code, relating to the sale of intoxicating liquors and the abatement of nuisances.

Read first and second time and referred to committee on Suppression of Intemperance.

Senate file No. 358, a bill for an act to amend section 1611 of the code, relating to the indebtedness of corporations.

Read first and second time and referred to committee on Railroads and Commerce.

Senate file No. 223, a bill for an act to amend sections 850, 859 of the code as amended by the acts of the Twenty-seventh General Assembly and as amended by the acts of the Twenty-eighth General Assembly in relation to park commissioners in certain cities.

Read first and second time and referred to committee on Municipal Corporations.

Senate file No. 313, a bill for an act to repeal section 479 to the code, relating to the compensation of county auditors and of enact a substitute therefor.

Read first and second time and referred to committee on Compensation of Public Officers.

The House took up Senate concurrent resolution relative to publishing additional official registers.

On motion of Sweet of Bremer the House concurred in the concurrent resolution.

The House took up the Senate concurrent resolution, allowing codes with the session laws to employes of the House and Senate.

On motion of Buchanan of Wapello the concurrent resolution was adopted.

On motion of McClurkin of Louisa, House file No. 414, a bill for an act to amend chapter four (4), title twenty-four (24), section four thousand eight hundred and twenty-one (4821) of the code, relating to malicious mischief and trespass, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. McClurkin the amendments offered by the committee were adopted.

Mr. McClurkin moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Black, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cummings, Davenport, Dodds, Dunham, Edwards, Eiker, English, Freeman, Frudden, Furry, Greene, Hamann, Hawk, Hilsinger, Hughes, Keagy, Kerr, Koontz, Larabee, Leech, Lyman, McClure, McClurkin, McNie, Meservey, Moore, Nichols, Patton, Pipher, Robinson, Secor, Sokol, Stratton, Stuckslager, Temple, Walden, Walters, Willett, Wilson of Washington, Wright, Mr. Speaker—48.

The nays were:

Messrs. Cheney, Christianson, Flenniken, Gilchrist, Hertert, Jaeger, Jenks, Jones, Kendall, Kolthoff, Langan of Crawford, Mattes, Mordhorst, Powers, Roome, Warren, Wilson of Buena Vista—18.

Absent or not voting:

Messrs. Bailey, Barker, Barkley, Bealer, Blakemore, Boysen, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Donahue, Fields, Graff, Greene, Hasselquist, Head, Hurn, Kling, Langan of Clinton, Marshall, Nagle, Payne, Pritchard, Springer, Sweeley, Sweet, Teachout, Townsend, Utterback, Whiting, Wise—34.

So the bill passed and the title was agreed to.

On motion of Hughes of Iowa, House file No. 447, a bill for an act to appropriate money for the construction of a laundry

building for the Hospital for the Insane at Mt. Pleasant, and to provide it with heat, water, lights and sewer connections, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Hughes the amendments of the committee were adopted.

Mr. Hughes moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Calderwood, Campbell, Carden, Carter, Cassel, Coburn, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Dunham, Edwards, Fields, Flenniken, Frudden, Gilchrist, Graff, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hughes, Jaeger, Jenks, Kendall, Kerr, Kling, Koontz, Langan of Crawford, Larrabee, Leech, McClure, McNie, Marshall, Mattes, Moore, Mordhorst, Patton, Pipher, Powers, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Temple, Utterback, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wright, Mr. Speaker—67.

The nays were:

Messrs. Cheney, Donahue, Freeman, Walden—4.

Absent or not voting:

Messrs. Boysen, Buchanan, Christianson, Clarke, Colclo, Eiker, English, Furry, Greeley, Greene, Hufschmidt, Hurn, Jones, Keagy, Kolthoff, Langan of Clinton, Lyman, McClurkin, Meservey, Nagle, Nichols, Payne, Pritchard, Robinson, Sweet, Teachout, Townsend, Wilson of Washington, Wise—29.

So the bill passed.

Mr. Hughes moved to amend the title to House file No. 447 by inserting the words "and equipment" in the first line of the title after the word "construction".

Carried and the title, as so amended, was agreed to.

On motion of Calderwood of Scott, House file No. 445, a bill for an act to amend section one hundred thirty-seven (137) of the code, relating to the publication of the proceedings of the State Teachers association, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Calderwood moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Coburn, Cowles, Crouse, Cruikshank, Davenport, Dodds, Donahue, Edwards, Fields, Freeman, Frudden, Furry, Gilchrist, Graff, Hamann, Hawk, Head, Hertert, Hughes, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Leech, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Nagle, Patton, Pipher, Pritchard, Secor, Sokol, Springer, Stratton, Sweeley, Temple, Utterback, Walters, Wright, Mr. Speaker—61.

The nays were:

Messrs. Dunham, Hasselquist, Jenks, Kendall, Larrabee, McClure, Powers, Walden, Warren—9.

Absent or not voting:

Messrs. Boysen, Clarke, Colclo, Cummings, Eiker, English, Flenniken, Greeley, Greene, Hilsinger, Hufschmidt, Hurn, Jaeger, Jones, Keagy, Lyman, Mordhorst, Nichols, Payne, Robinson, Roome, Stuckslager, Sweet, Teachout, Townsend, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise—30.

So the bill passed and the title was agreed to.

On motion of Gilchrist of Pocahontas, House file No. 390 was dropped from the calendar.

On motion of McClurkin of Louisa, House file No. 434 was dropped from the calendar.



On motion of Cruikshank of Lee, House file No. 450, a bill for an act to provide for the appointment of an assistant deputy warden of the penitentiary at Ft. Madison, and to amend section five thousand seven hundred sixteen (5716) of the code, fixing the salary thereof, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Cruikshank moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bealer, Buchanan, Calderwood, Campbell, Cheney, Clarke, Cowles, Cruikshank, Davenport, Dodds, Edwards, Eiker, Flenniken, Frudden, Furry, Gilchrist, Hawk, Hertert, Hufschmidt, Hughes, Jaeger, Keagy, Kendall, Koontz, Langan of Clinton, Leech, McClurkin, Marshall, Mattes, Meservey, Patton, Pipher, Springer, Sweeley, Sweet, Townsend, Utterback, Walters, Whiting, Wilson of Buena Vista, Wise—41.

The nays were:

Messrs. Bailey, Carden, Chirtianson, Donahue, Dunham, English, Fields, Graff, Head, Jenks, Kling, Larrabee, McClure, McClurkin, McNie, Moore, Nichols, Powers, Robinson, Roome, Sokol, Walden, Warren, Willett, Wright—27.

Absent or not voting:

Messrs. Barker, Barkley, Black, Blakemore, Boysen, Carter, Cassel, Coburn, Colclo, Crouse, Cummings, Freeman, Greeley, Greene, Hamann, Hasselquist, Hilsinger, Hurn, Kling, Langan of Crawford, Lyman, Mordhorst, Nagle, Payne, Pritchard, Secor, Stratton, Stuckslager, Teachout, Temple, Wilson of Washington, Mr. Speaker—32.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Hawk of Jasper, Senate file No. 211, a bill for an act relating to the duties of the commissioner of labor statistics and amending sections twenty-four hundred seventy (2470), twenty-four hundred seventy-one (2471) and twenty-four hundred

seventy-two (2472) of the code, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Speaker Eaton in the chair.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Buchanan, Calderwood, Campbell, Carter, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Hawk, Head, Hertert, Hufschmidt, Hughes, Harn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, McNie, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Temple, Townsend, Utterback, Walden, Whiting, Willett, Wilson of Beuna Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—79.

The nays were:

None.

Absent or not voting:

Messrs. Barker, Boysen, Carden, Cassel, Cowles, Greene, Hamann, Hasselquist, Hilsinger, Lyman, McClure, McClurkin, Marshall, Mattes, Payne, Robinson, Sweet, Teachout, Walters, Warren—21.

So the bill passed and the title was agreed to.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 185, a bill for an act making an appropriation for the department of agriculture for the purpose of erecting a permanent fire-proof building for live stock exhibits.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate asks to recall substitute for House file No. 168, a bill for an act relating to drainage laws.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in the House concurrent resolution relative a conditional pardon for Otto Otten.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in the concurrent resolution relative to a conditional pardon for John Bellew.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 351, a bill for an act relating to negotiable instruments, being an act to establish a law uniform with the laws of other states on the subject and to repeal certain sections of the code.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

House file No. 263, a bill for an act to amend sections two (2), three (3), four (4) and five (5), chapter one hundred sixteen (116) acts of the Twenty-eighth General Assembly, also defining the duties of the Iowa library commission, transferring the associate and traveling libraries from the state library board to the Iowa library commission, and providing for an appropriation for the extension of the work of the Iowa library commission; also amending section one hundred sixty-eight (168) of the code of one thousand eight hundred ninety-seven (1897), and repealing sections two thousand eight hundred sixty-eight (2868), two thousand eight hundred sixty-nine (2869), two thousand eight hundred seventy-one (2871), two

thousand eight hundred seventy-two (2872), two thousand eight hundred seventy-three (2873) and two thousand eight hundred seventy-four (2874) of said code, also repealing chapter one hundred forty-eight (148), acts of the Twenty-seventh General Assembly.

GEO. A. NEWMAN,  
*Secretary.*

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval, House file No. 241, a bill for an act to amend section seventeen hundred fifty-nine (1759) of the code, and to provide for the insurance of plate glass.

Also, House file No. 92, a bill for an act relating to the indictment and punishment of persons who have been convicted of felony two or more times in this state, or in this and other states, and making certain evidence competent proof thereof.

Also, House file No. 287, a bill for an act to amend section four hundred ninety-six (496) of the code, relating to the employment of additional help by county recorders.

Also, House file No. 425, a bill for an act authorizing the executive council to sell and convey two islands newly formed by accretion in the Mississippi river, and located in sections 3 and 4, in township 77, north of range 3, east of the 5th P. M., in Scott county, Iowa, the same being west of the main channel of said Mississippi river and adjacent to the Iowa shore.

J. P. LYMAN,  
*Chairman.*

April 9, 1902.

Adopted.

Also:

Mr. Lyman, from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 145, a bill for an act to repeal chapter eight (8) of title sixteen (16) of the code, and enact a substitute therefor, relating to the care of friendless children, and the establishment, regulation and visitation of homes for friendless children.

Also, House file No. 436, a bill for an act authorizing the commander-in-chief to organize naval militia of Iowa, and prescribing regulations therefor.

Also, House file No. 298, a bill for an act to amend section twenty-five hundred and twenty-two (2522) of the code, relating to the reports to the dairy commissioner by milk dealers and operators of cream-

eries and cheese and condensed milk factories, and providing a penalty for violations of the section as amended.

Also, House file No. 451, a bill for an act legalizing the election of the city of Clinton, in favor of establishing a free public library in said city.

Also, House file No. 78, a bill for an act amendatory of and additional to section seventeen hundred twenty-six (1726) of the code, relating to notes taken for insurance other than life.

Also, House file No. 334, a bill for an act to amend sections one hundred twenty-five (125) and one hundred twenty-six (126) of the code, relating to the printing, binding and distribution of public reports and documents.

Also, House file No. 309, a bill for an act authorizing the council in towns and cities having a population of five thousand inhabitants or less, to appropriate money from their general fund, for the improvement and maintenance of public parks and providing for the expenditure thereof.

Also, House file No. 345, a bill for an act to amend section twenty-seven hundred eleven (2711) of the code, in regard to the discharge or parole of inmates of industrial schools.

Also, House file No. 245, a bill for an act to refund to administrators and executors any surplus they have paid to the treasurer of state as collateral inheritance tax in excess of that legally due.

Also, House file No. 444, a bill for an act to legalize all acts done and ordinances passed by the town council of the incorporated town of Bondurant, Polk county, Iowa.

J. P. LYMAN,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 359, a bill for an act providing for the levy of a special tax of one-tenth of a mill on the dollar upon assessed valuation of the taxable property of the state for the erection, repair, improvement and equipment of buildings for State Normal School at Cedar Falls, Iowa.

Also, House file No. 432, a bill for an act to amend section twenty-six hundred twenty-nine (2629) of the code, relating to examination of applicants for state certificates and diplomas.

Also, House file No. 320, a bill for an act to amend subdivision three (3) of section twenty-four hundred forty-eight (2448) of the code, relating to surety on bonds.

Also, House file No. 125, a bill for an act making it a crime to sell property upon which there is a landlord's lien for the rent, without the written consent of the landlord, and fixing the penalty therefor.

Also, House file No. 40, a bill for an act to amend section fifteen hundred and thirty (1530) of the code in relation to the working of highways.

Also, House file No. 374, a bill for an act to amend section one thousand seven hundred and nine (1709) of the code, relating to insurance.

Also, House file No. 145, a bill for an act to repeal chapter eight (8) of title sixteen (16) of the code, and enact a substitute therefor relating to the care of friendless children, and the establishment, regulation and visitation of homes for friendless children.

Also, House file No. 436, a bill for an act authorizing the commander-in-chief to organize naval militia of Iowa, and prescribing regulations therefor.

Also, House file No. 298, a bill for an act to amend section twenty-five hundred and twenty-two (2525) of the code, relating to reports to the dairy commissioner by milk dealers and operators of creameries and cheese and condensed milk factories, and providing a penalty for violations of the section as amended.

Also, House file No. 451, a bill for an act legalizing the election of the city of Clinton, in favor of establishing a free public library in the city.

Also, House file No. 78, a bill for an act amendatory of and additional to section seventeen hundred and twenty-six of the code, relating to notes taken for insurance other than life.

Also, House file No. 334, a bill for an act to amend sections one hundred twenty-five (125) and one hundred twenty-six (126) of the code, relating to the printing, binding and distribution of public reports and documents.

Also, House file No. 308, a bill for an act authorizing the council in towns and cities having a population of five thousand inhabitants or less, to appropriate money from their general fund for the improvement and maintenance of public parks, and providing for the expenditure thereof.

Also, House file No. 345, a bill for an act to amend section twenty-seven hundred eleven (2711) of the code, in regard to the discharge or parole of inmates of the industrial schools.

Also, House file No. 245, a bill for an act to refund to administrators and executors any surplus they have paid to the treasurer of state as collateral inheritance tax in excess of that legally due.

Also, House file No. 444, a bill for an act to legalize all acts done and ordinances passed by the town council of the incorporated town of Bondurant, Polk county.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

Also:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 348, a bill for an act amending chapter thirteen (13) of the code and chapter sixty-nine (69) of the acts of the Twenty-eighth General Assembly, relating to building and loan associations.

Also, Senate file No. 13, a bill for an act to amend section twenty-seven hundred and forty-two (2742) of the code, relating to county superintendents.

Also, Senate file No. 278, a bill for an act making an appropriation for a monument in Forest Home cemetery, Mt. Pleasant, Iowa, in remembrance of one Charles Shepherd, and providing for the method of such erection.

Also, Senate file No. 271, a bill for an act to legalize the publication of notice and vote for the incorporation of the town of Gravity.

J. P. LYMAN,  
*Chairman House Committee.*  
 E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

INTRODUCTION OF BILLS.

By Temple of Clarke.

JOINT RESOLUTION NUMBER 5—BY COMMITTEE ON RETRENCHMENT AND REFORM

Fixing the number and compensation of employes in the departments of state at the seat of government.

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

Until the final adjournment of the next general assembly, the number of employes for the various offices at the seat of government, unless otherwise provided by law, shall at no time exceed the number named herein, and their compensation shall be the amount herein fixed.

For the office of attorney general—

	Per annum.
One legal assistant at a salary of.....	\$. .....
One stenographer at a salary of.....	780.00
Additional assistance and contingent fund to pay advance costs .....	800.00

For the auditor of state—

One chief clerk and examiner of insurance department at a salary of .....	1,500.00
One security clerk in insurance department (who shall give bond) at a salary of.....	1,250.00
One second assistant clerk in the insurance department, who shall do general work .....	1,000.00
One chief clerk in revenue department at a salary of.....	1,300.00

One clerk of building and loan department at a salary of....	1,200.00
One clerk for general work at a salary of .....	780.00
One stenographer at a salary of .....	780.00
One janitor at a salary of .....	660.00
For the office of clerk of supreme court—	
One clerk at a salary of .....	1,000.00
Additional clerical assistance .....	1,100.00
One janitor, who shall also act as messenger, and who shall also act as janitor for the supreme court room, at a salary of .....	660.00
For the office of dairy commissioner—	
One clerk for three months at a salary of \$75.00 per month..	225.00
For the office of governor—	
One pardon secretary at a salary of .....	1,500.00
One pardon clerk at a salary of .....	1,200.00
One requisition clerk at a salary of .....	1,200.00
One general clerk at a salary of .....	900.00
One general clerk and stenographer at a salary of .....	900.00
One usher and messenger, who shall also act as janitor, at a salary of .....	840.00
For the state librarian's office—	
One cataloguer at a salary of .....	1,000.00
One janitor at a salary of....	660.00
Assistant help in janitor service.....	200.00
For the railroad commissioners' office—	
One clerk at a salary of .....	1,000.00
For the office of secretary of state—	
One chief clerk (who shall give bond) at a salary of .....	1,250.00
One corporation clerk at a salary of .....	1,000.00
One assistant corporation clerk at a salary of .....	1,000.00
One stenographer at a salary of .....	780.00
One clerk in the document room at a salary of .....	900.00
One janitor and messenger at a salary of .....	720.00
Additional clerical assistance may be employed at an expense not to exceed .....	800.00
For copying and indexing articles of incorporation laws, not to exceed .....	1,200.00
For the office of superintendent of public instruction—	
One stenographer at a salary of .....	780.00
One janitor at a salary of .....	660.00
Extra clerical assistance not to exceed .....	500.00
For supreme court rooms—	
One bailiff, who shall also act as janitor and messenger, at a salary of .....	780.00



For the office of treasurer of state—

One cashier (who shall give bond) at a salary of.....	1,250.00
One bookkeeper at a salary of.....	1,200.00
One clerk and stenographer at a salary of .....	900.00
One clerk for general work at a salary of.....	780.00
One night watch, who shall also act as janitor, at a salary of	760.00

For the historical department—

Assistant curator at a salary of .....	900.00
Second assistant curator, clerk and stenographer at a salary of.....	900.00
One janitor for the historical building at a salary of.....	660.00

For the executive council—

One secretary at a salary of .....	1,800.00
One clerk at a salary of .....	1,200.00
One clerk at a salary of .....	840.00
One mail carrier with team and wagon, who shall perform the duties assigned by the executive council, at a salary of.....	1,100.00

For the board of control—

One chief bookkeeper not to exceed.....	1,600.00
One storekeeper and clerk not to exceed .....	780.00
One assistant bookkeeper not to exceed.....	780.00
One clerk not to exceed.....	720.00
One estimate clerk not to exceed .....	900.00
One stenographer not to exceed .....	780.00
One stenographer not to exceed .....	780.00
One clerk and janitor not to exceed.....	780.00
For extra clerical assistance not to exceed .....	300.00

For the department of geological survey—

One stenographer at a salary of .....	780.00
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For the office of state mine inspector—

One clerk at a salary of .....	600.00
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Weather and crop service—

Director's salary .....	1,300.00
Clerical assistance not to exceed .....	720.00

For the office of state board of health—

One clerk or stenographer (to be appointed by the secretary) at a salary of].....	750.00
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Office of supreme court reporter—

One clerk at a salary of.....	.....
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For the office of pharmacy commissioners—

One secretary and treasurer at a salary of.....	1,200.00
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For the offices of attorney-general and adjutant general there shall be one janitor, to be selected by them, who shall receive a salary of.....	660.00
For the offices of railroad commissioner and horticultural department, there shall be one janitor, to be selected by them, at a salary of.....	660.00
For the offices of state agriculture (agricultural) society and state board of health there shall be one janitor, to be selected by them, at a salary of.....	660.00
For the offices of pharmacy department, dairy department, the mining inspector and the labor bureau, there shall be one janitor, to be selected by the custodian, at a salary of.....	660.00
For the offices of the secretary of the executive council, the G. A. R. department and the geological survey, there shall be one janitor, to be selected by the executive council, at a salary of.....	660.00

The last five janitors shall be upon the custodian's pay roll.

The custodian shall provide the necessary janitor service for all parts of the capitol and historical buildings, not otherwise provided for. The janitors of the state house shall at all times be subject to the order of the custodian, to perform any additional services by the way of assisting the state house engineer, state house carpenter, supply department, historical department, or upon the capitol grounds, or any other labor that may be necessary about the capitol or grounds, at such hours as they are not necessarily employed in their regular janitor work, and it shall be the duty of the custodian to assign said janitors to do such extra service, and said custodian may employ janitors and other assistance as follows:

	Per annum.
One engineer at a salary of.....	\$ 1,200.00
One carpenter at a salary of.....	1,000.00
One chief of police at a salary of.....	900.00
Two night watchmen at a salary of.....	900.00
Eight janitors at a salary of.....	660.00
One janitress for ladies' toilet rooms, not to exceed three months per year, at a rate of.....	660.00
Three laborers for state grounds, eight months in year, at rate of.....	660.00
The necessary firemen for boiler rooms at rate of.....	720.00
One elevator tender at a salary of.....	600.00

Read first and second times and passed on file.

On motion of Hawk of Jasper, Senate file No. 212, a bill for an act to provide for the safety and comfort of laborers and other persons assembled in factories and buildings, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Carter of Sioux moved to amend as follows:

Strike out the words "one man" and insert in lieu thereof the words "five men", line 10, section 3 of the printed bill.

Lost.

Mr. Carter moved to amend section 3 by inserting after the word "wheels", the words "used in blacksmith shops or those", in line 9.

Lost.

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

On the question, Shall the bill pass?

The yeas were:

Messrs, Anderson, Bailey, Barkley, Black, Blakemore, Buchanan, Calderwood, Campbell, Cassel, Cheney, Christianson, Clarke, Cowles, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, English, Fields, Flenniken, Freeman, Frudden, Furry, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Clinton, Larrabee, Leech, Lyman, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Pritchard, Roome, Secor, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Utterback, Walden, Wilson of Washington, Wise, Mr. Speaker—68.

The nays were:

Messrs. Bealer, Carter, Cassel, Cheney, Eiker, Gilchrist, Hertert, Hufschmidt, Hurn, McClurkin, Sokol, Stratton, Warren, Wright—14.

Absent or not voting:

Messrs, Barker, Boysen, Carden, Coburn, Colclo, Cruikshank, Greene, Hilsinger, Koontz, Langan of Crawford, McClure, Payne, Powers, Robinson, Springer, Walters, Whiting, Wilson of Buena Vista—18.

So the bill passed and the title was agreed to.

On motion of Head of Greene, House file No. 31, a bill for an act to reimburse Greene county for money expended for care of a non-resident insane person, with report of committee recom-

mending passage, was taken up, considered and the report of the committee adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blake-more, Calderwood, Carter, Cheney, Christianson, Clarke, Coburn, Crouse, Davenport, Donahue, Eiker, English, Fields, Furry, Gilchrist, Greeley, Hasselquist, Hawk, Head, Keagy, Kendall, Kerr, Kling, Koontz, Leech, Lyman, McClure, McNie, Mattes, Meservey, Moore, Patton, Pipher, Powers, Pritchard, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Temple, Townsend, Wilson of Washington, Wise, Wright, Mr. Speaker—54.

The nays were:

Messrs. Cruikshank, Hamann, Hertert, Hughes, Larrabee, McClurkin, Marshall, Nichols, Walden, Walters, Warren, Whiting, Willett—13.

Absent or not voting:

Messrs. Boysen, Buchanan, Campbell, Carden, Cassel, Colclo, Cowles, Cummings, Dodds, Dunham, Edwards, Flenniken, Freeman, Frudden, Graff, Greene, Hilsinger, Hufschmidt, Hurn, Jaeger, Jenks, Jones, Kolthoff, Langan of Clinton, Langan of Crawford, Mordhorst, Nagle, Payne, Robinson, Springer, Teach-out, Utterback, Wilson of Buena Vista—33.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, Senate file No. 318, a bill for an act appropriating money to pay certain expenses in the case of the State of Iowa v. McFarland and others, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

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

On the question, Shall the bill pass?

Speaker *pro tem* Kendall in the chair.

The yeas were:

Messrs. Anderson, Bailey, Barkley, Buchanan, Campbell, Cheney, Clarke, Crouse, Dodds, Edwards, Eiker, English, Fields, Flenniken, Furry, Hawk, Head, Kendall, Koontz, Langan of Clinton, McClure, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Patton, Pipher, Pritchard, Springer, Teachout, Townsend, Utterback, Walters, Whiting, Wise—37.

The nays were:

Messrs. Bealer, Carden, Cassel, Christianson, Colclo, Cowles, Donahue, Freeman, Gilchrist, Graff, Hasselquist, Hughes, Hurn, Jones, Keagy, Kolthoff, Larrabee, Roome, Sokol, Temple, Walden, Wright—22.

Absent or not voting:

Messrs. Barker, Black, Blakemore, Boysen, Calderwood, Carter, Coburn, Cruikshank, Cummings, Davenport, Dunham, Frudden, Greeley, Greene, Hamann, Hertert, Hilsinger, Hufschmidt, Jaeger, Jenks, Kerr, Kling, Langan of Crawford, Leech, Lyman, McClurkin, Marshall, Nichols, Payne, Powers, Robinson, Secor, Stratton, Stuckslager, Sweeley, Sweet, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Mr. Speaker—41.

So the bill, having failed to receive a constitutional majority was declared lost.

On motion of Clarke of Dallas, Senate file No. 129, a bill for an act relating to notice and proof of loss of personal property insured, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

On motion of Mr. Clarke the amendments of the committee were adopted.

Speaker Eaton in the chair.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Frudden, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hughes, Hurn, Jaeger, Jones, Keagy, Kendall, Kling, Kolthoff, Langan of Clinton, Larrabee, Leech, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Teachout, Temple, Townsend, Utterback, Walden, Walters, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—80.

The nays were:

Mr. Warren.

Absent or not voting:

Messrs. Boysen, Buchanan, Cummings, Davenport, Freeman, Greene, Hilsinger, Jenks, Kerr, Koontz, Langan of Crawford, Lyman, Mordhorst, Payne, Powers, Sweet, Wilson of Buena Vista—19.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Report of committee on Retrenchment and Reform, in response to the concurrent resolution passed by the Twenty-ninth General Assembly:

The committee shows that on the 14th day of February, a resolution was introduced in the Senate, which subsequently passed both houses, authorizing this committee to inquire and report respecting the failure of certain officials and departments to make verified reports of the receipts and expenditures of such officials and departments as required by law. That, acting under said resolution, this committee finds:

First. The veterinary surgeon filed no other report than the published table which was sent to the secretary of the executive council, but was not verified. This report does not disclose the matters in sufficient detail so as to comply with the statute.

Second. The supreme court filed no report. The bailiff of said court filed certain data with the clerk of the executive council, but such report was not a compliance of the statute.

Third. The railway commissioners filed a report, but the same was not verified, and the said report was not filed in compliance with the statute nor in the time fixed by the statute.

Fourth. The geological survey made no regular report. The stenographer of that department listed certain data from which the published reports were compiled, but said report was in other ways defective and was not verified.

Fifth. The regents of the State university did not verify the report which they filed, and examination of such report reveals the fact that the published report is not sufficiently definite nor does it set out the receipts and disbursements in sufficient detail so as to comply with the statute.

Sixth. The trustees of the Agricultural college filed a report, but the same was not verified, although it was certified. We find that said report was not sufficiently definite or specific so as to comply with the statute.

Seventh. We find that the State Agricultural society made no report whatever to the executive council, and it is the opinion of the committee that the law which requires such reports is applicable to such society.

Eighth. We find that the reports of the governor, board of control, the attorney-general, the adjutant general, the superintendent of public instruction, the dairy commissioner, the secretary of state, the auditor of state and the treasurer of state are in compliance with the law requiring reports to be made by such officers and departments.

We further report that the law under which the many boards were acting was loose and indefinite as to the manner in which accounts should be kept, and the executive council had not sufficient power to investigate and compel a proper accounting of such boards and officers. By reason of the inadequacy of the system of accounting, in some instances certain boards were wholly unable to render a proper account of their expenditures and disbursements as required by statute. The secretary of the executive council prepared a certain measure, known as Senate file No. 254, which bill has been passed by both houses, and will, we assume, become a law. This measure was framed to cure the defects in the present statute, and will compel a proper accounting; it also permits the executive council to provide a system of accounting, so that an accurate and just examination can be made, and it is the opinion of the committee that the enforcement of the provisions of the new bill will correct to a very large extent the causes which led to the deficiencies and the neglect of which complaint is made.

M. L. TEMPLE,

*Chairman.*

Ordered passed on file.

On motion of Barkley of Boone, House file No. 263, with Senate amendments thereto, was made a special order for 10 A. M., tomorrow.

The Speaker announced that he had signed in the presence of the House, Senate files Nos. 348, 278, 271, 13; House files Nos. 145, 242, 345, 436, 298, 451, 78, 334, 300, 444.

Journal of Tuesday, April 8th, was corrected and approved.

On motion of Kendall of Monroe the House adjourned till 10 A. M., tomorrow, Thursday, April 10, 1902.



HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Thursday, April 10, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by Rev. Harry H. Greene of Dubuque, Iowa.

INTRODUCTION OF BILLS.

By Frudden of Dubuque, House file No. 452, a bill for an act to amend section 1642 of the code.

Read first and second time.

On motion of Frudden of Dubuque, by unanimous consent, House file No. 452, a bill for an act to amend section 1642 of the code, was taken up without reference to a committee and considered.

On motion of Hasselquist of Lucas, the words "of Iowa" were stricken out of line 2, section 1.

Mr. Frudden moved that the rules be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Campbell, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, Fields, Freeman, Frudden, Furry, Gilchrist, Graff, Hamann, Hasselquist, Hawk, Head, Hertert, Hughes, Jaeger, Jenks, Jones, Keagy, Kling,

Kolthoff, Koontz, Larrabee, Leech, Lyman, McClure, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Roome, Secor, Sokol, Springer, Statton, Sweeley, Sweet, Townsend, Utterback, Walden, Walters, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wright, Mr. Speaker—73.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Calderwood, Carden, Cowles, Cruikshank, English, Flenniken, Greeley, Greene, Hilsinger, Hufschmidt, Hurn, Kendall, Kerr, Langan of Clinton, Langan of Crawford, McClurkin, Payne, Pritchard, Robinson, Stuckslager, Teachout, Temple, Wise—27.

So the bill passed.

Barker of Howard moved to amend the title by inserting after the word "code" the words "in relation to organization of corporations not for pecuniary profit."

Carried, and the title as amended was agreed to.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

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

House file No. 83, a bill for an act to repeal section 2570 of the code and to enact a substitute therefor in relation to quarantine.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

House file No. 221, a bill for an act to amend sections 2204 and 2214 of the code.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 176, a bill for an act to create a commission to superintend the completion of the capitol building and repair therefor and appropriating money therefor.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 394, a bill for an act to amend section 5707 of the code, relative to the employment of persons sentenced to imprisonment in the penitentiary in places or buildings owned or leased by the state, outside the penitentiary.

GEO. A. NEWMAN,  
*Secretary.*

Also

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 395, a bill for an act to repeal section 4897 of the code and to enact a substitute therefor, relating to the escape of persons confined in a penitentiary for any less period than life.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

House file No. 107, a bill for an act to amend section 2608 of the code and to provide additional support for the Soldiers' Home at Marshalltown.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. file No. 142, a bill for an act to reimburse F. M. Powell for money paid by him to secure the vacation of a public road for the benefit of the Institution for Feeble-Minded Children at Glenwood.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 332, a bill for an act to amend section seven hundred thirty-two (732) of the code, as amended by chapters twenty-one (21) and twenty-two (22) of the acts of the Twenty-eighth General Assembly, relating to the levying of taxes for library purposes.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 401, a bill for an act to amend section five thousand ninety-six (5096) of the code, relating to bail after conviction of certain crimes.

GEO. A. NEWMAN  
*Secretary.*

Also:

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

Senate file No. 345, a bill for an act to amend section 23 of chapter 118 of the acts of the Twenty-seventh General Assembly, providing for the payment of expenses of the state architect.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

House file No. 300, a bill for an act to provide for an exhibit of the arts, industries and resources of the state of Iowa at the Louisiana Purchase exposition to be held in the state of Missouri and making an appropriation therefor.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

House file No. 304, a bill for an act to reimburse Matthew R. Sadler for damage caused by sewage from the Industrial School for Girls at Mitchellville.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill, in which the concurrence of the Senate was asked:

House file No. 211, a bill for an act to amend chapter 102 of the acts of the Twenty-eighth General Assembly, relating to the Iowa industrial reformatory for women.

GEO. A. NEWMAN,  
*Secretary.*

#### REPORTS OF COMMITTEES.

Carter of Sioux submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate file No. 223, a bill for an act to amend sections eight hundred fifty (850) and eight hundred fifty-nine (859) of the code, as amended by the acts of the Twenty-seventh General Assembly, and as amended by the acts of the Twenty-eighth General Assembly, in relation to park commissioners in certain cities, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. W. CARTER,  
*Chairman.*

Hughes of Iowa, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 72, a bill for an act to amend chapter fifty-three, act of the Twenty-seventy General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

JOHN HUGHES, JR.,  
*Chairman.*

Report adopted and the bill was indefinitely postponed.

Walden of Wayne, from the committee on Building and Loan, submitted the following report:

MR. SPEAKER—Your committee on Building and Loan, to whom was referred House file No. 421, a bill for an act to amend chapter thirteen (13) of the code and chapter sixty-nine (69) of the acts of the Twenty-eighth

General Assembly, relating to building and loan associations and defining and regulating the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

T. P. WALDEN,  
*Chairman.*

Report adopted and the bill was indefinitely postponed.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor, for his approval. House file No. 145, a bill for an act to repeal chapter eight (8) of title sixteen (16) of the code, and to enact a substitute therefor, relating to the care of friendless children, and the establishment, regulation and visitation of homes for friendless children.

Also, House file No. 436, a bill for an act authorizing the commander-in-chief to organize naval militia of Iowa, and prescribing regulations therefor.

Also, House file No. 298, a bill for an act to amend section twenty-five hundred and twenty-two (2522) of the code, relating to the reports to the dairy commissioner by milk dealers and operators of creameries and cheese and condemned milk factories and providing a penalty for violations of the section as amended.

Also, House file No. 451, a bill for an act legalizing the election of the city of Clinton in favor of establishing a free public library in said city.

Also, House file No. 78, a bill for an act amendatory of and additional to section seventeen hundred and twenty-six (1726) of the code, relating to notes taken for insurance other than life.

Also, House file No. 334, a bill for an act to amend sections one hundred twenty-five (125) and one hundred twenty-six (126) of the code, relating to the printing, binding and distribution of public reports and documents.

Also, House file No. 309, a bill for an act authorizing the council in towns and cities having a population of five thousand inhabitants or less, to appropriate money from their general fund, for the improvement and maintenance of public parks and providing for the expenditure thereof.

Also, House file No. 345, a bill for an act to amend section twenty-seven hundred eleven (2711) of the code, in regard to the discharge or parole of inmates of industrial schools.

Also, House file No. 245, a bill for an act to refund to administrators and executors any surplus they have paid to the treasurer of state as collateral inheritance tax in excess of that legally due.

Also, House file No. 444, a bill for an act to legalize all acts done and ordinances passed by the town council of the incorporated town of Bondurant, Polk county.

J. P. LYMAN,  
*Chairman.*

April 9, 1902.

Adopted.

On motion of Cummings of Marshall, House file No. 107, a bill for an act to amend section 2608 of the code and provide additional support for the Soldiers' Home at Marshalltown, with Senate amendments thereto, was taken up and considered.

Mr. Cummings moved that the House concur in Senate amendments to House file No. 107.

On the question, Shall the House concur?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boyesen, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Frudden, Furry, Gilchrist, Graff, Greeley, Hamann, Hawk, Head, Hertert, Hilsinger, Hughes, Jaeger, Jenks, Jones, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, McClure, McNie, Marshall, Meservey, Mordhorst, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Townsend, Utterback, Walden, Warren, Willet, Wilson of Buena Vista, Wilson of Washington, Wise, Mr. Speaker—78.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Buchanan, Cowles, Cruikshank, Freeman, Greene, Hasselquist, Hufschmidt, Hurn, Keagy, Lyman, McClurkin, Mattes, Moore, Nagle, Payne, Sweet, Teachout, Temple, Walters, Whiting, Wright—22.

So the House concurred.

On motion of Barkley of Boone, the House took up the special order set for 10 A. M., being House file No. 263, a bill for an

act to amend section two (2), three (3), four (4) and five (5), chapter one hundred sixteen (116), acts of the Twenty-eighth General Assembly, also defining the duties of the Iowa library commission, transferring the associate and traveling libraries from the state library board to the Iowa library commission, and providing for an appropriation for the extension of the work of the Iowa library commission; also amending section one hundred sixty-eight (168) of the code of one thousand eight hundred ninety-seven (1897), and repealing sections two thousand eight hundred sixty-eight (2868), two thousand eight hundred sixty-nine (2869), two thousand eight hundred seventy-one (2871), two thousand eight hundred seventy-two (2872), two thousand eight hundred seventy-three (2873) and two thousand eight hundred seventy-four (2874) of said code, also repealing chapter one hundred forty-eight (148), acts of the Twenty-seventh General Assembly, with amendments thereto.

Mr. Barkley moved that the House do concur in Senate amendments to House file No. 263.

On the question, Shall the House concur:

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Black, Boysen, Calderwood, Campbell, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Crouse, Cummings, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Hamann, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McNie, Marshall, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Townsend, Utterback, Walden, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Mr. Speaker—76.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Blakemore, Buchanan, Carden, Colclo, Cowles, Cruikshank, English, Greene, Hasselquist, Hurn, Jones



Langan of Clinton, McClurkin, Mattes, Payne, Pipher, Stuckslager, Teachout, Temple, Walters, Whiting, Wright—24.

So the Senate amendments were concurred in.

On motion of Moore of Davis, House file No. 221, a bill for an act to amend sections 2204 and 2214 of the code, with Senate amendments thereto, was taken up and considered.

Mr. Moore moved that the House do concur in Senate amendments to House file No. 221.

On the question, Shall the House concur?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Crouse, Davenport, Dodds, Dunham, Edwards, Eiker, English, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Larrabee, Leech, Lyman, McClure, McNie, Mattes, Moore, Mordhost, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Townsend, Utterback, Walden, Warren, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—82.

The nays were:

None.

Absent or not voting:

Messrs. Calderwood, Cowles, Cruikshank, Cummings, Donahue, Fields, Greene, Hertert, Langan of Clinton, Langan of Crawford, McClurkin, Marshall, Meservey, Payne, Stuckslager, Teachout, Temple, Walters—18.

So the Senate amendments were concurred in.

On motion of Hurn of Cerro Gordo, House file No. 83, a bill for an act to repeal section 2570 of the code and to enact a substitute therefor, in relation to quarantine, with Senate amendments thereto, was taken up and considered.

Mr. Hurn moved that the House do concur in the Senate amendments to House file No. 83.

On the question, Shall the House concur?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Davenport, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Hurn, Jaeger, Jenks, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Larrabee, Leech, Lyman, McClure, McNie, Mattes, Moore, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Sweeley, Sweet, Townsend, Utterback, Walden, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—79.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Boysen, Cowles, Crouse, Cruikshank, Cummings, Greene, Jones, Langan of Clinton, Langan, of Crawford, Marshall, McClurkin, Meservey, Mordhorst, Payne, Springer, Stratton, Stuckslager, Teachout, Temple, Walters, Whiting—21.

So the Senate amendments were concurred in.

#### SENATE MESSAGES CONSIDERED.

Senate file No. 176, a bill for an act creating a commission to superintend the completion of the capitol building and certain repairs thereto and appropriating money therefor.

Read first and second time and referred to committee on Appropriations.

Senate file No. 345, a bill for an act to amend section 23 of chapter 118 of the acts of the Twenty-seventh General Assembly, providing for the payment of expenses of the state architect.

Read first and second time and referred to committee on Appropriations.

Hawk of Jasper asked unanimous consent to withdraw his resolution laid over under rule 34, relative to expending money for educational institutions.

Granted.

Donahue of O'Brien asked unanimous consent to withdraw his resolution laid over under rule 34, relative to offering sympathy to the English in their last defeat.

Granted.

McClurkin of Louisa asked unanimous consent to withdraw his resolution laid over under rule 34, relative to rural mail service.

Granted.

Fields of Plymouth called up his motion to reconsider the vote on House file No. 252.

Motion to reconsider was lost.

Hawk of Jasper called up his motion to reconsider the vote by which Senate file No. 224 was lost, also the vote by which it was passed to its third reading.

Motion to reconsider carried.

The motion that the rules be suspended, and that the bill be considered engrossed and read a third time now, prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barkley, Black, Buchanan, Calderwood, Campbell, Carter, Cheney, Christianson, Clarke, Cummings, Donahue, Edwards, Eiker, English, Fields, Gilchrist, Greeley, Hawk, Head, Hertert, Hilsinger, Hughes, Jaeger, Jenks, Jones, Keagy, Kerr, Kolthoff, Lyman, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Patton, Pipher, Robinson, Sokol, Sweeley, Sweet, Townsend, Walters, Wilson of Washington, Mr. Speaker—48.

The nays were:

Messrs. Bailey, Bealer, Cassel, Colclo, Crouse, Davenport, Freeman, Furry, Graff, Hamann, Hasselquist, Hurn, Leech,

Nichols, Pritchard, Roome, Secor, Stratton, Temple, Utterback, Walden, Wilson of Washington, Wise, Wright—23.

Absent or not voting:

Messrs. Barker, Blakemore, Boysen, Carden, Coburn, Cowles, Cruikshank, Dodds, Dunham, Flenniken, Frudden, Greene, Hufschmidt, Kendall, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Marshall, Mordhorst, Payne, Powers, Springer, Stuckslager, Teachout, Warren, Whiting, Willett, Wilson of Buena Vista—29.

So the bill, having failed to receive a constitutional majority, was declared to have failed of passage.

Sweeley of Woodbury in the chair.

On motion of Buchanan of Wapello, Senate file No. 223, a bill for an act to amend sections 850 and 859 of the code as amended by the acts of the Twenty-seventh General Assembly and as amended by the acts of the Twenty-eighth General Assembly, in relation to park commissioners in certain cities, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barkley, Bealer, Blakemore, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Colclo, Cowles, Crouse, Dodds, Donahue, Dunham, Edwards, Eiker, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist Greeley, Hasselquist, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Larrabee, Leech, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Temple, Walden, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright—66.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Barker, Black, Boysen, Coburn, Cruikshank, Cummings, Davenport, English, Graff, Greene, Hamann, Hawk, Hurn, Jenks, Koontz, Langan of Clinton, Langan of Crawford, Lyman, McClure, McClurkin, Marshall, Nagle, Payne, Powers, Stuckslager, Teachout, Townsend, Utterback, Walters, Warren, Whiting, Mr. Speaker—34.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Mr. Stratton submitted the following report:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred Senate file No. 842, a bill for an act to amend section 2410 of the code, relating to sale of intoxicating liquors and abatement of nuisance, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

C. L. STRATTON,  
*Chairman.*

On motion of Mr. Stratton, Senate file No. 342 just reported in by the committee on Suppression of Intemperance, recommending passage, was taken up, considered and the report of the committee adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Black, Buchanan, Campbell, Carden, Carter, Cassel, Cheney, Cowles, Crouse, Cummings, Dunham, Edwards, Eiker, Fields, Freeman, Furry, Gilchrist, Graff, Hasselquist, Hawk, Head, Hughes, Hurn, Kendall, Kerr, Kling, Langan of Crawford, Leech, Lyman, McClure, McClurkin, McNie, Meservey, Moore, Nagle, Nichols, Patton, Powers, Pritchard, Robinson, Secor, Stratton, Sweeley, Townsend, Warren, Willett, Wilson of Washington, Wright, Mr. Speaker—52.

The nays were:

Messrs. Calderwood, Coburn, Colclo, Cruikshank, Dodds, Donahue, Frudden, Hamann, Hertert, Hilsinger, Hufschmidt,

Jaeger, Jenks, Jones, Keagy, Kolthoff, Langan of Clinton, Mordhorst, Roome, Springer, Sweet—21.

Absent or not voting:

Messrs. Barker, Bealer, Blakemore, Boysen, Christianson, Clarke, Davenport, English, Flenniken, Greeley, Greene, Koontz, Larrabee, Marshall, Mattes, Payne, Pipher, Sokol, Stuckslager, Teachout, Temple, Utterback, Walden, Walters, Whiting, Wilson of Buena Vista, Wise—27.

So the bill passed and the title was agreed to.

Lyman of Poweshiek offered the following resolution and moved that the rules be suspended and the resolution be adopted at this time.

*Resolved, By the House of Representatives of the Twenty-ninth General Assembly of the state of Iowa, That the thanks of this body are extended to the Hon. W. L. Eaton for the very able, courteous and satisfactory manner in which he has discharged the difficult and perplexing duties of Speaker of this House. The best wishes of the members of this body follow him during his future career.*

Signed.

J. P. LYMAN.

I do most heartily second the motion to adopt the above resolution.

Geo. W. DUNHAM.

After speeches by nearly every member of the House the resolution was amended to include a committee of three whose duty it shall be to escort the Speaker to the chair.

The resolution as amended was unanimously adopted by a rising vote.

Sweeley of Woodbury, who was in the chair, appointed Messrs. Kendall of Monroe, Fields of Plymouth, Koontz of Johnson as a committee of three to escort Speaker Eaton to the chair.

Speaker Eaton in the chair.

The Speaker thanked the House in a brief speech after which adjournment was taken till 2 o'clock P. M., on motion of Carter of Sioux.

## AFTERNOON SESSION.

House met at 2 o'clock P. M., Speaker Eaton in the chair.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 11, a bill for an act amending section seven hundred twenty-one (721) of the code, relating to the publication of notice of questions submitted to the voters of cities and incorporated towns.

Also, Senate file No. 140, a bill for an act to require railway companies to keep posted in their passenger stations bulletins giving time of arrival and departure of trains.

Also, Senate file No. 166, a bill for an act to amend section one thousand six hundred seventy-five (1675) of the code, in relation to farmer's county institutes.

Also, Senate file No. 175, a bill for an act to amend section twenty-seven hundred thirty-eight (2738) of the code, in relation to the duties of county superintendents.

Also, Senate file No. 194, a bill for an act to amend section one hundred twenty (120) of the code, relating to printing and binding.

Also, Senate file No. 251, a bill for an act to authorize the improvement and to regulate the use of the Governor's square in the city of Des Moines for park purposes.

Also, Senate file No. 303, a bill for an act to amend chapter ninety-two (92) of the acts of the Twenty-eighth General Assembly, in relation to pension money of members of the Iowa Soldiers' Home at Marshalltown.

Also, Senate file No. 340, a bill for an act to amend section two (2) of chapter twenty-five (25) of the acts of the Twenty-eighth General Assembly, relating to disbursement of tax money levied and collected for and on account of waterworks.

Also, Senate file No. 347, a bill for an act to amend section three hundred twenty-five (325) of the code, relating to the removal or suspension of attorneys, and the payment of costs and fees thereof.

Also, Senate file No. 349, a bill for an act to amend section nineteen hundred ninety-eight (1998) of the code, relating to depot grounds of railway corporations.

J. P. LYMAN.

*Chairman House Committee.*

E. K. WINNE,

*Chairman Senate Committee,*

Adopted.

REPORTS OF COMMITTEE.

Hurn of Cerro Gordo submitted the following report:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred Senate file No. 313, a bill for an act to repeal section four hundred seventy-nine (479) of the code of Iowa, relating to the compensation of county auditors and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

D. W. HURN,

*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred Senate file No. 126, a bill for an act to amend section two hundred and twelve (212) of the code, relating to the salary of assistant attorney-general, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

D. W. HURN,

*Chairman.*

Report adopted and the bill was indefinitely postponed.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House concurrent resolution, relative to retaining House and Senate employes after adjournment.

GEO. A. NEWMAN,

*Secretary.*

Also:

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

Relative to adjournment *sine die*

GEO. A. NEWMAN,

*Secretary.*



Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following bill, in which the concurrence of the Senate is asked:

House file No. 265, a bill for an act making provision for the support of the department of the Industrial School for Boys at Eldora, Iowa, amendatory to chapter 81 of the acts of the Twenty-seventh General Assembly, relating to support of the industrial school.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill, in which the concurrence of the Senate was asked:

House file No. 157, a bill for an act making appropriation for the completion of the State Historical building.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill, in which the concurrence of the Senate was asked:

House file No. 153, a bill for an act to make an appropriation for the erection of a state arsenal and adjutant general's office.

GEO. A. NEWMAN,  
*Secretary.*

The Speaker signed, in the presence of the House, Senate files Nos. 11, 140, 166, 175, 194, 251, 303, 340, 347, 349.

Kendall of Monroe asked unanimous consent to recall Senate file No. 360 from the committee on Mines and Mining.

Granted.

Sweeley of Woodbury in the chair.

On motion of Kendall of Monroe, by unanimous consent, Senate file No. 360, a bill for an act in relation to the examination of shot-examiners in coal mines and defining their duties, was taken up, without reference to a committee and considered.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Barkley, Bealer, Black, Blakemore, Buchanan, Calderwood, Campbell, Carden, Carter, Cheney, Clarke, Cruikshank, Cummings, Davenport, Dodds, Donahue, Edwards Eiker, English, Fields, Freeman, Frudden, Furry, Gilchrist, Graff, Hamann, Hasselquist, Hawk, Head Hertert, Hughes, Jaeger, Jenks, Keagy, Kendall, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Temple Townsend, Utterback, Walden, Walters, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright—74.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Barker, Boysen, Cassel, Christianson, Coburn, Colclo, Cowles, Crouse, Flenniken, Greeley, Greene, Hilsinger, Hufschmidt, Hurn, Jones, Kerr, McClure, McClurkin, Marshall, Nagle, Teachout, Willett, Mr. Speaker—26.

So the bill passed and the title was agreed to.

On motion of English of Polk, House file No. 304, with Senate amendments thereto, was taken up and considered.

Mr. English moved that the House do concur in Senate amendments to House file No. 304.

On the question, Shall the House concur?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cheney, Christianson, Coburn, Cummings, Davenport, Dodds, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Gilchrist, Graff, Greeley, Hasselquist, Hawk, Hertert, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kling, Kolthoff, Langan of Clinton, Leech, McClure, McNie, Mattes, Meservey, Moore, Mordhost, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Temple, Townsend, Walden, Warren, Whiting,

Wilson of Buena Vista, Wilson of Washington, Wise, Wright,  
Mr. Speaker—72.

The nays were:

Mr. Langan of Crawford.

Absent or not voting:

Messrs. Barker, Cassel, Clarke, Colclo, Cowles, Crouse, Cruikshank, Dunham, Furry, Greene, Hamann, Head, Hilsinger, Hufschmidt, Hurn, Kerr, Koontz, Larrabee, Lyman, McClurkin, Marshall, Payne, Pritchard, Teachout, Utterback, Walters, Willett—27.

So the House concurred in the Senate amendments.

On motion of Boysen of Audubon, House file No. 265, a bill for an act making provision for the support of the Industrial School for Boys at Eldora, Iowa, amendatory to chapter 81 of the acts of the Twenty-seventh General Assembly, relating to the support of the industrial school, with Senate amendments thereto, was taken up and considered.

Mr. Boysen moved that the House concur in the Senate amendments to House file No. 265.

On the question, Shall the House concur?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blake-more, Boysen, Calderwood, Campbell, Carden, Carter, Cassel, Christianson, Coburn, Crouse, Cruikshank, Cummings, Dodds, Donahue, Edwards, Eiker, English, Fields, Freeman, Frudden, Furry, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Springer, Stratton, Stuckslager, Sweeley, Sweet, Warren, Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright—79.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Cheney, Clarke, Colclo, Cowles, Davenport, Dunham, Flenniken, Greene, Hilsinger, Hufschmidt, Kendall, Sokol, Teachout, Temple, Townsend, Utterback, Walden, Walters, Willett, Mr. Speaker—21.

So the House concurred in the Senate amendments.

Townsend of Calhoun offered the following resolution and moved its adoption:

WHEREAS, Some of the committee clerks employed in the House were on duty one week before they were officially sworn in; therefore, be it

*Resolved*, That the clerk of the House is hereby authorized to place upon the pay rolls, the name of each committee clerk whose chairman will certify to said clerk of the House that the clerk for his committee was on duty for seven days before being sworn in, and that they shall thus receive payment for these seven days.

Seconded by B. F. Cummings.

On motion of Carter of Sioux the resolution was laid upon the table.

Speaker Eaton in the chair.,

On motion of Keagy of Dubuque, Senate file No. 362, a bill for an act to fix the compensation of waterworks trustees in special charter cities, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Nichols of Muscatine moved to amend by inserting after the word "cities", in line 1, section 1, the words "having a population of thirty thousand or more".

Adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassel, Cheney, Clarke, Coburn, Cowles, Cummings, Donahue, Edwards, Eiker, Fields, Freeman, Furry, Gilchrist, Greeley, Hamann, Hasselquist, Hawk, Head,

Hertert, Hughes, Hurn, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Crawford, Larrabee, Leech, Lyman, McClurkin, McNie, Mattes, Meservey, Nagle, Nichols, Payne, Pipher, Powers, Pritchard, Robinson, Sokol, Stuckslager, Sweet, Temple, Warren, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—60.

The nays were:

Messrs. Davenport, Jaeger, Jenks, Langan of Clinton, Springer, Walters, Wilson of Washington—7.

Absent or not voting:

Messrs. Barker, Bealer, Blakemore, Carter, Christianson, Colclo, Crouse, Cruikshank, Dodds, Dunham, English, Flenniken, Frudden, Graff, Greene, Hilsinger, Hufschmidt, Jones, Koontz, McClure, Marshall, Moore, Mordhorst, Patton, Roome, Secor, Stratton, Sweeley, Teachout, Townsend, Utterback, Walden, Whiting—33.

So the bill passed and the title was agreed to.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in the House amendments to the following bill, Senate file No. 117, a bill for an act to authorize and empower railroad corporations of this state, to transact business, lease or purchase the stock, bonds or securities of railroads in other states.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 219, a bill for an act making an appropriation for the Rescue Home of Dubuque, Iowa.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 116, a bill for an act making an appropriation for the Woman's and Baby's Home of Sioux City, Iowa.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 58, a bill for an act making an appropriation for the Benedict Home of Des Moines, Iowa.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 234, a bill for an act making an appropriation to the Iowa State Historical society.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 129, a bill for an act to amend section 253, title 3, chapter 2 of the code, changing the salaries of district judges.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 352, a bill for an act making an appropriation to Charles Gray for publishing original notice in the case of Bertannier v. Caille.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following concurrent resolution, in which the concurrence of the House is asked, relative to the disposal of buildings which may be erected at the St. Louis exposition.

## CONCURRENT RESOLUTION.

*Resolved*, By the Senate, the House concurring: That as soon as practicable after the formal closing of the Louisiana Purchase exposition, the board of commissioners for Iowa to said exposition shall turn over and surrender to the board of control any building or buildings belonging to the state which shall have been erected on the grounds of said exposition, and the board of control are hereby authorized to accept the same and to take down and transport all or any part of the material composing such building or buildings to any state institution which to them seems advisable, and may pay any expense necessarily incurred in the tearing down, removal and transportation of material out of any funds available to the credit of the institution, where any part of the material may be used.

In case the board of control find they cannot use to advantage any part of such material, they may sell the same to the best possible advantage, using the proceeds of such sale first, to pay the expenses of tearing down, removing and transportation of material and second, turning any excess above such expenses into the state treasury.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 276, a bill for an act to protect sheriffs and other peace officers in procuring evidence for the identification of criminals or persons accused of crime.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Conference committee substitute for Senate file No. 188, a bill for an act to legalize certain instruments in writing which were defectively acknowledged.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in the House amendments to Senate file No. 129, a bill for an act relating to notice and proofs of personal property insured.

GEO. A. NEWMAN,  
*Secretary.*

## REPORTS OF COMMITTEES.

Mr. Hughes submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 176, a bill for an act creating a commission to superintend the completion of the capitol building and certain repairs thereto, and appropriating money therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 345, a bill for an act to amend section 23 of chapter 118 of the acts of the Twenty-seventh General Assembly, providing for the payment of the expenses of the state architect, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

JOHN HUGHES, JR.,  
*Chairman.*

Ordered passed on file.

Clarke of Dallas submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 256, a bill for an act to amend section 1067 of the code and making the office of supreme court reporter appointive, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be amended, as follows:

Amend the title of the bill to make it read as follows: A bill for an act to amend sections one thousand sixty-seven (1067), two hundred sixteen (216), and to repeal and enact a substitute for section two hundred twenty-four (224) of the code, relating to the editing and publication of the reports of the decisions of the supreme court of Iowa. To further amend the bill by adding as section three (3) thereof, the following:

Section 3. Section two hundred and twenty-four (224) of the code is hereby repealed and the following enacted in lieu thereof:

Each volume shall conform in manner and style, as near as may be, to volume eighty (80) of the Iowa Reports. If the contractor shall willfully fail or neglect to comply with the terms of his contract, as to prompt publication, or as to manner, style and quality of the work, the supreme court may summarily cancel and set aside the contract by order entered of record, and the executive council shall thereupon advertise for a new con-



tract under the provisions of section two hundred and nineteen (219) of the code.

And when so amended that the same do pass.

G. W. CLARKE,  
*Chairman.*

On motion of Clarke of Dallas, by unanimous consent, Senate file No. 256, a bill for an act to amend section 1067 of the code, and making the office of supreme court reporter appointive, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Jones of Mahaska moved that the bill, Senate file No. 256, be indefinitely postponed.

Langan of Clinton moved the previous question.

Carried.

Messrs. Jones of Mahaska and Hasselquist of Lucas demanded a roll call on the motion of Mr. Jones.

On the question, Shall the bill be indefinitely postponed?

The yeas were:

Messrs. Anderson, Bailey, Black, Blakemore, Boysen, Buchanan, Campbell, Carden, Colclo, Crouse, Cruikshank, Davenport, Donahue, Edwards, Eiker, English, Freeman, Frudden, Graff, Hasselquist, Hertert, Hughes, Jaeger, Jones, Keagy, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, McClure, McClurkin, Marshall, Mordhorst, Nagle, Pipher, Powers, Pritchard, Secor, Springer, Sweet, Utterback, Walters, Warren, Wilson of Washington, Wise, Wright—45.

The nays were:

Messrs. Barker, Barkley, Bealer, Calderwood, Carter, Cheney, Clarke, Coburn, Cowles, Cummings, Dunham, Fields, Flenniken, Furry, Hamann, Head, Hilsinger, Hurn, Jenks, Kendall, Kerr, Kling, Leech, Lyman, McNie, Mattes, Meservey, Moore, Nichols, Patton, Robinson, Roome, Sokol, Stratton, Stuckslager, Sweeley, Walden, Willett, Wilson of Buena Vista, Mr. Speaker—40.

Absent or not voting:

Messrs. Cassel, Cheney, Christianson, Dodds, Gilchrist, Greeley, Greene, Hawk, Hufschmidt, Larrabee, Payne, Teachout, Temple, Townsend, Whiting—15.

So the bill was indefinitely postponed.

Gilchrist of Pocahontas moved that the House take from the table the resolution relative to allowing committee clerks pay for seven days at the beginning of the session.

Lost.

On motion of Hurn of Cerro Gordo, Senate file No. 313, a bill for an act to repeal section 479 of the code, relating to the compensation of county auditors and to enact a substitute therefor, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bealer, Black, Boysen, Carden, Christianson, Coburn, Colclo, Eiker, English, Fields, Flenniken, Frudden, Furry, Gilchrist, Graff, Greeley, Hasselquist, Hertert, Hughes, Hurn, Jenks, Kling, Koontz, Leech, McClurkin, Mattes, McNie, Patton, Payne, Pipher, Sokol, Sweeley, Sweet, Utterback, Walters, Whiting, Wilson of Buena Vista, Wise, Mr. Speaker—39.

The nays were:

Messrs. Bailey, Barker, Barkley, Blakemore, Campbell, Carter, Cheney, Crouse, Dodds, Edwards, Freeman, Hamann, Head, Hilsinger, Jaeger, Jones, Kendall, Kerr, Kolthoff, Langan of Clinton, Langan of Crawford, Larrabee, McClure, Marshall, Meservey, Moore, Nichols, Powers, Roome, Stratton, Stuckslager, Walden, Warren, Willett, Wilson of Washington, Wright—36.

Absent or not voting:

Messrs. Buchanan, Calderwood, Cassel, Clarke, Cowles, Cruikshank, Cummings, Davenport, Donahue, Dunham, Greene, Hawk, Hufschmidt, Keagy, Lyman, Mordhorst, Nagle, Pritchard,

Robinson, Secor, Springer, Teachout, Temple, Townsend, Wilson of Washington—25.

So the bill, having failed to receive a constitutional majority, was declared to have failed of passage.

On motion of Hughes of Iowa, by unanimous consent, Senate file No. 176, a bill for an act creating a commission to superintend the completion of the capitol building and certain repairs thereto and appropriating money therefor, with report of committee recommending passage was taken up, considered and the report of the committee adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Calderwood, Carden, Carter, Cassel, Cheney, Clarke, Coburn, Cowles, Cummings, Dodds, Dunham, Edwards, English, Flenniken, Frudden, Furry, Graff, Greeley, Hertert, Hilsinger, Hughes, Jaeger, Keagy, Kendall, Kling, Koontz, Langan of Clinton, Langan of Crawford, Leech, McClurkin, Mattes, Meservey, Moore, Nichols, Patton, Pipher, Pritchard, Robinson, Roome, Secor, Sokol, Stuckslager, Sweet, Walters., Whiting, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—57.

The nays were:

Messrs. Blakemore, Crouse, Donahue, Eiker, Fields, Freeman, Gilchrist, Hamann, Head, Hurn, Jenks, Kerr, Larrabee, McClure, McNie, Payne, Powers, Stratton, Sweeley, Utterback, Walden, Warren, Willett—23.

Absent or not voting:

Messrs. Buchanan, Campbell, Christianson, Colclo, Cruikshank, Davenport, Greene, Hasselquist, Hawk, Hufschmidt, Jones, Kolt-hoff, Lyman, Marshall, Mordhorst, Nagle, Springer, Teachout, Temple, Townsend—20.

So the bill passed and the title was agreed to.

On motion of Hughes of Iowa, by unanimous consent, Senate file No. 345, a bill for an act to amend section 23, chapter 118 of the acts of the Twenty-seventh General Assembly, providing for the expenses of the state architect, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Boysen, Calderwood, Campbell, Carter, Cheney, Clarke, Coburn, Crouse, Cummings, Edwards, Eiker, English, Frudden, Furry, Gilchrist, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hughes, Hurn, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Larrabee, Leech, McClure, McNie, Mattes, Meservey, Moore, Patton, Pipher, Pritchard, Robinson, Roome, Secor, Sokol, Stuckslager, Sweet, Temple, Townsend, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—58.

The nays were:

Messrs. Crouse, Fields, Freeman, Powers, Walden, Warren—6.

Absent or not voting:

Messrs. Barker, Bealer, Black, Blakemore, Buchanan, Carden, Cassel, Christianson, Colclo, Cruikshank, Davenport, Dodds, Donahue, Dunham, Flenniken, Graff, Greeley, Greene, Hamann, Hufschmidt, Langan of Clinton, Lyman, McClurkin, Marshall, Mordhorst, Nagle, Nichols, Payne, Springer, Stratton, Sweeley, Teachout, Utterback, Walters, Wilson of Buena Vista—36.

So the bill passed and the title was agreed to.

On motion of Clarke of Dallas, House file No. 300, relative to an appropriation for the Louisiana Purchase exposition, with Senate amendments thereto, was taken up and considered.

Mr. Buchanan moved that the House concur in the first Senate amendment to this bill.

On the question, Shall the House concur?

The yeas were:

Messrs. Barker, Barkley, Black, Buchanan, Calderwood, Carter, Cassel, Cheney, Christianson, Coburn, Cowles, Crouse, Cummings, Donahue Dunham, Edwards, English, Furry, Greeley, Hamann, Hawk, Head, Hurn, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Langan of Crawford, Larrabee, Leech, Lyman, McNie, Mattes, Mordhorst, Patton, Pipher, Powers, Sokol, Stratton, Stuckslager, Townsend, Walden, Walters, Warren, Wilson of Buena Vista—48,

The nays were:

Messrs. Anderson, Bailey, Bealer, Boysen, Campbell, Clarke, Cruikshank, Davenport, Dodds, Eiker, Fields, Flenniken, Freeman, Frudden, Graff, Hasselquist, Hertert, Hisinger, Hughes, Jaeger, Koontz, Langan of Clinton, McClure, McClurkin, Marshall, Meservey, Moore, Nichols, Payne, Pritchard, Robinson, Roome, Secor, Sweeley, Sweet, Temple, Utterback, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—44.

Absent or not voting:

Messrs. Blakemore, Colclo, Gilchrist, Greene, Hufschmidt, Nagle, Springer, Teachout—8.

So the House failed to concur in the Senate amendment.

Mr. Clarke moved that the House concur in the remaining Senate amendments to House file No. 300.

On the question, Shall the House concur?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Boysen, Calderwood, Carden, Carter, Cheney, Christianson, Clarke, Colclo, Cowles, Crouse, Cruikshank, Cummings, Dodds, Donahue, Dunham, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Gilchrist, Graff, Greeley, Hamann, Hasselquist, Hawk, Head, Hertert, Hisinger, Hurn, Jaeger, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Nichols, Patton, Pipher, Persow, Pritchard, Robinson, Roome, Secor, Sokol, Stratton, Stuckslager, Sweeley, Sweet, Temple, Townsend, Utterback, Walden, Warren, Whiting,

Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—80.

The nays were:

Messrs. Bealer, Buchanan, Campbell, Hughes, Jenks—5.

Absent or not voting:

Messrs. Bealer, Buchanan, Campbell, Hufschmidt, Mordhorst, Nagle, Payne, Springer, Teachout, Walters—15.

So the House concurred in the remaining Senate amendments to House file No. 300.

#### INTRODUCTION OF BILLS.

By committee on Appropriations, House file No. 453, a bill for an act making appropriations for the Iowa State College of Agriculture and Mechanic Arts, the State University and State Normal School.

#### A BILL

For an act making appropriations to the Iowa State College of Agriculture and Mechanic Arts, the State University, and the State Normal School.

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

Section 1. There is hereby appropriated to the Iowa State College of Agriculture and Mechanic Arts, out of any money in the state treasury not otherwise appropriated, the sum of thirty-five thousand dollars (\$35,000.00) annually hereafter, and for the support of the experiment station the sum of ten thousand dollars (\$10,000.00) annually hereafter; said sums to be paid in quarterly installments on order of the trustees, the first installment to be paid July 1, 1902. There is further appropriated out of any money in the state treasury not otherwise appropriated the sum of forty-five thousand dollars (\$45,000.00) to be used as follows:

For commencing barn.....	\$ 5,000.00
For the purchase of live stock.....	5,000.00
For commencement of a central building.....	35,000.00

Sec. 2. There is hereby appropriated for the State University out of any money in the state treasury not otherwise appropriated for the further and additional support of said university, in its several colleges and chairs, the sum of thirty-five thousand dollars (\$35,000.00) annually hereafter, said sum to be payable in quarterly installments on the order of the board of regents of the said university, the first installment to be payable on the first day of September, A. D. 1902. There is hereby further appropriated the sum of seventy-eight thousand dollars (\$78,000.00) which may be used during the year 1902 as follows:

- For land.....\$ 23,000.00
- For the commencement of a medical building..... 50,000.00
- For repair and contingent fund..... 5,000.00

There is further appropriated to the said university the sum of forty thousand dollars (\$40,000.00) to be used during the year 1903 as follows:

- Equipment for medical building.....\$ 35,000.00
- For repair and contingent fund ..... 5,000.00

There is further appropriated to the said university to be used in the year 1904, but authorized now, for land upon which contracts may now be made, the sum of twenty-seven thousand dollars (\$27,000.00).

Sec. 3. There is hereby appropriated to the State Normal School at Cedar Falls, out of any money in the state treasury not otherwise appropriated, the sum of twelve thousand, five hundred dollars(\$12,500.00) annually hereafter which shall be paid quarterly, on the order of the board of trustees, the first payment to be made October 1, 1902, and to be used as follows:

- For payment of teachers.....\$ 7,500.00
- For contingent expenses..... 5,000.00

There is further appropriated to said Normal School the sum of seven thousand dollars (\$7,000.00) annually, which shall be paid on the order of the board of trustees of said Normal School, on the 1st day of August of each year, the first payment to be made August 1, 1902, and to be used as follows:

- For summer term.....\$7,000 00

There is further appropriated to said Normal School the sum of eleven thousand, six hundred dollars (\$11,600.00) which shall be paid on the order of the board of trustees of said Normal School, but not more than one-fourth thereof shall be paid before October 1, 1902, nor more than one-half before April 1, 1903, nor more than three-fourths before October 1, 1903, for the following purposes:

- For repairs.....\$3,000.00
- For library..... 3,000.00
- For military instruction..... 1,600.00
- Nor librarian and assistants..... 4,000.00

There is further appropriated to said Normal School the sum of six thousand five hundred dollars (\$6,500.00) which shall be paid on the order of the board of trustees of said normal school, but not more than one-half thereof shall be paid before June 1, 1902, nor the second half before the 1st day of October, 1902, to be used as follows:

- For replacing roofs on boiler house, north building and  
superintendent's home.....\$3,000.00
- For grading and improvement of grounds..... 500.00
- For street paving..... 3,000.00

And there is further appropriated to said Normal School the sum of twenty-seven thousand, one hundred sixty-nine dollars and thirty-five cents (\$27,169.35), which shall be paid on the order of the board of trustees of

said Normal School, immediately upon the taking effect of this act, for the following purposes:

For extension of heating plant and boilers.....	\$ 7,073.29
Extension of water mains and fire protection.....	1,096.05
For furnishing buildings.....	10,000.00
Janitors, firemen and fuel.....	2,000.00
Additional boilers and heating capacity.....	7,000.00

Sec. 4. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Read first and second time and passed on file.

On motion of Wise of Black Hawk, House adjourned till 7:30 P. M.



## EVENING SESSION.

House met at 7:30 P. M., Speaker Eaton in the chair.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 225, a bill for an act to amend section three hundred eight (308) and repeal section three hundred three (303) of the code, and enact a substitute therefor, relating to the compensation of county attorneys.

Also, House file No. 220, a bill for an act to repeal sections twenty-one hundred sixty-eight (2168), twenty-one hundred sixty-nine (2169) and twenty-one hundred seventy-three (2173) of the code, and twenty-one hundred seventy-nine (2179) of the code, and the amendments thereto as shown by chapter 72 of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor, and to amend sections twenty-one hundred seventy-four (2174), twenty-one hundred seventy-five (2175), twenty-one hundred eighty-one (2181) of the code, and the amendments thereto as shown by chapter 72, acts of the Twenty-eighth General Assembly, and twenty-one hundred ninety-nine (2199) of the code, relating to the militia.

Also, House file No. 449, a bill for an act to legalize the official acts of the town council of the incorporated town of Denver, in Bremer county and the acts of F. C. Richmann, acting as clerk of said town.

Also, House file No. 62, a bill for an act to amend section four hundred forty-one (441) of the code, relating to compensation of official papers.

J. P. LYMAN,  
*Chairman.*

Adopted.

Also:

Mr. Lyman, from the committee on Enrolled Bills, submitted the following report;

MR. SPEAKER—Your committee on Enrolled Bills respectfully report

that they have examined, and find correctly enrolled House file No. 391 a bill for an act making appropriations for the construction repair, support and contingent funds of the Hospitals for the Insane at Mt. Pleasant, Independence and Clarinda, the penitentiaries, the Industrial schools for boys and girls, the Institution for Feeble-Minded Children, the School for the deaf, the College for the blind, the Soldiers' Orphans' Home, and the Soldiers' Home, and relating to the Industrial Home for the Blind; also, authorizing the use of a portion of the balance in the support fund at the Hospital for the Insane at Clarinda in the enlargement and equipment of the shop building and of a portion of the balance of certain funds of the penitentiary at Ft. Madison in the erection of the hospital and library building.

Also, House file No. 135, a bill for an act making an appropriation for the department of agriculture for the purpose of erecting a permanent fire proof building for live stock exhibits.

J. P. LYMAN,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 225, a bill for an act to repeal section three hundred and eight (308) and to repeal section three hundred and three (303) of the code, and enact a substitute therefor, relating to the compensation of county attorneys.

Also, House file No. 220, a bill for an act to repeal section twenty-one hundred sixty-eight (2168), twenty-one hundred sixty-nine (2169), twenty-one hundred seventy-three (2173) of the code, and twenty-one hundred seventy-nine (2179) of the code, and the amendments thereto, as shown by chapter seventy two (72) of the acts of the Twenty-eighth General Assembly, and to enact substitutes therefor, and to amend sections twenty-one hundred and seventy-four (2174), twenty-one hundred and seventy-five (2175), twenty-one hundred and eighty-one (2181) of the code, and the amendments thereto as shown by chapter seventy-two (72), acts of the Twenty-eighth General Assembly, and twenty-one hundred and ninety-nine (2199) of the code, relating to the militia.

Also, House file No. 449, a bill for an act to legalize the official acts of the town council of the incorporated town of Denver, in Bremer county and the acts of F. C. Richmann, acting as clerk of said town.

Also, House file No. 63, a bill for an act to amend section four hundred forty-one (441) of the code, relating to compensation of official papers.

J. P. LYMAN,

*Chairman House Committee.*

E. K. WINNE,

*Chairman Senate Committee.*

Adopted.

Also:

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 391, a bill for an act making appropriations for the construction, repair, support and contingent funds of the Hospitals for the Insane at Mt. Pleasant, Independence and Clarinda, the penitentiaries, the Industrial school for boys and girls, the Institution for Feeble-Minded Children, the School for the deaf, the College for the blind, the Soldiers' Orphans' Home, and the Soldiers' Home, and relating to the Industrial Home for the Blind. Also authorizing the use of a portion of the balance in the support fund at the Hospital for the Insane at Clarinda in the enlargement and equipment of shop building, and of a portion of the balance of certain funds of the penitentiary at Ft. Madison in the erection of the hospital and library building.

Also, House file No. 185, a bill for an act, making an appropriation for the department of agriculture for the purpose of erecting a permanent fire proof building for live stock exhibits.

J. P. LYMAN,

*Chairman House Committee.*

E. K. WINNE,

*Chairman Senate Committee.*

Also:

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 31, a bill for an act to reimburse Greene county for money expended for care of a non-resident insane person.

Also, Senate file No. 211, a bill for an act relating to the duties of the commissioner of labor statistics and amending sections twenty-four hundred seventy (2470), twenty-four hundred seventy-one (2471) and twenty-four hundred seventy-two (2472) of the code.

Also, Senate file No. 211, a bill for an act to provide for the safety and comfort of laborers and other persons assembled in factories and buildings.

J. P. LYMAN,

*Chairman House Committee.*

E. K. WINNE,

*Chairman Senate Committee.*

Adopted.

The Speaker announced that he had signed in the presence of the House, House files Nos. 62, 220, 225, 449, 175, 391; Senate files Nos. 31, 211, 212.

On motion of Hughes of Iowa, the House adjourned till 10 A. M., tomorrow, Friday, April 11, 1902.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, Friday, April 11, 1902. }

House met pursuant to adjournment, Speaker Eaton in the chair.

Prayer was offered by the Rev. J. L. Boyd of New Virginia, Iowa.

The Journal of Wednesday, April 9, 1902, was read, corrected and approved.

Wright of Guthrie offered the following resolution and moved the rule be suspended and the resolution be adopted:

*Resolved*, That the gentleman from Davis county, the honorable S. A. Moore, is hereby authorized to carry with him to his home the chair he has occupied during the session of the general assembly.

Adopted unanimously.

Warren of Marion offered the following resolution and moved that the rules be suspended and the resolution adopted:

*Be it resolved*, That the sincere and cordial thanks of the House of Representatives is hereby extended to the Hon. N. E. Kendall of Monroe county, Speaker *pro tem* of the House, for his eminent, faithful and impartial services as presiding officer during the session of the Twenty-ninth General Assembly. He has won the respect and confidence of this House, and we take great pleasure in giving this expression of our appreciation of his valued services.

The motion prevailed and the resolution was adopted.

REPORTS OF COMMITTEES.

Wise of Black Hawk submitted the following report:

MR. SPEAKER—Your committee on Railroads and Commerce, to whom was referred Senate file No. 358, a bill for an act to amend section 1611 of the code, relating to the indebtedness or liability of corporations, beg leave to report that they have had the same under consideration and have

instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

C. A. WISE,  
*Chairman.*

Report adopted and the bill was indefinitely postponed.

Mr. Cummings submitted the following report:

MR. SPEAKER—Your Conference committee, to whom was referred House amendments to substitute for Senate file No. 183, a bill for an act to legalize certain instruments in writing which were defectively acknowledged, beg leave to report that they have had the same under consideration and report the same back to the Senate with the recommendation that the following bill be passed in lieu thereof:

THOS. D. HEALY,  
J. T. BROOKS,  
F. L. ARTHAUD,  
O. B. COURTRIGHT,  
*Senate Committee.*  
B. F. CUMMINGS,  
F. C. GILCHRIST,  
D. DAVENPORT,  
M. J. SWEeley,  
*House Committee.*

CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE FILE NO. 183.

A bill for an act to legalize certain instruments in writing which were defectively acknowledged.

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

Section 1. That the acknowledgements of all deeds, mortgages or other instruments in writing, taken and certified previous to the passage of this act, and which have been duly recorded in the proper counties in this state, and which are defective only in the form of the certificate of the officer taking the same, or by reason of such acknowledgement having been made before an official not qualified to take the same, but who was at the time qualified to take acknowledgements generally, be and are hereby declared to be as legal and valid for all purposes as if the form of the certificate had been made in accordance with law, and the official taking such acknowledgements duly qualified therefor.

Passed on file.

Moore of Davis filed the following report:

MR. SPEAKER—Your committee appointed to examine the portrait of the late Senator Harlan beg leave to report that they have examined the same and recommend that it be purchased by the state for the sum of \$1,000, and be placed in the art gallery of the historical department.

Your committee also recommend that the bill presented herewith do pass.

S. A. MOORE,  
*Chairman.*

## INTRODUCTION OF BILLS.

By special committee, House file No. 454, a bill for an act making an appropriation for the purchase of a portrait of the late James Harlan for the gallery of portraits, in the art gallery in the historical department, at Des Moines, Iowa.

Read first and second times.

On motion of Moore of Davis, by unanimous consent House file No. 454 was taken up without reference to a committee and considered.

Mr. Moore moved that the rule be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Coburn, Colclo, Crouse, Cruikshank, Cummings, Davenport, Dunham, Edwards, Eiker, Fields, Freeman, Frudden, Furry, Gilchrist, Graff, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweeley, Sweet, Walters, Warren, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—77.

The nays were:

None.

Absent or not voting.

Messrs. Blakemore, Boysen, Clarke, Cowles, Dodds, Donahue, English, Flenniken, Greeley, Greene, Hurn, Lyman, Marshall, Payne, Powers, Stuckslager, Teachout, Temple, Townsend, Utterback, Walden, Whiting, Wilson of Washington—23.

So the bill passed and the title was agreed to.

## MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 419, a bill for an act to apportion the state into representative districts and declare the ratio of representation.

GEO. A. NEWMAN,  
*Secretary,*

Also:

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

Senate file No. 264, a bill for an act to fix the number of senators in the general assembly, apportioning them among the several counties according to the number of inhabitants in each and dividing the state into senatorial districts.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

Committee substitute as an amendment to House file No. 428, a bill for an act to amend section 2755 of the code, relating to the registration of voters for school elections.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 322, a bill for an act appropriating money to pay for paying the state's portion of East Walnut street, between Fourteenth and Fifteenth, adjoining state's property.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate concurred in House amendments to Senate file No. 362, a bill for an act to fix the compensation of waterworks trustees in special charter cities.

GEO. A. NEWMAN,  
*Secretary.*



Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed House file No. 252, a bill for an act to define and regulate the practice of optometry and for the creation of a board of examiners in optometry.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 176, a bill for an act to provide a department in one of the hospitals for the insane for the detention and treatment of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and failed to pass the following bill, in which the concurrence of the Senate was asked:

House file No. 114, a bill for an act to encourage the planting of forest and fruit trees in the state of Iowa.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 423, a bill for an act to legalize the acts of the officials of the town of Hillsdale, Mills county, Iowa.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 342, a bill for an act to amend section 915 of the code relating to the recording and certification of plats.

GEO. A. NEWMAN,  
*Secretary.*

Wise of Black Hawk offered the following resolution and moved its adoption:

*Resolved*, That the thanks of the members of the House of Representatives of the Twenty-ninth General Assembly are hereby extended to the clerks at the desk for the able, prompt and courteous discharge of their several duties during this session.

Adopted.

Hasselquist of Lucas moved that House file No. 442 be indefinitely postponed.

Carried.

On motion of English of Polk, House file No. 172, a bill for an act relating to reports to be made by railway companies to the executive council to aid in the assessment of railway property for taxation, and providing for a uniform system in making the said reports, with Senate amendments thereto, was taken up and considered.

Mr. English moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Calderwood, Campbell, Carden, Cassel, Cheney, Christianson, Clarke, Coburn, Cowles, Crouse, Cruikshank, Cummings, Davenport, Dodds, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Payne, Pipher, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Utterback, Walden, Walters, Warren, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—82.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Buchanan, Carter, Colclo, Donahue, Dunham, Greeley, Hurn, Kolthoff, Lyman, Marshall, Powers, Teachout, Temple, Townsend, Whiting, Wilson of Washington—18.

So the House concurred in Senate amendments to House file No. 172.

On motion of Cummings of Marshall the rules were suspended and conference committee substitute for Senate file No. 188, a bill for an act to legalize certain instruments in writing which were defectively acknowledged, was read first and second times and taken up and considered without reference to a committee.

Mr. Cummings moved that the rules be suspended, that the bill be read a third time now and placed upon its passage, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Davenport, Dodds, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kerr, Kling, Kolt-hoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, McClure, McClurkin, Mattes, Meservey, Moore, Mord-horst, Nagle, Patton, Payne, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Temple, Utterback, Walden, Walters, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—86.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Blakemore, Cummings, Donahue, Dunham, Greeley, Hurn, Lyman, McNie, Marshall, Nichols, Teachout, Townsend, Whiting—14.

## INTRODUCTION OF BILLS.

By Temple of Clarke, House file No. 455, a bill for an act to provide for the general levy for state purposes for the year 1902 and subsequent years.

Read first and second time.

On motion of Mr. Temple, by unanimous consent, House file No. 455 was taken up without reference to a committee and considered.

Mr. Temple moved that the rule be suspended, that the bill be considered engrossed, read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cheney, Christianson, Clarke, Coburn, Crouse, Cruikshank, Cummings, Davenport, Donahue, Edwards, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jaeger, Jenks, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Crawford, Leech, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Mordhorst, Nagle, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Temple, Townsend, Walden, Walters, Willett, Wilson of Buena Vista, Wise, Wright, Mr. Speaker—78.

The nays were:

None.

Absent or not voting:

Messrs. Blakemore, Cassel, Colclo, Cowles, Dodds, Dunham, Eiker, Greeley, Hawk, Hurn, Jones, Langan of Clinton, Larrabee, Lyman, Marshall, Nichols, Payne, Teachout, Utterback, Warren, Whiting, Wilson of Washington—22.

So the bill passed and the title was agreed to.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 107, a bill for an act to amend section twenty-six hundred and eight (2608) of the code, as amended by chapter seventy-two (72) of the acts of the Twenty-seventh General Assembly and provide additional support for the Soldiers' Home at Marshalltown.

Also, House file No. 221, a bill for an act to amend sections twenty-two hundred and four (2204) and twenty-two hundred and fourteen (2214) of the code.

Also, House file, No. 352, a bill for an act making an appropriation to Charles Gray for publishing original notice in the case of Bettannier v. Caille.

Also, House file No. 395, a bill for an act to repeal section forty-eight hundred and ninety-seven (4897) of the code, and to enact a substitute therefor, relating to the escape of persons confined in a penitentiary for any less period than life.

Also, House file No. 394, a bill for an act to amend section fifty-seven hundred and seven (5707) of the code, relative to the employment of persons sentenced to imprisonment in the penitentiary, in places or buildings owned or leased by the state outside of the penitentiary enclosures.

Also, House file No. 401, a bill for an act to amend section five thousand and ninety-six (5,096) of the code, relating to bail after conviction of certain crimes.

Also, House file No. 304, a bill for an act to indemnify Matthew R. Sandler for damages caused by sewage from the Industrial School for Girls at Mitchellville.

J. P. LYMAN  
*Chairman.*

Adopted.

Also:

Mr. Lyman, from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 129, a bill for an act to amend section two hundred fifty-three (253) of the code, relating to the salaries of district judges.

Also, House file No. 332, a bill for an act to amend section seven hundred thirty two (732) of the code, as amended by chapters twenty-one (21) and twenty-two (22) of the acts of the Twenty-eighth General Assembly, relating to the levying of taxes for library purposes.

Also, House file No. 265, a bill for an act making provision for the support of the department of the Industrial School for Boys at Eldora (amendatory to chapter eighty-one (81) of the acts of the Twenty-seventh General Assembly, relating to support of the industrial school).

Also, House file No. 219, a bill for an act making an appropriation for the Dubuque Rescue Home of Dubuque, Iowa.

Also, House file No. 58, a bill for an act making an appropriation for the Benedict Home at Des Moines, Iowa.

Also, House file No. 116, a bill for an act making an appropriation for the Woman's and Baby's Home of Sioux City, Iowa.

Also, House file No. 142, a bill for an act to reimburse F. M. Powell for money paid by him to secure the vacation of a public road for the benefit of the Institution for Feeble-Minded Children at Glenwood.

Also, House file No. 234, a bill for an act making appropriations to the Iowa State Historical society.

J. P. LYMAN,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 107, a bill for an act to amend section twenty-six hundred and eight (2608) of the code, as amended by chapter seventy-two (72) of the acts of the Twenty-seventh General Assembly, and provide additional support for the Soldiers' Home at Marshalltown.

Also, House file No. 221, a bill for an act to amend section twenty-two hundred and four (2204) and twenty-two hundred and fourteen (2214) of the code.

Also, House file No. 352, a bill for an act making an appropriation to Charles Gray for publishing original notice in the case of Bettannier v. Caille.

Also, House file No. 395, a bill for an act to repeal section forty-eight hundred and ninety-seven (4897) of the code, and enact a substitute therefor, relating to the escape of persons confined in a penitentiary for any less period than life.

Also, House file No. 394, a bill for an act to amend section fifty-seven hundred and seven (5707) of the code, relative to the employment of persons sentenced to imprisonment in the penitentiary, in places or buildings owned or leased by the state outside of the penitentiary enclosures.

Also, House file No. 401, a bill for an act to amend section five thousand and ninety-six (5096) of the code, relating to bail after conviction of certain crimes.

Also, House file No. 304, a bill for an act to indemnify Matthew R. Sadler for damages caused by sewage from the Industrial School for Girls at Mitchellville.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

Also:

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 129, a bill for an act relating to notice and proofs of personal property insured.

Also, Senate file No. 342, a bill for an act to amend section two thousand four hundred ten (2410) of the code, relating to the sale of intoxicating liquors and abatement of nuisance.

Also, Senate file No. 360, a bill for an act in relation to the examination of shot examiners in coal mines and defining their duties.

Also, Senate file No. 117, a bill for an act to authorize and empower railroad corporations of this state to transact business, lease or purchase railroads, or to purchase the stock, bonds, or securities of railroads in other states.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

Also:

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills, respectfully report that they have examined, and find correctly enrolled House file No. 129, a bill for an act to amend section two hundred fifty-three (253) of the code, relating to the salaries of district judges.

Also, House file No. 332, a bill for an act to amend section seven hundred thirty-two (732) of the code, as amended by chapters twenty-one (21) and twenty-two (22) of the acts of the Twenty-eighth General Assembly, relating to the levying of taxes for library purposes.

Also, House file No. 265, a bill for an act making provision for the support of the department of the Industrial School for Boys at Eldora, Iowa. (Amendatory to chapter eighty-one (81) of the acts of the Twenty-seventh General Assembly, relating to the support of industrial school.)

Also, House file No. 219, a bill for an act making an appropriation for the Dubuque Rescue Home, at Dubuque, Iowa.

Also, House file No. 58, a bill for an act making an appropriation for the Benedict Home at Des Moines, Iowa.

Also, House file No. 116, a bill for an act making an appropriation for the Woman's and Baby's Home at Sioux City, Iowa.

Also, House file No. 142, a bill for an act to reimburse F. M. Powell, for money paid by him to secure the vacation of a public road for the benefit of the Institution for Feeble Minded Children at Glenwood.

Also House file No. 234, a bill for an act making appropriations to the Iowa State Historical society.

J. P. LYMAN,

*Chairman House Committee.*

E. K. WINNE,

*Chairman Senate Committee.*

Adopted.

#### MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate refuses to recede from its first amendment to House file No. 300, relative to an appropriation for the Louisiana Purchase exposition, and names as conference committee on the part of the Senate, Senators Smith of Mitchell, Maytag, Wilson and Lister.

GEO. A. NEWMAN,

*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 454, a bill for an act making an appropriation for the purchase of a portrait of the late James Harlan for the gallery of portraits in the art gallery of the Historical department at Des Moines, Iowa.

GEO. A. NEWMAN,

*Secretary.*

Also.

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed the following bill, in which the concurrence of the Senate was asked:



House file No. 333, a bill for an act to amend sections 2448, 2449 and 2452 of chapter 6, title 12 of the code, in relation to intoxicating liquors.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has indefinitely postponed House file No. 1, a bill for an act to amend sections four hundred seventeen (417) and four hundred eighteen (418) of the code, relating to supervisors' districts and the election of members thereof.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following concurrent resolution, in which the concurrence of the Senate was asked, relative to memorializing our representatives in congress in reference to House roll 8335 relating to swamp lands.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 354, a bill for an act to amend paragraph 5 of section 1709 of the code, relating to insurance.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Substitute for Senate file No. 189, a bill for an act defining and providing for the taxation of freight lines and equipment companies.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 295, a bill for an act to amend section 1610 of the code, relating to limitation of insurance risks.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 47, a bill for an act to appropriate money for the construction and equipment of a laundry building for the Hospital for the Insane at Mt. Pleasant, Iowa, and to provide it with heat, water, lights and sewer connections.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 373, a bill for an act to repeal section twenty-eight hundred twelve (2812) of the code, section one (1) of chapter ninety-five (95) of the acts of the Twenty-seventh General Assembly, and chapter one hundred forty-two (142) of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor, providing for the issuance of school bonds.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Senate file No. 365, a bill for an act making appropriations to the Iowa State College of Agriculture and Mechanic Arts, the State University and the State Normal school.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 257, a bill for an act fixing a uniform time at which all annual appropriations shall begin.

GEO. A. NEWMAN,  
*Secretary.*

The Speaker announced that he had signed in the presence of the House, Senate files Nos. 117, 129, 342.

On motion of Carter of Sioux, Senate file No. 264, a bill for an act to fix the number of senators in the general assembly, apportioning them among the several counties, according to the number of inhabitants in each, and dividing the state into senatorial districts, was taken up and considered.

Mr. Carter moved that this bill, Senate file No. 264, be referred to the committee on Senatorial Districts.

Lost.

Cowles of Kossuth moved to amend Senate file No. 264 by substituting the following in lieu thereof:

A BILL

For an act fixing the number of senators in the general assembly, apportioning them among the several counties according to the number of inhabitants in each and dividing the state into senatorial districts.

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

Section 1. That the number of senators in the general assembly is hereby fixed at fifty, and they are hereby apportioned among the several counties according to the number of inhabitants in each, and under said apportionment the state is hereby divided into fifty senatorial districts, each district to have one senator, as follows:

1. Lee county shall constitute the First district.
2. Davis county, Jefferson county and Van Buren county shall constitute the Second district.
3. Appanoose county and Monroe county shall constitute the Third district.
4. Clarke county, Lucas county and Wayne county shall constitute the Fourth district.
5. Decatur county and Union county shall constitute the Fifth district.
6. Adams county, Ringgold county and Taylor county shall constitute the Sixth district.
7. Fremont county and Page county shall constitute the Seventh district.
8. Mills county and Montgomery county shall constitute the Eighth district.
9. Des Moines county shall constitute the Ninth district.
10. Henry county and Washington county shall constitute the Tenth district.
11. Crawford county and Sac county shall constitute the Eleventh district.
12. Iowa county and Keokuk county shall constitute the Twelfth district.
13. Wapello county shall constitute the Thirteenth district.
14. Mahaska county shall constitute the Fourteenth district.

15. Marion county and Warren county shall constitute the Fifteenth district.
16. Dallas county and Madison county shall constitute the Sixteenth district.
17. Adair county, Audubon county and Guthrie county shall constitute the Seventeenth district.
18. Cass county and Shelby county shall constitute the Eighteenth district.
19. Pottawattamie county shall constitute the Nineteenth district.
20. Louisa county and Muscatine county shall constitute the Twentieth district.
21. Scott county shall constitute the Twenty-first district.
22. Clinton county shall constitute the Twenty-second district.
23. Jackson county and Jones county shall constitute the Twenty-third district.
24. Cedar county and Johnson county shall constitute the Twenty-fourth district.
25. Plymouth county and Sioux county shall constitute the Twenty-fifth district.
26. Linn county shall constitute the Twenty-sixth district.
27. Calhoun county and Webster county shall constitute the Twenty-seventh district.
28. Hardin county and Marshall county shall constitute the Twenty-eighth district.
29. Jasper county and Poweshiek county shall constitute the Twenty-ninth district.
30. Polk county shall constitute the Thirtieth district.
31. Boone county and Story county shall constitute the Thirty-first district.
32. Woodbury county shall constitute the Thirty-second district.
33. Buchanan county and Delaware county shall constitute the Thirty-third district.
34. Harrison county and Monona county shall constitute the Thirty-fourth district.
35. Dubuque county shall constitute the Thirty-fifth district.
36. Allamakee county and Clayton county shall constitute the Thirty-sixth district.

37. Hamilton county and Wright county shall constitute the Thirty-seventh district.

38. Black Hawk county and Grundy county shall constitute the Thirty-eighth district.

39. Bremer county, Butler county and Franklin county shall constitute the Thirty-ninth district.

40. Chickasaw county and Fayette county shall constitute the Fortieth district.

41. Mitchell county, Winnebago county and Worth county shall constitute the Forty first district.

42. Howard county and Winneshiek county shall constitute the Forty-second district.

43. Hancock county and Kossuth county shall constitute the Forty-third district.

44. Cerro Gordo county and Floyd county shall constitute the Forty-fourth district.

45. Benton county and Tama county shall constitute the Forty-fifth district.

46. Cherokee county, Clay county and Ida county shall constitute the Forty-sixth district.

47. Dickinson county, Emmett county and Palo Alto county shall constitute the Forty-seventh district.

48. Carroll county and Greene county shall constitute the Forty-eighth district.

49. Lyon county, O'Brien county and Osceola county shall constitute the Forty-ninth district.

50. Buena Vista county, Humboldt county and Pocahontas county shall constitute the Fiftieth district.

Mattes of Sac moved the previous question on the amendment offered by Mr. Cowles.

Carried.

On the amendment offered by Mr. Cowles Messrs. Cowles and Carter demanded the roll call which resulted as follows:

On the question, Shall the amendment be adopted?

The yeas were:

Messrs. Barkley, Calderwood, Carter, Cheney, Christianson, Colclo, Davenport, Fields, Freeman, Gilchrist, Greeley, Hamann,

Hughes, Keagy, Kendall, Kerr, Kling, Langan of Clinton, Langan of Crawford, Larrabee, Meservey, Payne, Pipher, Robinson, Sweeley, Sweet, Utterback, Wilson of Buena Vista, Wise, Mr. Speaker—30.

The nays were:

Messrs. Anderson, Bailey, Bealer, Black, Blakemore, Boysen, Carden, Cassel, Coburn, Cowles, Crouse, Cruikshank, Cummings, Dodds, Edwards, Eiker, Flenniken, Furry, Graff, Greene, Hasselquist, Hawk, Head, Hilsinger, Jaeger, Jenks, Jones, Kolthoff, Leech, McClure, McClurkin, Marshall, Mattes, Moore, Nagle, Nichols, Patton, Powers, Pritchard, Roome, Secor, Sokol, Springer, Stratton, Temple, Townsend, Walden, Walters, Warren, Willett, Wilson of Washington, Wright—52.

Absent or not voting:

Messrs. Barker, Buchanan, Campbell, Clarke, Donahue, Dunham, English, Frudden, Hertert, Hufschmidt, Hurn, Koontz, Lyman, McNie, Mordhorst, Stuckslager, Teachout, Whiting—18.

So the amendment was lost.

Carter of Sioux offered the following amendment:

Amend Senate file No. 264 by striking out the Sixteenth district therein; also, further amend by adding after the words "Taylor county" in the Sixth district the words "Adair county"; also, further amend by adding after the words "Warren county" the words "Madison county".

Further amend by striking from the Forty-ninth district the words "O'Brien county".

Further amend by striking from the Forty-seventh district the words "Clay county," "Dickinson county".

Further amend by adding the following: "16. O'Brien county, Clay county and Dickinson county shall constitute the Sixteenth district."

Sweet of Bremer moved the previous question on the amendment of Mr. Carter.

Carried.

Messrs. Cowles of Kossuth and Langan of Crawford demanded the roll call on the amendment.

On the question, Shall the amendment be adopted?

The yeas were:

Messrs. Barkley, Calderwood, Carter, Cheney, Christianson, Coburn, Colclo, Cowles, English, Fields, Freeman, Frudden, Furry, Gilchrist, Hughes, Keagy, Kendall, Kerr, Langan of Clinton, Langan of Crawford, Larrabee, Meservey, Mordhorst, Robinson, Sweeley, Townsend, Willett, Wilson of Buena Vista—28.

The nays were:

Messrs. Anderson, Bailey, Black, Blakemore, Boysen, Carden, Cassel, Crouse, Cruikshank, Cummings, Davenport, Donahue, Edwards, Eiker, Graff, Greene, Hasselquist, Hawk, Head, Hertert, Hilsinger, Jaeger, Jenks, Kling, Kolthoff, Koontz, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Moore, Patton, Pipher, Powers, Pritchard, Roome, Secor, Sokol, Springer, Stratton, Sweet, Temple, Walden, Walters, Warren, Wilson of Washington, Wright—50.

Absent or not voting:

Messrs. Barker, Bealer, Buchanan, Campbell, Clarke, Dodds, Dunham, Flenniken, Greeley, Hamann, Hufschmidt, Hurn, Jones, Nagle, Nichols, Payne, Stuckslager, Teachout, Utterback, Whiting, Wise, Mr. Speaker—22.

So the amendment was lost.

Mr. Donahue moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Bealer, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Cassell, Clarke, Coburn, Crouse, Cruikshank, Cummings, Donahue, Edwards, Eiker, Flenniken, Frudden, Furry, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Jaeger, Jenks, Jones, Keagy, Kling, Kolthoff, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Moore, Nichols, Patton, Pipher, Powers, Pritchard, Roome, Sokol, Springer, Stratton, Stuckslager, Sweet, Temple, Walden, Warren, Willett, Wilson of Washington, Wise, Wright—64.

The nays were:

Messrs. Barkley, Carter, Cheney, Christianson, Colclo, Cowles, Davenport, English, Fields, Freeman, Gilchrist, Hughes, Ken-

dall, Kerr, Langan of Clinton, Langan of Crawford, Meservey, Mordhorst, Robinson, Sweeley, Wilson of Buena Vista, Mr. Speaker—22.

Absent or not voting:

Messrs. Barker, Black, Dodds, Dunham, Hurn, Koontz, Nichols, Payne, Secor, Teachout, Townsend, Utterback, Walters, Whiting—14.

So the bill passed and the title was agreed to.

Speaker *pro tem* Kendall in the chair.

At this juncture Governor Cummins was escorted to the Speaker's desk and there presented with an elegant ebony cane from Capt. Amos Brandt, made of sacred wood found in the Philippine Islands.

In presenting the cane Speaker *pro tem* Kendall said:

*Governor Albert B. Cummins:*

The pleasantest duty which has been imposed upon me during this session of the Twenty-ninth General Assembly is unexpectedly devolved upon me now at this closing hour. I am commissioned by the Speaker of this House, acting at the instance of Capt. Amos W. Brandt, lately of the Thirty-second United States Infantry, to present you this ebony cane, cut by a native Filipino from the sacred wood of the oriental islands. It is given on behalf of all the Iowa soldiers engaged on that far-off theater of military operations, and it is now tendered in this public presence in order that the people of this imperial commonwealth by their accredited representatives may testify to you their regard, their esteem and their confidence.

You long ago won the love of all our people, for your silver tongue is so tipped with gold that its most modest utterance is as sweet and seductive as the mellow melody of midnight music. And in later years, throughout the length and breadth of our beloved state, your name has become by common consent a synonym for lofty ideals, for fidelity to friendship, for devotion to duty, for perfect consecration to the public service.

May this historic emblem not only support your declining years, but serve to recall your felicitous association with this House, and to evidence the affection of all the people of Iowa. I know that I express the sentiment of every member of this body, when I say in parting: "God bless and guide and preserve you in private conduct and in official station."

In response the governor spoke as follows:

*Mr. Speaker and Gentlemen of the House of Representatives:*

I trust that the strong and substantial support manifest in the sturdy cane just handed me does not imply that I am growing feeble with age. I know, however, that the ravages of time will sooner or later compel me to



seek artificial help, and when that time comes this beautiful cane will not only sustain my feeble powers, but will be fragrant with the memories of this happy moment. I desire through you and your Speaker to thank Captain Brandt for his friendliness and thoughtfulness in bringing from our new possessions this evidence of their richness and prodigality.

I appreciate deeply the beautiful and eloquent periods which have just fallen from my friend, the Speaker *pro tem*. Master as he always is of the choicest treasures of our mother tongue, he has at this moment surpassed himself in the felicity of his expression. I value still more highly, however, the good-will and friendship which he, as your representative, has brought to me. My association with the members of the House of the Twenty-ninth General Assembly will always be one of the delightful places in my memory, and I believe when the work of this general assembly shall have been adjudged by the people, it will be known that whatever differences of opinion may have existed—and such differences always arise between honest, independent thinkers—every member has done his duty as he believed it to be; and higher praise cannot be conferred upon mortal man.

I part from you with mingled emotions of regret and pleasure; regret in that I am to be deprived of taking you by the hand from day to day, and pleasure in seeing your work finished—work well accomplished and faithfully considered. I bid you good-by, invoking for you the richest blessings of Providence—long, happy lives.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Lyman from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 265, a bill for an act to repeal sections two (2), three (3), four (4) and five (5) chapter one hundred sixteen (116), acts of the Twenty-eighth General Assembly, also defining the duties of the Iowa Library commission, transferring the associate and traveling libraries from the State Library board to the Iowa Library commission, and providing for an appropriation for the extension of the work of the Iowa Library commission, also amending section one hundred sixty-eight (168) of the code and repealing section two thousand eight hundred sixty-eight (2868), two thousand eight hundred sixty-nine (2869), two thousand eight hundred seventy-one (2871), two thousand eight hundred seventy-two (2872), two thousand eight hundred seventy-three (2873) and two thousand eight hundred seventy-four (2874) of said code, also repealing chapter one hundred forty-eight (148) acts of the Twenty-seventh General Assembly.

Also, House file No. 276, a bill for an act to protect sheriffs and other peace officers in procuring evidence for the identification of criminals, or persons accused of crimes.

Also, House file No. 83, a bill for an act to repeal section two thousand five hundred seventy-two (2572) of the code, and enact a substitute therefor, in relation to quarantine and the expenses thereof.

Also, House file No. 322, a bill for an act to appropriate money to pay for paving the state's portion of East Walnut street between Fourteenth and Fifteenth streets adjoining the state's property.

J. P. LYMAN,  
*Chairman.*

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 263, a bill for an act to repeal sections two (2), three (3), four (4) and five (5), chapter one hundred sixteen (116), acts of the Twenty-eighth General Assembly, also defining the duties of the Iowa Library commission, transferring the associate and traveling libraries from the State Library board to the Iowa Library commission, and providing for an appropriation for the extension of the work of the Iowa Library commission, also amending section one hundred sixty-eight (168) of the code, and repealing section two thousand eight hundred and sixty-eight (2,868), section two thousand eight hundred sixty-nine (2,869), two thousand eight hundred seventy-one (2,871), two thousand eight hundred seventy-two (2,872), two thousand eight hundred seventy-three (2,873) and two thousand eight hundred seventy-four (2,874) of said code, also repealing chapter one hundred forty-eight (148), acts of the Twenty-seventh General Assembly.

Also, House file No. 276, a bill for an act to protect sheriffs and other peace officers in procuring evidence for the identification of criminals, or persons accused of crime.

Also, House file No. 83, a bill for an act to repeal section two thousand five hundred seventy-two (2,572) of the code and enact a substitute therefor in relation to quarantine and the expenses thereof,

Also, House file No. 322, a bill for an act to appropriate money to pay for paving the state's portion of East Walnut street between Fourteenth and Fifteenth streets, adjoining the state's property.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

Speaker Eaton in the chair.

The Speaker announced that he had signed in the presence of the House, House files Nos. 395, 304, 401, 394, 107, 221, 352, 129, 332, 265, 219, 58, 116, 142, 234.

The Speaker announced as a conference committee on the St. Louis exposition bill, Clarke of Dallas, Cummings of Marshall, Temple of Clarke, Cruikshank of Lee.

SENATE MESSAGE CONSIDERED.

Senate file No. 189, a bill for an act defining and providing for the taxation of freight lines and equipment companies.

Read first and second time.

On motion of Kendall of Monroe, Senate file No. 189, just read first and second times, was taken up by unanimous consent, without reference to a committee and considered.

Mr. Kendall moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Barker, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cowles, Crouse, Cruikshank, Cummings, Davenport, Edward, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hufschmidt, Hurn, Jaeger, Jenks, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Clinton, Langan of Crawford, Larrabee, Leech, Lyman, Marshall, Mattes, Meservey, Moore, Patton, Pipher, Powers, Robinson, Roome, Sweeley, Sweet, Temple, Walden, Walters, Warren, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—72.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Barkley, Dodds, Donahue, Dunham, Graff, Greeley, Hilsinger, Hughes, Jones, Keagy, McClure, McClurkin, McNie, Mordhorst, Nagle, Nichols, Payne, Pritchard, Secor, Sokol, Springer, Stratton, Stuckslager, Teachout, Townsend, Utterback, Whiting, Willett—28.

So the bill passed and the title was agreed to.

The Senate concurrent resolution relative to turning over to the board of control all buildings at the close of the St. Louis exposition was taken up, considered, and on motion of Clarke of Dallas the resolution was concurred in.

Hon. B. F. Clayton, a former member of the House, was at this juncture escorted to the Speaker's desk where he made a few brief remarks in response to an invitation to address the House.

On motion of Buchanan of Wapello the House took a recess of 45 minutes.

House called to order by Speaker Eaton.

Furry of Hardin moved that from now on to the end of the session members taking part in debate be allowed not more than three minutes except upon appropriation measures or the bill from the committee on Retrenchment and Reform.

Carried.

SENATE MESSAGE CONSIDERED.

Senate file No. 365, a bill for an act making an appropriation for the Iowa State College of Agriculture and Mechanic Arts, the State University and the State Normal School.

Read first and second time.

On motion of Hughes of Iowa, Senate file No. 365, just read first and second times, was taken up by unanimous consent, without reference to a committee, and considered.

Hawk, of Jasper offered the following amendment:

Amend the bill by adding to section three (3) the following: Provided, however, that the said twenty-seven thousand, one hundred and sixty-nine dollars and thirty-five cents (\$27,169.35) shall be repaid to the state treasury from the mileage tax already allowed.

Edwards of Butler moved the previous question.

Carried.

On demand of Warren of Marion and Langan of Crawford the roll was called.

On the question, Shall the amendment be adopted?

The yeas were:

Messrs. Bailey, Barkley, Cassel, Cheney, Crouse, Hawk, Head, Jones, Kolthoff, Langan of Crawford, Townsend, Walden—12.

The yeas were:

Messrs. Anderson, Barker, Bealer, Calderwood, Campbell, Carden, Carter, Christianson, Clarke, Coburn, Colclo, Davenport, Dodds, Donahue, Edwards, Eiker, Fields, Frudden, Gilchrist, Graff, Greeley, Hasselquist, Hertert, Hufschmidt, Hughes, Jaeger, Keagy, Kendall, Kerr, Koontz, Leach, McClure, Mattes, Meservey, Moore, Nagle, Patton, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Utterback, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—53.

Absent or not voting:

Messrs. Black, Blakemore, Boysen, Buchanan, Cowles, Cruikshank, Cummings, Dunham, English, Flenniken, Freeman, Furry, Greene, Hamann, Hilsinger, Hurn, Jenks, Kling, Langan of Clinton, Larrabee, Lyman, McClurkin, McNie, Marshall, Mordhorst, Nichols, Payne, Pipher, Powers, Pritchard, Teachout, Temple, Walters, Warren, Whiting—35.

Mr. Hughes moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carden, Carter, Cheney, Christianson, Clarke, Coburn, Crouse, Cummings, Dodds, Donahue, Edwards, Eiker, English, Flenniken, Frudden, Furry, Gilchrist, Graff, Greeley, Greene, Hamann, Hasselquist, Hawk, Hertert, Hufschmidt, Hughes, Jaeger, Jenks, Keagy, Kendall, Kerr, Kling, Koontz, Langan, of Clinton, Larrabee, Leech, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Walters, Warren, Willett, Wilson, of Buena Vista, Wilson, of Washington, Wise, Wright, Mr. Speaker—76.

The nays were:

None.

Absent or not voting:

Messrs. Black, Cassel, Colclo, Cowles, Cruikshank, Davenport, Dunham, Fields, Freeman, Head, Hilsinger, Hurn, Jones, Kolt-hoff, Langan of Crawford, Lyman, Payne, Pritchard, Teachout, Temple, Townsend, Utterback, Walden, Whiting—24.

So the bill passed and the title was agreed to.

On motion of Hughes of Iowa, House file No. 23, House file No. 24, House file No. 30 and House file No. 453 were indefinitely postponed.

SENATE MESSAGE CONSIDERED.

Senate file No. 295, a bill for an act to amend section 1710 of the code, relating to limitations of insurance risks.

Read first and second time.

On motion of Edwards of Butler, Senate file No. 295, a bill for an act to amend section 1710 of the code, relating to limitations of insurance risks, was taken up by unanimous consent and considered without reference to a committee.

Colclo of Carroll moved to amend section 1, line 5, printed bill, by striking out the word "stock."

Lost.

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

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Blakemore, Boysen, Buchanan, Calderwood, Campbell, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Crouse, Cummings, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Graff, Greene, Hamann, Hawk, Head, Hilsinger, Hughes, Jenks, Keagy, Kendall, Kling, Kolthoff, Koontz, Larabee, Leech, McClure, McNie, Mattes, Meservey, Moore, Patton, Pipher, Powers, Robinson, Roome, Secor, Sokol, Stratton, Sweeley, Sweet, Temple, Townsend, Warren, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—65.

The nays were:

Messrs. Colclo, Hertert, Hufschmidt, Jaeger, Langan of Clinton, Langan of Crawford—6.

Absent or not voting:

Messrs. Black, Carden, Cowles, Cruikshank, Davenport, Dodds, Dunham, Frudden, Greeley, Hasselquist, Hurn, Jones, Kerr, Lyman, McClurkin, Marshall, Mordhorst, Nagle, Nichols, Payne, Pritchard, Springer, Stuckslager, Teachout, Utterback, Walden, Walters, Whiting, Wilson of Buena Vista—29.

So the bill passed and the title was agreed to.

On motion of Hughes of Iowa, House file No. 257, a bill for an act fixing a uniform time at which all annual appropriations shall begin, with Senate amendments thereto, was taken up and considered.

Mr. Hughes moved that the House concur in the Senate amendments to House file No. 257.

On the question, Shall the House concur?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blake-more, Boysen, Buchanan, Calderwood, Campbell, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Colclo, Cummings, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Head, Hilsinger, Hughes, Jaeger, Jenks, Jones, Keagy, Kendall, Kling, Kolthoff, Larrabee, Leech, McClure, McNie, Mattes, Meservey, Moore, Mordhorst, Nichols, Patton, Pipher, Powers, Pritchard, Roome, Secor, Sokol, Springer, Sweeley, Sweet, Temple, Townsend, Walden, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—70.

The nays were:

None.

Absent or not voting:

Messrs. Carden, Cowles, Crouse, Cruikshank, Davenport, Dodds, Dunham, Greeley, Hawk, Hertert, Hufschmidt, Hurn, Kerr, Koontz, Langan of Clinton, Langan of Crawford, Lyman, McClurkin, Marshall, Nagle, Payne, Robinson, Stratton, Stuck-

slager, Teachout, Utterback, Walters, Warren, Whiting, Wilson of Buena Vista—30.

So the House concurred.

On motion of Cummings of Marshall, Senate file No. 269, a bill for an act to amend section 2604 of the code, relating to the compensation to be allowed to the adjutant-quartermaster and surgeon of the Iowa Soldiers' Home, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

On motion of Mr. Cummings the amendments of the committee were adopted.

Mr. Cummings moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Boysen, Buchanan, Calderwood, Campbell, Cassel, Cheney, Christianson, Colclo, Cummings, Donahue, Edwards, Eiker, English, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hufschmidt, Hughes, Jones, Keagy, Kendall, Kling, Kolthoff, Koontz, Langan of Clinton, Leech, McNie, Mattes, Meservey, Moore, Nichols, Patton, Robinson, Roome, Secor, Sokol, Springer, Stratton, Sweet, Temple, Townsend, Warren, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—61.

The nays were:

Messrs. Blakemore, Crouse, Fields, Hamann, Jenks, Powers, Walden—7.

Absent or not voting:

Messrs. Carden, Carter, Clarke, Coburn, Cowles, Cruikshank, Davenport, Dodds, Dunham, Greeley, Greene, Hurn, Jaeger, Kerr, Langan of Crawford, Larrabee, Lyman, McClure, McClurkin, Marshall, Mordhorst, Nagle, Payne, Pipher, Pritchard, Stuckslager, Sweeley, Teachout, Utterback, Walters, Whiting, Wilson, of Buena Vista—32.

So the bill passed and the title was agreed to.



On motion of Temple of Clarke, House joint resolution No. 5, fixing the number and compensation of employes in the state departments at the seat of Government, with report of committee recommending passage as amended by substitute, was taken up, considered and the report of the committee, with substitute as amendment, adopted.

Mr. Temple moved to amend the resolution by adding the figures \$1,200 at the end of the first line under "per annum" on the first page of the bill.

Adopted.

Mr. Temple moved to amend the schedule relating to the office of state board of health on page 4 by striking out the parentheses and the words contained therein.

Adopted.

Mr. Temple moved to amend the schedule relating to the office of supreme court reporter on page 4 by inserting at the end of line 1 thereof the sign dollar (\$) and the figures 720.

Adopted.

Mr. Temple moved to amend the last line on page 4 relating to the board of control by striking out the figures \$300 and inserting in lieu thereof the figures \$1,300.

Adopted.

Mr. Temple moved to amend by striking out on page 2 all of the schedule which relates to the office of dairy commissioner.

Adopted.

Mr. Temple moved to amend line 4, page 3 in the schedule relating to the secretary of state, the line referring to the salary of the clerk in the document room, by striking out the figures "\$900" at the end of said line and inserting in lieu thereof the figures "\$1,000."

Adopted.

Mr. Temple moved to amend the schedule relating to the department of geological survey by striking out the first line and inserting in lieu thereof the following: "One clerk and stenographer at a salary of \$840."

Adopted.

Mr. Temple moved to amend the resolution by adding the following:

TRAVELING LIBRARY COMMISSION.

One secretary and organizer .....	\$ 1,200
Clerk and stenographer .....	720
Other assistance, shipping clerk, office help, etc.....	800

Adopted.

Mr. Temple moved to amend the schedule relating to the office of state mine inspector on page 4, by striking out at the end of said line the figures "600" and inserting in lieu thereof the figures "780."

Adopted.

Mr. Temple moved to amend the schedule relating to the Historical building by striking out at the end of the first line the figures "900" and inserting in lieu thereof the figures "960", also by striking out of the third line of said schedule at the end of said line the figures "900" and inserting in lieu thereof the figures "840". Also by adding to the end of said schedule the following:

One night watchman at a salary of .....	\$ 660
One taxidermist at a salary of .....	660

Adopted.

Mr. Jones of Mahaska moved to amend the resolution by striking out the figures "\$1,800," opposite the words "secretary at a salary of," and inserting in lieu thereof the figures "\$1,500," on page 1295 of the House Journal.

Lost.

Mr. Jones moved to amend the resolution by striking out under the head, "for office of secretary of state," page 1294 of the Journal, the following, "for copying and indexing articles of incorporated laws."

Lost.

Mr. Temple moved that the rule be suspended, and the joint resolution be considered engrossed and read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question, Shall the joint resolution be adopted?

The yeas were:

Messrs. Anderson, Barker, Barkley, Black, Blakemore, Buchanan, Calderwood, Campbell, Carter, Cheney, Clarke, Coburn, Colclo, Cummings, Edwards, Eiker, English, Fields, Flenniken, Freeman, Frudden, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hughes, Jenks, Keagy, Kendall, Kling, Langan of Clinton, Leech, Lyman, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Pipher, Powers, Pritchard, Roome, Secor, Sokol, Springer, Stratton, Stuckslager, Sweeley, Sweet, Temple, Townsend, Walden, Wilson of Washington, Wise, Wright, Mr. Speaker—64.

The nays were:

Messrs. Jones, Larrabee—2.

Absent or not voting:

Messrs. Bailey, Bealer, Boysen, Carden, Cassell, Christianson, Cowles, Crouse, Cruikshank, Davenport, Dodds, Donahue, Dunham, Greeley, Hufschmidt, Hurn, Jaeger, Kerr, Kolthoff, Koontz, Langan of Crawford, McClure, Nagle, Nichols, Patton, Payne, Robinson, Teachout, Utterback, Walters, Warren, Whiting, Willett, Wilson of Buena Vista—34.

So the joint resolution was adopted.

Kendall of Monroe moved that the eloquent remarks of the gentleman from Emmet, made on the passage of the appropriation bill, be incorporated in the Journal.

Carried.

Mr. Robinson spoke as follows:

*Mr. Speaker, and Gentlemen of the House:*

In these closing days of this, the Twenty-ninth General Assembly, when the minds of all members are intensely engrossed with the one thought of pushing to a close the necessary business of this session, I wish to ask your kind indulgence for a few brief moments only, that I may express to this body the sincere and honest convictions of my heart, on the matter which is now before us, and which to my mind is second to none which we have been called upon to discuss, and on which, I feel in duty bound, for myself and constituency, to express myself; not from any political prestige, which I may gain, or lose (as I know not how that may be), but as a sacred trust which the importance of the measure demands, and on account of which I am prompted to speak. I wish to preface my remarks with the statement that, of the three great educational institutions of our

state, for which we are called upon to provide, I have no choice, and so far as these remarks are concerned, make no distinction.

The cause of education needs no defense; no eulogistic words of mine can add inspiration to its sacred meaning. It enters into the life of every child, adds dignity and inspiration to every home, is the balance wheel of every mind, the guiding star of nations. To it we owe all that we are, all that we have and all that we may ever expect to be.

Gentlemen of the House, this is simply a great business proposition. These appropriations are no new thing; they come with every recurring two years with the same regularity as do the sessions of this general assembly, and just as sure as the Thirtieth General Assembly follows the Twenty-ninth, just so sure will it become the duty of that body to provide similar appropriations to those which we are, at this time, called upon to provide. These expenses cannot stop. The advancement of these institutions from a small and humble beginning to the proud position which they now occupy, the progress of civilization, the general development and advancement of this great state, speaks louder than any tongue can proclaim in favor of a just and liberal policy towards these institutions which we have created, and which it is our duty to foster and support.

This gentlemen, should not come to us as an humble plea from the noble men who are at the head of these institutions, but as a matter of right which they are entitled to, and which it is our duty to provide. Why should we not do it with the same generous spirit and liberal feeling that we provide for the minor details of educating our own children?

Gentlemen, these are our institutions, they belong to the people of this state. They have sent us here as their representatives, expecting us to take care of them, and provide the means for their maintenance and support, the same as we arrange for the means to pay the other expenses of the state, and they, with us, will have to pay the bill. They are all right; they are no longer in swaddling clothes, but have donned the full dress of womanhood. They are growing larger and stronger every year, and what should we naturally expect but increased expenses to dress them in a becoming and fitting manner, to keep them abreast of the times and in the front rank of the great educational institutions of the nation.

Mr. Speaker, I do not look upon these appropriation bills with exactly the same vision that I look at some of the business matters that come before this House, and I can conceive of no better way to illustrate the point which I wish to make, than the following:

If we employ a man to manage some department of our business, we first satisfy ourselves that we have a competent man, one who understands the business, and most of all, one who is honest, and in whom we have the utmost confidence. Years go by. The business prospers. Our manager is making money for us, and is developing a great ability to handle the various details of the business, and is making a grand success. We gradually and instinctively grow to have more confidence, and confer with him in regard to the amount of money necessary to run the business, and while we at all times have an eye on the general situation, we are soon forced to admit

that he knows more about the practical details of the business than we do, and consequently must know more about what it costs to run it.

Now, gentlemen, what are you going to do? Are you going to say to this man that has handled your business so satisfactorily, and has built it up from the beginning to an immense and thriving concern, that on account of the immense proportions it has assumed the expenses must be cut down, even though the business suffers, that you can no longer stay by him and furnish backing to keep this business growing and along with the progress of the times? Or will you, with the natural inclination of all men, say to this manager of your affairs, go ahead, push the business the best you can; I am glad to see it growing; it is a credit to succeed, and it pays; I'll stay by you and furnish every dollar that is necessary to handle this business in an economical and judicious way?

This, gentlemen, is the situation in which we are placed with these institutions. I can see it in no different light. We have boards of regents and trustees, who are carefully selected to manage the business affairs of these institutions. These men are subject to removal or continuance in office, and are, and have been universally, good men; men in whom we have learned to place the utmost confidence. When these men confer with the president and faculty, and go over the matter carefully, and present an itemized statement of the estimated amount necessary to run these institutions, if we are fully satisfied that they are asking for just what they need, and no more, can we not give them the full amount asked with more propriety than to cut and slash here and there, and then humiliate them with the thought that they are obliged to come to this legislature and beg and lobby for the just amount to which they are entitled? Gentlemen, I am not in sympathy with any such line of procedure. I charge you that the members of this House are not in a position to know the exact amount needed for these several appropriations. What way have they of knowing, except through the trusted agents and managers, whom we have selected to take charge of these matters? None at all. *Absolutely none.* Why, then, do we undertake to say that they need so much and no more? These men have recommended, in each case, an amount which they deem necessary to judiciously meet the demands made upon them for the next two years. These amounts have been carefully gone over by the Appropriations committee, one of the largest committees of this body, composed of strong, conservative business men, whose chairman is the very embodiment of activity, industry and integrity; whose active and conservative judgment, careful, consistent, and conscientious attention to all the business of this house, commands the universal respect and admiration of all members here. This committee has labored long and faithfully during nearly the entire session considering these matters, and have, finally, in this closing week, recommended them to this house for passage. In view of these facts, gentlemen, can we not conscientiously and with the utmost safety allow these appropriations in full, as recommended. As far as I am concerned, I prefer to allow these bills as recommended by the committee. I prefer to face the noble and enlightened constituency which I represent, on the broad and liberal ground of having erred (if such might be), by granting for this purpose a few dollars too much, rather than detract one single iota from the best results obtainable by granting one dollar too little.

Now, gentlemen of the House, I trust the unanimous sentiment of this body may be to deal justly with these institutions. As far as I am concerned, it is a matter of congratulation to me that I have the privilege of going on record and registering my vote in favor of these appropriations, as reported by the committee. If any are doubtful or unsettled I charge you as you consider the best interests of the people of this great state; as you consider the best interests of these great institutions—institutions to which every native of Iowa should be able to refer with pride and admiration; as you consider the future welfare of the 5,000 young men and young women who are now attending them; as you consider the future possibilities of the 500,000 to 600,000 children in the public schools, who are yearly graduating from the high schools of the state and calling for opportunities for a higher education; as you love your families and value the education and future welfare of your children, I entreat you as the roll is called, to line yourselves on the side of education, on the side of progress and good citizenship, on the side of refinement and an enlightened civilization.

Jones of Mahaska moved to drop House file No. 84 from the calendar.

Carried.

Dunham of Delaware moved that house file No. 357 be dropped from the calendar.

Carried.

Walden of Wayne moved that House file No. 355 be dropped from the calendar.

Carried.

Hughes of Iowa moved that Senate file No. 3 be dropped from the calendar.

Carried.

Hughes of Iowa moved to indefinitely postpone House file No. 448.

Carried.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your committee on Enrolled bills respectfully report that they have this day sent to the governor for his approval, House file No. 391, a bill for an act making appropriations for the construction, repair, support and contingent funds of the Hospitals for the Insane at Mt. Pleasant, Independence and Clarinda, the Penitentiaries, the Industrial Schools for Boys and Girls, the Institution for Feeble-Minded Children, the School for the Deaf, the College for the Blind, the Soldiers' Orphans' Home, and relating to the Industrial Home for the Blind. Also authorizing the use of a portion

of the balance in the support fund at the Hospital for the Insane at Clarinda in the enlargement and equipment of the shop building, and of a portion of the balance of certain funds of the Penitentiary at Fort Madison in the erection of the hospital and library building.

Also, House file No. 185, a bill for an act making an appropriation for the Department of Agriculture for the purpose of erecting a permanent fire-proof building for live stock exhibits.

Also, House file No. 107, a bill for an act to amend section twenty-six hundred eight (2608) of the code, as amended by chapter seventy-two (72) of the acts of the Twenty-seventh General Assembly, and provide additional support for the Soldiers' Home at Marshalltown.

Also, House file No. 221, a bill for an act to amend sections twenty-two hundred four (2204) and twenty-two hundred fourteen (2214) of the code.

Also, House file No. 352, a bill for an act making an appropriation to Charles Gray for publishing original notice in the case of Bettainer v. Caille.

Also, House file No. 395, a bill for an act to repeal section forty-eight hundred ninety-seven (4897) of the code, and to enact a substitute therefor, relating to the escape of persons confined in a penitentiary for any less period than life.

Also, House file No. 394, a bill for an act to amend section fifty-seven hundred seven (5707) of the code, relative to the employment of persons sentenced to imprisonment in the penitentiary, in places or buildings owned or leased by the state outside of the penitentiary enclosures.

Also, House file No. 401, a bill for an act to amend section five thousand ninety-six (5096) of the code, relating to bail after conviction of certain cases.

Also, House file No. 304, a bill for an act to indemnify Mathew R. Sadler for damages caused by sewage from the Industrial School for Girls at Mitchellville.

Also, House file No. 129, a bill for an act to amend section two hundred fifty-three (253) of the code, relating to the salaries of district judges.

Also, House file No. 332, a bill for an act to amend section seven hundred thirty-two (732) of the code, as amended by chapters twenty-one (21) and twenty-two (22) of the acts of the Twenty-eighth General Assembly, relating to the levying of taxes for library purposes.

Also, House file No. 265, a bill for an act making provision for the support of the departments of the Industrial School for Boys, at Eldora, Iowa (amendatory to chapter eighty-one (81) of the acts of the Twenty-seventh General Assembly, relating to support of the Industrial School).

Also, House file No. 219, a bill for an act making an appropriation for the Dubuque Rescue Home of Dubuque, Iowa.

Also, House file No. 58, a bill for an act making an appropriation for the Benedict Home at Des Moines, Iowa.

Also, House file No. 116, a bill for an act making an appropriation for the Woman's and Baby's Home of Sioux City, Iowa.

Also House file No. 142, a bill for an act to reimburse F. M. Powell for money paid by him to secure the vacation of a public road for the benefit of the Institution for Feeble-Minded Children at Glenwood.

Also, House file No. 234, a bill for an act making appropriations to the Iowa State Historical Society.

J. P. LYMAN,  
*Chairman.*

April 11, 1902.

Adopted.

Also:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval, House file No. 225, a bill for an act to amend section three hundred and eight (308) and to repeal section three hundred and three of the code, and enact a substitute therefor, relating to the compensation of county attorneys.

Also, House file No. 220, a bill for an act to repeal sections twenty-one hundred and sixty-eight (2168), twenty-one hundred and sixty-nine (2169), twenty one hundred and seventy-three (2173) of the code and twenty-one hundred and seventy-nine (2179) of the code, and the amendments thereto as shown by chapter 72 of the acts of the Twenty-eighth General Assembly, and to enact substitutes therefor, and to amend sections twenty-one hundred and seventy-four (2174), twenty-one hundred and seventy-five (2175), twenty one hundred and eighty-one (2181) of the code, and the amendments thereto as shown by chapter 72, acts of the Twenty-eighth General Assembly, and twenty-one hundred and ninety-nine (2199) of the code, relating to the militia.

Also, House file No. 449, a bill for an act to legalize the official acts of the town council of the incorporated town of Denver, in Bremer county, Iowa, and the acts of F. C. Richmann, acting as clerk of said town.

Also, House file No. 62, a bill for an act to amend section four hundred and forty-one (441) of the code, relating to compensation of official papers.

J. P. LYMAN,  
*Chairman.*

April, 11th 1902.

Adopted.

Also:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval House file No. 263, a bill for an act to repeal sections two (2), three (3), four (4) and five



(5), chapter one hundred sixteen (116), acts of the Twenty-eighth General Assembly, also defining the duties of the Iowa library commission, transferring the associate and traveling libraries from the state library board to the Iowa library commission, and providing for an appropriation for the extension of the work of the Iowa library commission, also amending section one hundred sixty-eight (168) of the code and repealing section two thousand eight hundred sixty-eight (2868), two thousand eight hundred sixty-nine (2869), two thousand eight hundred seventy-one (2871), two thousand eight hundred seventy-two (2872), two thousand eight hundred seventy-three (2873) and two thousand eight hundred seventy-four (2874) of said code, also repealing chapter one hundred forty-eight (148), acts of the Twenty-seventh General Assembly.

Also, House file No. 276, a bill for an act to protect sheriffs and other peace officers in procuring evidence for the identification of criminals or persons accused of crime.

Also, House file No. 83, a bill for an act to repeal section two thousand five hundred seventy-two (2572) of the code, and enact a substitute therefor, in relation to quarantine and the expenses thereof.

Also, House file No. 323, a bill for an act to appropriate money to pay for paving the state's portion of East Walnut street between Fourteenth and Fifteenth streets, adjoining the state's property.

J. P. LYMAN,  
*Chairman.*

April 11, 1902.

Adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House amendment to Senate file No. 269, a bill for an act to amend section 2604 of the code, relating to the compensation to be allowed the adjutant quartermaster and surgeon of the Iowa Soldiers' Home.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill, in which the concurrence of the Senate was asked:

House file No. 455, a bill for an act to provide for the general levy for state purposes for the year 1902, and subsequent years.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has amended and passed the following joint resolution, No. 5, in which the concurrence of the Senate was asked:

Fixing the number and compensation of employes in the departments of state at the seat of government.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Hurn, of Cerro Gordo, joint resolution No. 5, with Senate amendments thereto, was taken up, considered and Mr. Hurn moved that the House concur in the Senate amendments to joint resolution No. 5.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Barker, Barkley, Bealer, Black, Blakemore, Boysen, Buchanan, Calderwood, Carter, Cassel, Cheney, Clarke, Coburn, Colclo, Cowles, Crouse, Donahue, Dunham, Edwards, Eiker, English, Flenniken, Freeman, Gilchrist, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hughes, Hurn, Jaeger, Jenks, Keagy, Kendall, Kling, Kolthoff, Langan of Clinton, Langan of Crawford, Larrabee, Leech, McClure, McClurkin, McNie, Mattes, Meservey, Moore, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Secor, Springer, Stuckslager, Sweeley, Townsend, Walden, Walters, Warren, Mr. Speaker—65.

The nays were:

None.

Absent or not voting:

Messrs. Anderson, Campbell, Carden, Christianson, Cruikshank, Cummings, Davenport, Dodds, Fields, Frudden, Furry, Graff, Greeley, Greene, Hufschmidt, Jones, Kerr, Koontz, Lyman, Marshall, Mordhorst, Payne, Roome, Sokol, Stratton, Sweet, Teachout, Temple, Utterback, Whiting, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright—35.

So the House concurred in the Senate amendments.

Temple of Clarke, from the committee of conference on the St. Louis fair appropriation bill, submitted the following report and moved its adoption:

MR. SPEAKER—Your conference committee appointed to act with a like committee from the Senate and to which was referred House file No. 300,

as amended by the Senate, being a bill for an act to provide for an exhibit of the arts, industries and resources of the state of Iowa at the Louisiana Purchase exposition to be held in the city of St. Louis, in the state of Missouri, beg leave to report that they have had the same under consideration and after conferring together have agreed to submit the following report, viz:

That the House do concur in the Senate amendments to said bill placing the appropriation for said purpose at \$125,000.

G. W. CLARKE,  
B. F. CUMMINGS,  
J. P. CRUIKSHANK,

*Committee on the part of the House.*

JAS. A. SMITH,  
GEO. W. LISTER,  
JOHN L. WILSON,  
F. L. MAYTAG,

*Committee on the part of the Senate.*

The report of the committee was adopted.

Temple of Clarke moved that the House concur in the Senate amendments to House file No. 300.

On the question, Shall the House concur?

The yeas were:

Messrs. Anderson, Bailey, Barkley, Bealer, Black, Blakemore, Buchanan, Calderwood, Carter, Cassell, Cheney, Clarke, Crouse, Cruikshank, Cummings, Davenport, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Graff, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hilsinger, Hurn, Jaeger, Jenks, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Crawford, Larrabee, Leech, McClure, McNie, Marshall, Mattes, Moore, Nagle, Nichols, Patton, Piper, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Stuckslager, Sweeley, Sweet, Teachout, Temple, Townsend, Walters, Warren, Whiting, Willett, Wilson of Washington, Wise, Wright, Mr. Speaker—75.

The nays were:

Messrs. Hughes, Meservey—2.

Absent or not voting:

Messrs. Barker, Boyson, Campbell, Carden, Christianson, Coburn, Colclo, Cowles, Dodds, Dunham, Frudden, Greeley, Hufschmidt, Jones, Langan of Clinton, Lyman, McClurkin, Mord-

horst, Payne, Stratton, Utterback, Walden, Wilson of Buena Vista—23.

So the House concurred.

Mr. Lyman, from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 419, a bill for an act to apportion the state into representative districts and declare the ratio of representation.

Also, House file No. 447, a bill for an act to appropriate money for the construction and equipment of a laundry building for the Hospital for the Insane at Mt. Pleasant, Iowa, and to provide it with heat, water, lights and sewer connections.

Also, House file No. 454, a bill for an act making an appropriation for the purchase of a portrait of the late James Harlan for the gallery of portraits in the art gallery of the historical department at Des Moines, Iowa.

Also, House file No. 378, a bill for an act to repeal section twenty-eight hundred twelve (2812) of the code; section one (1), of chapter ninety-five (95) of the acts of the Twenty-seventh General Assembly, and chapter one hundred and forty-two (142) of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor, providing for the issuance of school bonds.

Also, House file No. 342, a bill for an act to amend section nine hundred and fifteen (915) of the code, relating to the recording and certification of plats.

Also, House file No. 428, a bill for an act to amend section twenty-seven hundred fifty-five (2755) of the code, relating to the registration of voters for school elections.

Also, House file No. 172, a bill for an act relating to reports to be made by railway companies to the executive council to aid in the assessment of railway property for taxation, and providing for a uniform system in making said reports.

Also, House file No. 423, a bill for an act to legalize the election held in the town of Hillsdale, Mills county, Iowa, on the 18th day of March, 1901, and to legalize all ordinances, acts and proceedings of the officers elected at said election.

Also, House file No. 354, a bill for an act amending paragraph five (5), of section seventeen hundred nine (1709) of the code, relating to insurance.

Also, House file No. 176, a bill for an act to provide a department in one of the hospitals for the insane, for the detention and treatment of dipsomaniacs, inebriates and those addicted to the excessive use of narcotics.

J. P. LYMAN,  
*Chairman.*

Adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

**MR. SPEAKER**—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 419, a bill for an act to apportion the state into representative districts and declare the ratio of representation.

Also, House file No. 447, a bill for an act to appropriate money for the construction and equipment of a laundry building for the Hospital for the Insane at Mt. Pleasant, and to provide it with heat, water, lights and sewer connections.

Also, House file No. 454, a bill for an act making an appropriation for the purchase of a portrait of the late James Harlan for the gallery of portraits in the art gallery of the historical department at Des Moines.

Also, House file No. 373, a bill for an act to repeal section twenty-eight hundred twelve (2812) of the code, section one (1), of chapter ninety-five (95), of the acts of the Twenty-seventh General Assembly and chapter one hundred forty-two (142) of the acts of the Twenty-eighth General Assembly and enact a substitute therefor, providing for the issuance of school bonds.

Also, House file No. 342, a bill for an act to amend section nine hundred fifteen (915) of the code, relating to the recording and certification of plats.

Also, House file No. 428, a bill for an act to amend section twenty-seven hundred fifty-five (2755) of the code, relating to the registration of voters for school elections.

Also, House file No. 172, a bill for an act relating to reports to be made by railway companies to the executive council to aid in the assessment of railway property for taxation, and providing for a uniform system in making said reports.

Also, House file No. 423, a bill for an act to legalize the election held in the town of Hillsdale, Mills county, Iowa, on the eighteenth day of March, 1901, and to legalize all ordinances, acts and proceedings of the officers elected at said election.

Also, House file No. 354, a bill for an act amending paragraph five (5), of section seventeen hundred nine (1709) of the code, relating to insurance.

Also, House file No. 176, a bill for an act to provide a department in one of the hospitals for the insane, for the detention and treatment of dipso-maniacs, inebriates, and those addicted to the excessive use of narcotics.

J. P. LYMAN,

*Chairman House Committee.*

E. K. WINNE,

*Chairman Senate Committee.*

Adopted.

## MESSAGE FROM THE SENATE.

The following message were received from the Senate:

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

Senate file No. 366, a bill for an act to make appropriation for the payment of state and judicial officers, state and other expenses.

GEO. A. NEWMAN,  
*Secretary.*

Read first and second times.

On motion of Hughes of Iowa, by unanimous consent, Senate file No. 366 was taken up without reference to a committee and considered.

Mr. Hughes moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Anderson, Bailey, Barker, Barkley, Bealer, Black, Blakemore, Buchanan, Calderwood, Carter, Cassel, Cheney, Christianson, Clarke, Coburn, Crouse, Cruikshank, Cummings, Davenport, Donahue, Edwards, Eiker, English, Fields, Flenniken, Freeman, Furry, Gilchrist, Greeley, Greene, Hamann, Hasselquist, Hawk, Head, Hertert, Hughes, Hurn, Jaeger, Jenks, Keagy, Kendall, Kerr, Kling, Kolthoff, Koontz, Langan of Crawford, Larrabee, Leech, Lyman, McClure, McClurkin, McNie, Marshall, Mattes, Meservey, Moore, Mordhorst, Nagle, Nichols, Patton, Pipher, Powers, Pritchard, Robinson, Roome, Secor, Sokol, Springer, Sweeley, Sweet, Temple, Townsend, Walters, Warren, Willett, Wilson of Buena Vista, Wilson of Washington, Wise, Wright, Mr. Speaker—79.

The nays were:

None.

Absent or not voting:

Messrs. Boysen, Campbell, Carden, Colclo, Cowles, Dodds, Dunham, Frudden, Graff, Hilsinger, Hufschmidt, Jones, Langan

of Clinton, Payne, Stratton, Stuckslager, Teachout, Utterback, Walden, Whiting—21.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has adopted the conference committee report and amendments to House file No. 300, a bill for an act to provide for an exhibit of the arts, industries and resources of the State of Iowa at the Louisiana purchase exposition to be held in St. Louis in the state of Missouri.

GEO. A. NEWMAN,  
*Secretary.*

The Speaker announced that he had signed in the presence of the House, House files Nos. 419, 447, 454, 373, 342, 428, 172, 423, 354, 176.

Journal of Wednesday, April 9th, corrected and approved.

Journal of Thursday, April 10th, corrected and approved.

Edwards of Butler moved that the chief clerk of the House be authorized and instructed to read and correct today's Journal.

Adopted.

Moore of Davis, moved that a committee of three be appointed to inform the governor and the Senate that the House is now ready to adjourn.

Carried.

The Speaker appointed as this committee, Messrs. Moore of Davis, Davenport of Union, Kolthoff of Chickasaw.

The following statement was filed:

HOUSE OF REPRESENTATIVES, }  
DES MOINES, April 11, 1902. }

MR. SPEAKER—The undersigned members of the House of Representatives ask that the Journal show the following reasons for their voting against Senate file No. 264, in reference to senatorial districts:

1. Said bill is grossly unfair and unjust in that it continues the districts as based on the census of 1880.

2. Said bill is unconstitutional and in direct violation of the plain mandate of section 84 of the constitution of this state.

Gardner Cowles, F. C. Gilchrist, C. W. Carter, M. J. Sweeley, E. A. Fields, Hugh Langan, A. J. Wilson, A. H. Cheney, C. C. Colclo, R. C. Langan, A. J. Barkley, N. E. Kendal.

The report of the committee on Retrenchment and Reform was called up and adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Lyman, from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 800, a bill for an act to provide for an exhibit of the arts, industries and resources of the state of Iowa at the Louisiana Purchase exposition, to be held in the city of St. Louis, in the state of Missouri.

Also, joint resolution No. 5, fixing the number and compensation of employes in the departments of state at the seat of government.

J. P. LYMAN,  
*Chairman.*

Adopted.

Also:

Mr. Lyman, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 800, a bill for an act to provide for an exhibit of the arts, industries and resources of the state of Iowa at the Louisiana Purchase exposition, to be held in the city of St. Louis, in the state of Missouri.

Also, joint resolution No. 5, fixing the number and compensation of employes in the departments of state at the seat of government.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

Also:

Mr. Lyman, from the committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 851, a bill for an act relating to negotiable instruments, being an act to establish a law uniform with the laws of other states on that subject, and to repeal sections three thousand forty-three (3043), three thousand forty-five (3045), three thousand forty-nine (3049), three thousand fifty (3050), three thousand fifty-one (3051), three thousand fifty-two (3052), three thousand fifty-four



(3054) and three thousand fifty-five (3055) of title fifteen (15), chapter three (3) of the code, additional to code title fifteen (15), chapter three (3).

Also, House file No. 428, a bill for an act to amend section twenty-seven hundred fifty-five (2755) of the code, relating to the registration of voters for school elections.

Also, House file No. 455, a bill for an act to provide for the general levy for state purposes for the year nineteen hundred two (1902) and subsequent years.

Also, House file No. 257, a bill for an act fixing a uniform time at which all annual appropriations shall begin.

Also, House file No. 280, a bill for an act requiring the county auditor to compile and prepare a financial report and providing for the printing and distribution thereof.

J. P. LYMAN,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Lyman from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 351, a bill for an act relating to negotiable instruments, being an act to establish a law uniform with the laws of other states on that subject, and to repeal sections three thousand forty-three (3043), three thousand forty-five (3045), three thousand forty-nine (3049), three thousand fifty (3050), three thousand fifty-one (3051), three thousand fifty-two (3052), three thousand fifty-four (3054) and three thousand fifty-five (3055), of title fifteen (15), chapter three (3) of the code, additional to code title fifteen (15), chapter three (3).

Also, House file No. 428, a bill for an act to amend section twenty-seven hundred fifty-five (2755) of the code, relating to the registration of voters for school elections.

Also, House file No. 455, a bill for an act to provide for the general levy for state purposes for the year nineteen hundred two (1902) and subsequent years.

Also, House file No. 257, a bill for an act fixing a uniform time at which all annual appropriations shall begin.

Also, House file No. 280, a bill for an act requiring the county auditor to compile and prepare a financial report and providing for the printing and distribution thereof.

Also, Senate file No. 366, a bill for an act to make appropriations for the payment of state and judicial officers, state and other expenses.

Also, Senate file No. 189, a bill for an act defining and providing for the taxation of freight line and equipment companies.

Also, Senate file No. 362, a bill for an act to fix the compensation of waterworks trustees in special charter cities.

Also, Senate file No. 345, a bill for an act to amend section 23 of chapter 118 of the acts of the Twenty-seventh General Assembly, providing for the expenses of the state architect.

Also, Senate file No. 264, a bill for an act fixing the number of senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each and dividing the state into senatorial districts.

Also, Senate file No. 188, a bill for an act to legalize certain instruments in writing which were defectively acknowledged.

Also, Senate file No. 223, a bill for an act to amend section eight hundred fifty (850) and eight hundred fifty-nine (859) of the code, as amended by the acts of the Twenty-seventh General Assembly, and as amended by the acts of the Twenty-eighth General Assembly, in relation to park commissioners in certain cities.

Also, Senate file No. 295, a bill for an act to amend section seventeen hundred ten (1710) of the code, relating to limitation of insurance risks.

Also, Senate file No. 269, a bill for an act to amend section twenty-six hundred four (2604) of the code, relating to the compensation to be allowed to the adjutant, quartermaster and surgeon of the Iowa Soldiers' Home.

Also, Senate file No. 365, a bill for an act making appropriation to the Iowa State College of Agriculture and Mechanic Arts, the State University and the State Normal School.

Also, Senate file No. 176, a bill for an act creating a commission of the capitol building and certain repairs thereto and appropriating money therefor.

Also, Senate file No. 188, a bill for an act to legalize certain instruments in writing which were defectively acknowledged.

Also, Senate file No. 223, a bill for an act to amend sections eight hundred fifty (850) of the code, as amended by the acts of the Twenty-seventh General Assembly, and as amended by the acts of the Twenty-eighth General Assembly, in relation to park commissioners in certain cities.

Also, Senate file No. 295, a bill for an act to amend section seventeen hundred ten (1710) of the code, relating to limitations of insurance risks.

Also, Senate file No. 269, a bill for an act to amend section twenty-six hundred four (2604) of the code, relating to the compensation to be allowed to the adjutant, quartermaster and surgeon of the Iowa Soldiers' Home.

Also, Senate file No. 365, a bill for an act making appropriation to the Iowa State College of Agriculture and Mechanic Arts, the State University and the State Normal School.

Also, Senate file No. 176, a bill for an act creating a commission of the capitol building and certain repairs thereto and appropriating money therefor.

J. P. LYMAN,  
*Chairman House Committee.*  
E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

The Speaker announced that he had signed as Speaker of the House in open session, Senate files Nos. 295, 189, 264, 223, 188, 269, 176, 365, 362, 345, 366. House joint resolution No. 5, House files Nos. 428, 300, 230, 257, 455, 351.

The committee appointed to notify the governor and the Senate that the House is in readiness to adjourn reported their duty performed and were discharged.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval, House file No. 351, a bill for an act relating to negotiable instruments, being an act to establish a law uniform with the laws of other states on that subject, and to repeal sections three thousand and forty-three (3,043), three thousand and forty-five (3,045), three thousand and forty-nine (3,049), three thousand and fifty (3,050), three thousand and fifty-one (3,051), three thousand and fifty-two (3,052), three thousand and fifty-four (3,054) and three thousand and fifty-five (3,055) of title fifteen (15), chapter three (3) of the code, additional to code title fifteen (15), chapter three.

Also, House file No. 428, a bill for an act to amend section twenty-seven hundred fifty-five (2755) of the code, relating to the registration of voters for school elections.

Also, House file No. 455, a bill for an act to provide for the general levy for state purposes for the year nineteen hundred two (1902) and subsequent years.

Also, House file No. 257, a bill for an act fixing a uniform time at which all annual appropriations shall begin.

Also, House file No. 230, a bill for an act requiring the county auditor to compile and prepare a financial report and providing for the printing and distribution thereof.

J. P. LYMAN,  
*Chairman.*

April 11, 1902.

Adopted.

Also:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval, House file No. 300, a bill for an act to provide for an exhibit of the arts, industries and resources of the state of Iowa, at the Louisiana Purchase exposition to be held in the city of St. Louis, in the state of Missouri.

Also, joint resolution No. 5, fixing the number and compensation of employes in the department of state at the seat of the government.

J. P. LYMAN,  
*Chairman.*

April 11, 1902.

Adopted.

Also:

MR. SPEAKER—Your committee on Enrolled Bills respectfully report that they have this day sent to the governor for his approval, House file No. 419, a bill for an act to apportion the state into representative districts and declare the ratio of representation.

Also, House file No. 447, a bill for an act to appropriate money for the construction and equipment of a laundry building for the Hospital for the Insane at Mt. Pleasant, Iowa, and to provide it with heat, water, lights and sewer connections.

Also, House file No. 454, a bill for an act making an appropriation for purchase of a portrait of the late James Harlan for the gallery of portraits in the art gallery of the historical department at Des Moines, Iowa.

Also, House file No. 373, a bill for an act to repeal section twenty-eight hundred twelve (2812) of the code, section (1), of chapter (95), of the acts of the Twenty-seventh General Assembly, and chapter one hundred and forty-two (142) of the acts of the Twenty-eighth General Assembly, and to enact a substitute therefor, providing for the issuance of school bonds.

Also, House file No. 342, a bill for an act to amend section nine hundred and fifteen (915) of the code, relating to the recording and certification of plats.

Also, House file No. 428, a bill for an act to amend section twenty-seven hundred fifty-five (2755) of the code, relating to the registration of voters for school elections.

Also, House file No. 172, a bill for an act relating to reports to be made by railroad companies to the executive council to aid in the assessment of railroad property for taxation, and providing for a uniform system in making said reports.

Also, House file No. 423, a bill for an act to legalize the election held in the town of Hillsdale, Mills county, Iowa, on the eighteenth day of March,

1901, and to legalize all ordinances, acts and proceedings of the officers elected at said election.

Also, House file No. 354, a bill for an act amending paragraph five (5) of section seventeen hundred and nine (1709) of the code, relating to insurance.

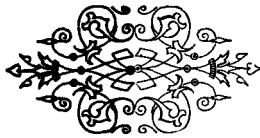
Also, House file No. 176, a bill for an act to provide a department in one of the hospitals for the insane, for the detention and treatment of dipsomaniacs, inebriates, and those addicted to the excessive use of narcotics.

J. P. LYMAN,  
*Chairman.*

April 11, 1902.

Adopted.

The hour having arrived for final adjournment, the Speaker declared the House of Representatives of the Twenty-ninth General Assembly adjourned *sine die*.





# Speeches on Occasion of Visit of Pioneer Law Makers of Iowa, also on Passage of Senate File 152.

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The following speeches were made on the occasion of the visit of the Pioneer Law-Makers of Iowa to the House and are printed in the Journal by order of the House.

The Speaker, in welcoming the body of Pioneer Law-Makers, said :

I voice the sentiment which is in the heart of every member of this House when I tender to you the cordial and generous welcome to this hall at this hour. We delight to do honor to those who have preceded us in other years, and who early wrought on the fair fabric of this splendid commonwealth. The hall of the House of Representatives in this beautiful capitol is to-day your own. You laid its foundations. It is rightfully your own. You honor us by your presence.

I have requested the gentleman from Lee county, Mr. Marshall, to extend to you a more formal greeting.

Marshall of Lee spoke as follows :

*Mr. Speaker, Gentlemen of the House and our guests, the Pioneer Law-Makers of Iowa:—*

I am sorry that I cannot truthfully say that being called upon to address you today is an entirely unexpected honor, but the fact is that the Speaker intimated to me, something more than a week ago, that he would call upon me for a few impromptu remarks and I have been trying ever since to think of something impromptu, and am still trying. Your presence among us is an honor we prize greatly. You have come down to us from former generations which we revere and we, of the day of telephone and electricity, welcome you most cordially.

Our loved state, which in your time had just begun to twinkle its little light in that bright galaxy of stars which today forms the greatest constella-

tion in the universe, has grown to such magnificent proportions that you can now see how much better you builded than you knew, and all that Iowa is and all that she hopes to be is due to you who laid the foundation so broadly and so wisely. Times have, indeed, changed since you sat in the legislative halls of this great state. We now cross our broad prairies from river to river in a few hours and talk across the state as though face to face. Not so in your time. It then took weeks to carry tidings from one side to the other, and, though we have conveniences and luxuries of which you never dreamed, you are not without your compensations. When my grandfather, William Patterson, who was a member of the First and several succeeding territorial legislatures and one of the signers of the Constitution of Iowa, went to Iowa City to attend the legislature, he went on horseback, and followed furrroughs which had been ploughed to show the way, and carried his provisions with him. This would seem a hardship to many of us now, but then he was not bothered with trying to obtain transportation, nor was he abused for voting against an anti-pass bill nor ridiculed for voting for it, and that storm of virtuous indignation which biennially bursts over our devoted and patriotic heads was entirely unknown to him.

You saddled your horses and followed the furrow leading to the Capitol when you went to the legislature, but your sleep was sweet and your dreams untroubled, you were not vexed because your passes did not transport you to California or New York, but were GOOD ONLY IN IOWA. If you wished to converse with a neighbor you walked or rode to his home, even though the weather was inclement, but you were untroubled by the arrogant telephone company who refused to allow competing companies to use their line and objected to outsiders fixing their rates and running their business for them. So you perceive that the balance is not all on one side. When we think how our wants, even our necessities have increased, we are inclined to think that the Indian was the only thoroughbred gentleman and our much boasted civilization is a delusion and a snare. We might miss our electric cars and electric lights, but we would also miss the smoke and soot which makes this city such a delightful winter resort. We might miss the tall spires of our churches, but we would not see our fellow creatures clothed in stripes and confined behind stone walls and iron bars, we might miss our chapels, seminaries, even normal schools, but jails, poor-houses and even court-houses would be equally absent.

Also taxes, and last but not least, we would have, sad to say, no legislature, which one thought possibly reconciles us to the present state of affairs and fires in us the ambition to live long enough to become a member of the Pioneer Law-Makers Association.

Ex-Lieut.-Gov. B. F. Gue spoke as follows:

*Gentlemen of the House of Representatives of the Twenty-ninth General Assembly:*

It is my pleasant privilege on behalf of the association of the Pioneer Law-Makers of Iowa to acknowledge to you our deep appreciation of the courtesy you have extended to us in permitting us to meet you here, who are now the law-makers, face to face upon this occasion. The services of our association



are in the past; they are a part of history; they extend back—there are representatives to the Third General Assembly of the state of Iowa in 1850. We have one or two representatives of that far-off legislature here with us, and all of the intermediate legislatures were represented for a number of years. I regret to have to say that many of our members found it necessary to return to their homes, and they are not here to unite with us in greeting you. Our terms of service were in the log-cabin age. They began when the comforts of life were meager, when the settlements were new, when the small population of the state was scattered among the groves and around the rivers of what is now the great state of Iowa. One of our members who is unable to be with us today, dates away back to the first territorial legislature in 1838, M. S. Bell, of Van Buren county, still living, and we have a letter from him. So that we represent really from the very beginning of the territory of Iowa, dating back about sixty-five years. It is a pleasure to us who represent the past to meet you and look upon your faces and recognize that here before us are some of the men from whom United States senators, governors and members of the cabinet, and members of the House of Representatives will undoubtedly be taken in the future. You have among you men who are young in years, and I am informed that there are three members of your House, including your speaker, who are sons of honored pioneer law-makers. It is an especial pleasure to greet them and to know that the people have appreciated the worthy sons of the noble fathers. I will not take more of your time, but later I will call upon a member or two of our association to further express our feelings. (Applause.)

The speaker then introduced Gilchrist of Pocahontas who said:

*Mr. Speaker, Honored Guests, and Gentlemen of the House:*

I am pleased to share the privilege, on behalf of this House, to extend to the body of Pioneer Law-Makers of Iowa, a kindly and sincere greeting. The people of our state have a peculiar and deep affection for their early law-makers, and this occasion bids us contemplate the period they represent and the history they have made. It bids us to rejoice in the blessings they have given us and emulate the examples they have set for us. It also gives opportunity for the expression of thanks and of gratitude due from the present to the past, and it brings its solemn pledges of duty from the present to the future.

The typical traits of the true pioneer are integrity, courage, and industry,—an integrity above suspicion,—a courage to brave the dangers of the untrodden forests and the trackless wilderness,—an industry which tires not in the hardships of the frontier. These qualities have been the special heritage of our early people and their law givers, and these qualities have laid broad and deep the foundations of our moral and physical grandeur.

Law making is not law tinkering, and it is easier to conserve than to originate these complete and symmetrical rules of conduct whose enforcement brings health to the social and political life. These difficult tasks have, however, been well done for us by our distinguished guests in the past.

They have given us our Constitution, and nowhere in the language can be found a broader, or better collation and expression of the inalienable rights of man fought by the Anglo Saxon, on so many fields, wrested piecemeal from so many reluctant princes, and now conserved by these men in the first article of our fundamental law,—a veritable Ark of the Covenant.

It is more difficult and far more delicate to reform than to cancel or annul, yet they have performed for us the delicate task of crystallizing much of the common law into the codified and tangible expressions of the present time, all without prejudice to any right, nor wrong to any sect.

It is better to give than to receive, and they must have, therefore, especial pride in the fact that they have given us our entire system for the regulation of corporate enterprises, roads, railways, commerce, trade and labor; and they have so wisely provided that our resources have been developed until the state blossoms as a garden, her herds are on her hillsides, her factories are never idle, and her granaries are filled in basket and in store.

Such has been the heart of these pioneers, that their first supreme court in the first decision ever handed down in the days of the territory and of the fugitive slave laws held, that slaves brought within the territory were no longer property at all, and said (1 Morris p. 7) that when the master “applies to our tribunal for the purpose of controlling, as property, that which our laws have declared shall not be property, it is incumbent on them to refuse their co-operation when, in seeking to accomplish his object, he illegally restrains a human being of his liberty, it is proper that the laws, which should extend equal protection to men of all colors and conditions, should exert their remedial interposition.”

This was the spirit also of the lawmakers in the great storm of 1861, while the ship was tossing amid lowering skys on turbulent waters, and which led them to resolve, “That the faith, credit and resources of the state of Iowa, both in men and in money, are hereby irrevocably pledged, to any amount and to any extent which the government may constitutionally demand, to suppress treason, subdue rebellion, enforce the laws, protect the lives and property of loyal citizens and maintain inviolate the constitution and sovereignty of the nation.”

But even these things are not the brightest in their crown of jewels. Their greatest glory is in providing for us that system of schools, colleges, churches and families which has lifted up humanity and has made our men and women strong in the right. Our farms and factories are great, but not so great as our firesides.

And, Mr. Speaker, from the first appearance of our star upon the national firmament, its radiance has brightened, and this, above all, because the fires have burned true in the breasts of the founders. No iconoclastic hand can tear down their temples of fame, nor destroy the love and happiness they have brought to the people of this state “whose affections flow like the rivers of her borders to an inseparable union.”

Governor Gue introduced Judge Fairall who said:

*Mr. Speaker and Gentlemen of the House:*

It seems almost like a dream to me that forty-six years ago I met for the first time the law makers of Iowa in the old capitol building at Iowa City. They were the type of American manhood of which any nation might be proud. They came from an ancestry whose blood had baptized a hundred battlefields of the revolution, and whose hardships and sufferings had made sacred the hills and valleys for which they fought. It was this ancestry which founded the great state of Iowa. There were farmers, merchants, mechanics, teachers, preachers, doctors, and lawyers who formed the great caravan that crossed the Mississippi river and laid the foundations of this broad, beautiful and grand commonwealth. I have seen in my town the little frame house in which the first legislature met in Iowa City in 1839. It was a small body, but it was made up of representative men, and the law-makers of Iowa, and the judicial officers who have expounded the laws are a pride to any state, and as year by year our population increased our men filled these offices with dignity. They were men of exalted moral character and, while most of them had never received anything more than a common school education, they were men of great intellect; they were men who left upon the records of this state imprints of greatness and of goodness. The Pioneer Law-Makers of this state have contributed their quota to the men who have ruled this nation, and Iowa, beautiful Iowa, today stands proud and pre-eminent at the national capital by reason of the men who so ably represent us here today. No state in the great west has every been so honored in the matter of cabinet officers. One of our leading pioneer lawyers of the state was the great Samuel F Miller, associate justice of the supreme court of the United States, a masterful mind, broad and comprehensive and progressive he added luster to the bench. The great bench was occupied by such men as Marshall and Taney, and Chase, and Wade, and Miller. From a small state we have grown to be great.

I remember well the first meeting of the legislature in the city of Des Moines. The same strong, sturdy men handled the legislative department of this state with grace and dignity, and from that time on, from the earliest days, such men as Mason, Browning, Rorer, Grimes, Harlan and Kirkwood, the legislators of this state have been holding a pre-eminence with those of sister states. It is a matter of great and just pride to have been a member of the legislature of the state of Iowa, and, while the old men are passing away, it is a matter of great pride that in these two halls we have worthy successors who will uphold the dignity and do the grand work which was begun by the pioneer legislators of Iowa. In behalf of that body, now in session, as its youngest member, I thank you for them for this kind and cordial reception. And, one word more, it was one of the proudest acts of my life when a member of the Twelfth General Assembly that I had the pleasure of voting for a new capitol building, and the bill passed the Senate by but one vote.

I thank you again, gentlemen, for your kind welcome to us here today, the old men, the shadow of whose lives are lengthening out, when the evening of life is coming so close. So in behalf of those men, I thank you again for your kind welcome.

The Speaker then introduced Representative Hamann of Dubuque, who responded as follows:

*Mr. Speaker, Honored Guests and Brethren of the House:*

I trust that in spite of whatever eulogies into which the inspiration of this occasion may ultimately betray me, I may be permitted to preface what I have to say, while I am yet calm and collected, with the matter of fact suggestion that the pioneer law-makers cannot be held exclusively responsible for all the good things of which it is Iowa's good fortune to be able to boast. They did much, these pioneers, gentlemen, very much. But theirs is not the credit for it all; for instance, theirs is not the credit of creating Iowa's fertile, rolling prairies, of sending the abundant rain and the glad sunshine that made those prairies bear the bounteous harvests which have caused her to be heralded as the granary of the world. A few of those minor, material blessings we are bound to attribute to a kind, beneficent and all-wise Providence. Yet, so closely have the blessings of nature and of nature's God been connected with the blessings bestowed by the wisdom-filled acts of these, our guests today, that a cursory retrospect appears to reveal that they exercised an exceedingly potent influence upon that Providence. In such harmonious accord did they work with Providence that I feel almost bold enough to accuse them of having had a political partnership with Providence. I am only sorry that I cannot say the same thing of the Twenty-ninth General Assembly.

Gentlemen, your duties in those far-off days were different than ours of today. Yours comprised the making of a constitution for our state,—to make the fundamental law; to range into the untracked wilderness of the common law—our heritage from England—and to cut from it the timber out of which to build the structure of our institutions. To cull from it the doctrines of an age long past and substitute the principles fitting for a new and frontier state. Yours the task to set aside the mediæval and create the modern. Yours to form the basis for all that was and is to come.

And you did it in a way that makes a thrill of exultation touch the heart of every Iowan who reads the pages of her annals. Fills him with wonder at the foresight of you, her legislators,—wonder, for in the beginning, back before the middle of the last century, times and conditions were different from today. In Iowa still the howl of the wolf arose on the midnight air with the savage war-whoop, and the pale-faced pilgrim trembled for the safety of his defenceless frontier home. He planted his corn in fear and gathered it in perturbation; his chickens and his children were plundered by the painted foe and life itself was in danger of oozing out between the logs of his slab hut—even if fortified with three Sharp's muskets, a spunky wife and a jug of whiskey—which, I understand, was not then contraband of war in Iowa. With these conditions in your minds—a total population for the state no greater perhaps than that of Polk county at the present time—you were called to legislate. And you did. And, gentlemen, fellow members, the men whom our guests represent did more than that; they made a constitution and a code of laws not only for their time and for their people, but a constitution and a code which by their natural growth and evolution at the hands of their successors have proven to be admirably fitted for the newer

days as well. They took the fabric of the older common law and went to work at it, and as they did, "gradually through its web and woof began to run and shine and glitter the golden thread of justice." Through those years, through a long procession of stirring and grand events, through times that tried by fiercest ordeal the institutions made by men, the institutions builded by our pioneers held their own, stronger day by day. They survived as well the turmoil of a civil war as the pressure of economic panic.

No less wise and patriotic were the later law-makers—the assembly of '51 which, by joint resolution, declared that Iowa "was bound to maintain the union of the states by all the means in her power"—foreseeing almost a decade before, that another assembly to which Brother Gilchrist has already referred was to solemnly pledge Iowa's every resource of men and money for the national cause, and to raise \$300,000 for a war and defense fund.

In 1838, on September 4th, was held the first public banquet ever served on Iowa's soil. It was held to celebrate her organization as a territory. At that banquet the main toast was offered by General Van Antwerp, who lives today in the memory of many of you. It was this: "Iowa—may her maturity fully realize the bright prospects of her most promising infancy, and to insure this, may her first and her unceasing care be directed to education and agriculture as the most certain and imperishable basis upon which to erect her future prosperity and renown, and her continued adherence to liberal principles."

Perhaps consciously, but actuated by the same spirit of wisdom, you, our predecessors, have always acted, and through recognition of those principles, through devotion to those two objects of our state life, education and agriculture, it is my opinion that Iowa has risen to the rank she holds today, the peerless state in a matchless union of states.

Fellow members of this House, more gladly even than we yield our places temporarily here to our predecessors, would we yield them for a longer time. For we know that as the vistas of the memory lengthen with the years, so lengthens, too, the vision into the future. Gladly would we give Iowa the benefit of that prophetic vision and to you, our guests, the burden of doing the work which you have done so well in the past, confident that you would do still grander things. Yet we realize, as we look upon your broken ranks that, though many men have spent their lives searching for the fountain of eternal youth, they have not found it. That "no human ear has ever heard the silver gurgle of the spring of immortal youth."

We, and Iowa, must content ourselves, therefore, with the inspiration that your deeds in the past and your presence with us give, and trust that that inspiration will make our deliberations fraught with as great benefit to the state as yours were, in your day.

Col. S. A. Moore, a member of the Pioneer Law-Makers association, and a member of the Twenty-ninth General Assembly, was next presented and spoke as follows:

MR. SPEAKER—This call for remarks from me is very unexpected. My name does not appear on the program as one of those chosen to respond to any remarks that might be made on this occasion by any member of this

honorable body. I am sure that I cannot be mistaken in this, because I was one of the committee on program, on the part of the Pioneer Law-Makers, to arrange for our visit to the general assembly, in response to its invitation so pleasantly extended to us by the committee. But I have been a soldier and was taught very early the lesson in military tactics—to obey my superior officer promptly and as cheerfully as human nature would allow, upon this principle that, as some must of necessity govern, others must learn to submit and obey.

This reception on the part of the House is certainly very gratifying to the Pioneer Law-Makers, many of whom have been residents of Iowa many years before the younger members of this general assembly, who have spoken such pleasant words of greeting to us, were born. And, on behalf of our association, I want to thank these gentlemen for the words of commendation they have given to us for the part taken by these old gentlemen in moulding the laws and shaping the policy of the state from the territorial days until age and infirmity, with the greater number of them, compelled their retirement from an active participation in the legislation of the state.

We look forward to the biennial meetings of our association as affording us the means of sharing the society of each other for a few days; of looking into the faces of each other; holding for a moment the hands that we pressed in friendship and genial greeting in manhood's early morning, when our hopes and aspirations were buoyant, and clothed with the glow and radiance of a summer morn. But some times in our meetings, after the first warm greetings and salutations are over, and the touch and thrill of hands slow to unclasp has passed, and the tones of the voice are noted and contrasted with the long ago—there is a feeling of melancholy sadness that touches the heart with tenderness that plain, simple words are inadequate to describe. There is a force in words, which words themselves are powerless to express, and I have found myself unable to describe in a manner satisfactory to myself the life and public services of some of those old pioneer law-makers, whom you have so graciously honored today by suspending for a time the business of the state to do them honor.

Some of these old gentlemen crossed the Mississippi into the territory of Wisconsin, afterwards the territory of Iowa. They were seeking homes in the new and beautiful country. They shared with the Indians, the hunters and trappers, and dragoons, the privations and hardships incidental to the life of the pioneers. Some of them were present at the first land sales, and assisted to form the first crude laws that gave protection to the life and property of the squatter on his claim, his first cabin home.

Some of them were members of the first constitutional convention, and others members of the first legislature that gave the laws and shaped the policy that started the state of Iowa—the brightest gem in the galaxy of the nation—on her career of greatness and renown. They have lived, some of them, to witness the marvelous growth of the state in all the essential elements of greatness. The impress of their hearts and hands and intellect can be seen in the educational, agricultural, manufacturing and mechanical institutions. The financial policy of the state was so wisely shaped that our citizens enjoyed the blessings of a sound currency, when bankruptcy and ruin marked the weakness of other lines of policy in older states.

When contrasted with the old capitol, this magnificent structure marks the vast improvements that have been made in every department of the state. In our old pioneer days we had no railroads, telegraph or telephone lines, or daily mails in Iowa. Now time and distance are almost annihilated in our business, and heaven's electric spark gives omnipresence to thought.

I sometimes in my musings wonder what I shall do when I have grown old. I am only a little over four score today. I was honored by my people with the position of representative in another state fifty-one years ago, and as senator in the Tenth and Eleventh General Assemblies of Iowa; and, after an absence of thirty-six years, they have honored my old age by returning me to the House of the Twenty-ninth General Assembly.

On behalf of the Pioneer Law-Makers I want to thank you again for the reception and the warmth of expression in your greeting.

If I am permitted to grow old, I shall sit with slippered feet in my old arm chair beside my grate fire, in my "Little Cottage Home," and fancy will carry me back to this hall and to my desk and revolving chair, and the forms, faces and features of my old time friends—my pioneer associates—and the members of this House with whom I have been so pleasantly associated this winter, will pass before me like a moving panorama, and abide with me as a pleasing memory as the years of my life wear on.

Speaker, Mr. President and members of the Pioneer Law-Makers, I am aware that the hour has arrived when you must leave this hall for the performance of another duty. I speak again for the members of the House of Representatives of the Twenty-ninth General Assembly of Iowa. I thank you for your presence at this hour and beg to assure you that the recollections of your faces and of this visit will linger in the memories of the members of the Twenty-ninth General Assembly in all the years to come. Again I speak for them and say, may your days be lengthened, may the white-winged angel of peace hover over you until the day comes when the black camel shall kneel at your tents and ask you to take the long and silent journey. We thank you for your presence once more and you are permitted to retire if you see fit.

The following speeches were made on the passage of Senate file No. 152, on Monday, April 7th, being a bill for an appropriation to place monuments in memory of the Iowa troops on Lookout Mountain and Missionary Ridge.

Langan of Clinton addressed the House as follows:

MR. SPEAKER:—I appreciate the fact that the period of this session has arrived when plain facts are preferable to attempted flights of oratory. Therefore, I will briefly state the objects of this bill.

The Twenty-fifth General Assembly provided for a commission to establish the positions at which the Iowa troops fought during the battles of Missionary Ridge and Lookout Mountain. It reported to the Twenty-sixth General Assembly, showing the location of the Iowa troops during said engagements. Ten regiments and one battery of Iowans participated in those engagements.

This appropriation contemplates the expenditure of \$35,000, \$5,000 of which is to be available during this biennial period, for the erection of three state monuments, one at either end of Missionary Ridge, and one on Look-out Mountain, the location of which has already been determined by the commission on its visit to these points.

Mr. Speaker, I will say this is probably the last of the appropriations by this state for monuments, Shiloh having been provided for by the Twenty-eighth General Assembly and Vicksburg at this session. To dwell on the importance of these battles and to expatiate on the valor of the Iowa troops thereat would be merely reminding or refreshing the minds of the members of this House with a part of the history of this country. This House is familiar with those facts. I see around me so many veterans and so many students of history that I feel safe in intrusting this bill to their consideration.

However, I will say Mr. Speaker that of all the states that had troops at these battles, Iowa and West Virginia are the only ones which have not provided an appropriation to perpetuate the memory of the gallant boys of the civil war, West Virginia having but one regiment. I would also say, Mr. Speaker, that the government owns the grounds on which these battle grounds are located and has transformed them into a grand and beautiful park in order that each state may erect suitable shafts in testimony of her troops.

May Iowa with her expanseless acres teeming in wealth keep pace with her sister states and vote this appropriation.

Gilchristof Pocahontas spoke as follows :

MR. SPEAKER :—Mankind has always delighted to honor its warriors. Leonidas at Thermopylæ, Horatius at the bridge, David upon the plains of Palestine were knightly men at arms; the sentiments of the human heart go out to them and their kind in respect and love; and throughout time the peoples of the earth will commemorate their valor and their unselfish devotion to the cause of patriotism.

So also, the world has walked the path of enlightenment step by step to the strains of martial music; and in the history of the nations, that which has been the instrument of prosperity and greatness has oftentimes been achieved in war and protected by arms.

Likewise their soldiery have been fitting exponents of their life. The legions returning with victorious eagles typify Rome. The crusaders reflect the irregular religious thought of the twelfth century. The painted warrior of the Apache or the Sioux stands for the relentless cruel barbarity of the Indian. The phalanx of the Macedonian, the cohorts of Assyria, the guards of Cromwell, all symbolize the age, the environment and the people.

Nowhere in history have these truths been so strikingly exemplified as in the case of the Union soldier in the war of the Rebellion, whose memory we are now asked, by this bill, to perpetuate. The Iowa soldier upon Look-out Mountain and Seminary Ridge was not a soldier of conquest, but of domestic tranquility. Our regiments were not mercenary hordes of a rapacious prince, but were the honest, prosperous yeomanry of a republic of the



people, by the people, and for the people. They were dedicated to the sentiment that all men are created equal and are endowed with inalienable rights, first among which is liberty—to which others are inconsequential by comparison, as for instance, life and pursuit of happiness.

They fought, not for themselves, but for humanity; they died to secure the blessings of freedom for others. Greater than this can no man do. They typify democracy of man, self-denial, truth militant and love. A love which abrogates self, which gives drink to him who is athirst and which binds up the broken limb. This is all that was taught by that voice which spake from the mount, which taught in Judea and which cried out on Calvary.

"On Fame's eternal camping ground  
Their silent tents are spread,  
And glory guards with solemn round  
The bivouac of their dead."

In the dawn of creation old Mother Earth passed through travail, and while in the throes and pangs of the birth of Tennessee she was scarred with the seams of rivers and the wrinkles of mountains, mixed with the fitful sleep of valleys; and here in the fall of 1863 was enacted what is in my judgment the most striking and picturesque drama ever set to the clang of arms since the morning stars first sang together. Tactics and grand strategy never elsewhere played on such a theater nor with such a cast. Here the Union soldiers gave this nation a new birth of liberty. This spot we propose to consecrate to the memory of the dead and to hallow to the benefit of the living, that the abundant sacrifices, the patriotic deeds and the patient endurance of our own soldiers will be made blessed unto distinct posterities and varied climes and that the people will be encouraged to deeds of valor by this display of the affection of a grateful country.

We will not build a pyramid amid Egyptian sands by the sweat and blood and life of a hundred thousand captives to proclaim the greatness of a single cruel Pharaoh; nor will we raise a monolith on the field of some Marathon to perpetuate the prowess of a victorious commander. But we will glorify the private soldier and his comrade, and the bald-faced old mountain may be God's own contribution enveloped in cloud mists and kissed with sun bursts in token of the blood that was spilled and of the glory that was won.

It has been my pleasure to stand upon the heights of Seminary Ridge, to look down upon the Tennessee sweeping through the peaceful valley and kissing the shores of Moccasin Point, to see the city of Chattanooga sleeping upon the breast of the beautiful valley of the southland, to the east the smoky mountains of the Carolinas, to the south the cottonfields of Alabama; and as I stood there I knew that the art and ingenuity of man could not contrive or select a stronger fortress, and how it could be taken in the face of a determined and haughty enemy fresh from victorious fields, will ever remain a mystery to me. And as you stand there the thought comes of the battle, you hear the tempestuous roar of the artillery and the rattle of musketry, you see the long lines of infantry sweep out across the lowland into the jaws

of death--into the very mouth of hell--and storm the rifle-pits at the base of the mountain. They never falter in purpose, they never fail in courage, but come on and on, up the mountain side, here pressing forward, there reeling back, swarming the second line of works. Death walks as a pestilence at noonday, but on they come with now a cheer and then a groan until in a veritable baptism of blood and fire the summit is reached, the field is won, and the old flag is planted on the heights, there to remain until the crack of doom and the reveille of eternity shall proclaim a universal peace.

Representative Blakemore of Taylor spoke as follows:

MR. SPEAKER:—I owe this House some apology for taking its time, when I consider the condition of business before the session, but I also consider it right and fitting and extremely fortunate that this subject has been taken up today. This is the anniversary of the memorable battle of Shiloh. Forty years ago today this historic battle was fought and won by the federal troops. On that day, momentous in our nation's history, thousands of our bravest men laid down their lives for the preservation of the Union.

There is no other place in life where men are so close to each other, and where the sense of comradeship has in it so much as among soldiers. On such occasions as this our minds run back to the stirring days, now almost a generation away. We remember the morning, when the picket line is driven in, and when the fire of the long skirmish line increases. We remember how the drums beat the long roll, and the shrill bugles wake the echoes with the "boots and saddles" call. Then we hear again the stern clear command of the officers to "fall in." There is a hurry to and fro as the lines are formed, and with bated breath the men stand steady waiting the word which will send them against the foe. One casts an eye to the right and to the left, to see how Jenkins and Brown is standing the ordeal of preparation for battle, and as he notes the set stern look on the face of these next to him he knows that his comrades are fit and firm. Then he grasps his own gun firmly and with confidence hears the command to advance; the line moves forward and fight is on.

We remember too the dull thud of the cruel lead as it struck the body of a comrade, and as we last saw him he was prostrate on the shot-scarred ground, canopied by the smoke and dust of battle. We see these comrades, but we cannot offer relief, for to pause now would mean defeat. There is nothing now but victory or death.

I am slow to believe that any rational man ever fought in battle from love of fighting. I have known many soldiers who were physical cowards and yet were moral heroes. In this connection I am reminded of what is said of General Garnett, who fell at Gettysburg. It is said that the rattle of the skirmish line at a certain battle scared a rabbit from its hiding place and as it bounded past General Garnett and his staff the general was heard to say, "Good-by Mollie Cottontail, I would to God I were going with you, and I would too were it not that my patriotic and moral duty hold me here."

We are glad that the young men of this legislature and of the country at large are interested in this and similar memorials. We are assured thus,

that the memory of the soldiers and of their heroism will be preserved. We are also glad today that we have a united country. The animosities engendered by the war have almost faded out from the memories of man. The people of the southland have no antipathy or objection to the erection of these monuments, but on the contrary invite them. For, while such a monument marks the ground held by the gallant federal troops it is also a permanent memorial of confederate valor. It would be no credit to us to say we had defeated them if they had been an army of poltroons and cowards. I believe I can say, without fear of successful gainsaying, that the confederate army under Johnston, Lee, Stonewall Jackson and Longstreet was as brave a body of men as ever trod the earth or charged on horse.

In erecting these monuments we establish object lessons that will teach patriotism, loyalty and love of country. Let us hope that these qualities will grow in the hearts of our people and become as the products of the tropics, where the vegetation never ceases in its luxuriance and that the flag of our country may float nearest heaven of all the emblems of earth.

Head of Greene spoke as follows:

MR. SPEAKER:—I do not wish to take the valuable time of the House to make any extended remarks on the bill before us, but permit me briefly to say that I think the amount asked is very modest when we take into consideration the important positions captured in the battles of Lookout Mountain and Missionary Ridge and the situation when Sherman's Vicksburg army marched from Bridgeport, Alabama, over Shell Mound and up the narrow Chattanooga Valley, the only road open at that time into or out of Chattanooga. We marched up the Chattanooga Valley in the night through rain and mud. The infantry had to pull some of our artillery out of the mud holes. We crossed the Tennessee river on a pontoon bridge, except one division which was prevented from crossing by a large raft of logs sent down the river by the confederates, compelling us to cut our pontoon bridge loose and swing it around to the opposite bank so that we might take it with us. Our army lay concealed behind the hills north of Chattanooga until we re-crossed the river in the night, paddling the pontoon boats across until we had landed several regiments on the opposite shore when the bridge was laid and the remainder of the army crossed. We captured their pickets, their officer of the day and his escort and the confederates did not know we were across until near 9 o'clock next morning.

I do not believe a grander or better army than Sherman's army at that time ever trod the earth. They were all seasoned and well disciplined troops inured to hardship, an army that had never known defeat used to battle and had the swing of conquest in their march. They had faith in their commander and he had faith in them, it was said that Grant sent a dispatch from Orchard Knob to Sherman asking him if his army would charge Mission Ridge, Sherman replied, they will charge hell, if I order them to! General Grant seemed to divine what was in the mind of General Bragg. That he would naturally expect the principal assault would be made by Sherman's veterans. This proved correct, for as soon as Sherman's army began to move into position that morning Bragg's troops were seen marching rapidly east on top of the ridge toward Sherman's front. He left a very

thin, weak line in front of Thomas. Sherman ordered our division to march across the open plantation to the white house just east of the tunnel, at the base of the ridge, and await orders. As soon as we formed our line for the advance they opened fire on us with their siege guns and kept it up until we passed the point where they could not depress their guns enough to reach us. They failed to get range on us. We moved forward at a quickstep. Their shots struck behind us and only one that I observed struck our line, wounding two men. After remaining at the base of the ridge some time, while an artillery duel was going on over us between our batteries and the confederate batteries, we were ordered to move by the left flank some distance and then ordered to charge up the ridge, keeping as near as we could our companies together, and to form in line behind their first line of works on the brow of the ridge. We charged as ordered, firing as we went clambering up the steep places as best we could. They returned our fire, they had rocks and logs ready to dump down on us, which they dumped at the wrong time, as most of them struck in front of us and bounded over us, and what few did come straight at us we had no difficulty in getting out of the way of, and so far as know their logs and rocks did us no harm. When the confederates saw they could not check our advance they abandoned their first line of works and we formed behind them as ordered, here the battle raged with unremitting fury for some two hours, I was acting adjutant, the colonel-major and myself were the field officers. All on foot, the colonel in the charge took position near the right of our regiment. He ordered the major to take position near the center and me near the left, not long after reaching the top of the ridge the major was wounded by a shell. Near the close of battle I was wounded by a minnie ball through my thigh. There was an order that day prohibiting any soldier leaving the line to assist a wounded comrade to the rear. This duty was intended to be performed by the litter bearers detailed for that purpose, but they never came up the ridge (it was unhealthy up there). Captain Lusby, of Polk county, wanted to detail two men to assist me to the rear, but I said I would not disobey an order that I had been enforcing myself. I could stand on one foot and told the captain the fight would soon be over and I would stay. In a short time he came near where I was standing and said he thought that an order had come down the line, intimating that our division would be ordered back down the mountain, and if they went I would be captured, and again wanted to send two men to assist me down the mountain. I again refused assistance and for some reason I then started to crawl down the mountain unassisted. I looked for the best place, the sides of the ridge to the northeast looked the smoothest. I managed to crawl east and down some distance when I saw our troops moving down, and not long after I heard the rebel yell as they charged over the brow and down the ridge after our troops. They came over *en masse* and not apparently in line. When I saw them coming I pulled myself up and sat down on a rock. They passed me, some of them looked at me, only one stopped and looked at me. I looked carelessly at him. He said nothing, neither did I (as I did not care to make his acquaintance just then), he also went on down the hill. About that time I heard a cheer from Thomas' army. It seemed like thousands of boys away off, and I could see them advancing rapidly up the ridge. They had a less distance to get to the top of the ridge than Bragg had to get his men back and in front of Thomas, and in a few seconds

Sherman opened on the confederates who had charged over and down after his men, 150 heavy guns, all trained on that part of the ridge, and then I witnessed a scene that I never can forget. All the artillery we had opened fire; all the infantry who was in range opened fire. The earth seemed to tremble and quake. Those heavy shells striking the rocks on that mountain side among those confederates, knocking blazes of fire out of those rocks many feet long, filling the air with pieces of shells. Spalldgs of rock mine with the fire and smoke, combined with the roar of the cannon and bursting shells, that peculiar whistling sound made by pieces of shells and spalls of rock flying through the air, and the blood-curdling scream of those shells, made a scene of appalling grandeur that no language can describe. Those confederates went back as fast as they could; not one of them looked at me as they went back. Many who had got down so far that the fire struck in the rear of them came on down and surrendered rather than try to go back through that terrible fire.

Thomas' army gained the top of the ridge with very slight opposition, captured Bragg's siege guns on that end of the ridge and turned them down the ridge and opened fire on Bragg, which compelled Bragg to retreat as quickly as he could. General Grant literally manoeuvred Bragg out of his position on Lookout Mountain and Missionary Ridge.

There never has been, in my opinion, a better exhibition of military skill, genius and strategy than was here exhibited. I think this bill should pass without a dissenting vote.

Moore of Davis, spoke as follows:

MR. SPEAKER:—I have been so impressed with the remarks of the gentleman from Greene, Mr. Head, a veteran of the civil war, my old comrade in arms, and with his glowing description of the terrible battles fought at Chattanooga, Missionary Ridge and Lookout Mountain, that I ask the indulgence of the House for a few moments to pay my tribute of love and honor to the bravery and patriotism that sustained the besieged army of the Union during the long weary days and nights with hopes deferred, until the battles that were fought around that historic ground, the most picturesque in all the southland, brought victory and gave new hopes to the federal arms.

It was not my fortune to be with Thomas and Sherman and Hooker and the gallant men who bore the flag through the fields where shot and shell with minnie balls and sabre stroke marked the pathway of death from the valley to the summit of the mountain. But the old veteran, the gentleman from Greene, who in the prime of his manhood assisted to maintain the dignity of Iowa and the honor of the nation has given us such a description of the grandeur and glory that he witnessed in the awful splendor that enveloped the mountain and the terrific roar of the artillery that played upon it from base to summit, that my heart was hushed to silence and I listened to hear the story repeated. And, as an old soldier, I want to thank the young gentleman from Clinton, Mr. Langan, and the young gentleman from Pocahontas, who were born since the close of that terrible war, where the brother fought his brother and the slave fought his master, for their beautiful touching words of patriotism, and the tribute they have paid to the

brave men who are sleeping in the valleys and trenches and on the sides and summit of that awful field of carnage and glory.

And, in my conception of the funeral pomp, the guise of war and the monumental grandeur with which the American people indulge their patriot sons who have died on bloody battle field, in hospitals of pain or starved to death in the skeleton clutch of famine, in prison pens, there seems to me no spot in all the world so fittingly marked by nature upon which to erect a monument in memory of the sons of Iowa, as on the summit of Lookout Mountain. Towering above the valley, high upward above the clouds, plant there the shaft where the pilgrim who journeys to that shrine of love can bring his offerings of silent reverence of flowers or tears, and gazing upward through its beetling crags that look eternal, listens to the music of the rippling streams that are flowing through its granite gorges to the sea, and chanting the requiem of the dead soldiers of Iowa forever.

Kendall of Monroe said:

MR. SPEAKER—I have trespassed so frequently upon the attention of this House, that I ought, perhaps, to apologize for asking further indulgence at this hour. But the impressive address of the "Old Man Eloquent," from Davis county, has rendered it impossible for me to preserve silence. The purpose of this measure is to establish monuments to celebrate the heroism of veteran soldiers who surrendered their lives on Lookout Mountain. It is peculiarly appropriate that the valorous and self-abnegating men who enriched with their priceless blood the soil of the southern states, should be remembered by such testimonials of our reverent affection. They not only made our republic truly free, but they made possible its magnificent development which is now the miracle and the marvel of all civilized communities.

Do you know, Mr. Speaker, that today we are the most important people on earth, today we are the most enlightened, today we are the most progressive. We know more than any other people. We have more books on our shelves, more pictures on our walls, and more thought in our brain than any other people. We have more pleasant homes in this country, more genuine honest hospitality, more beautiful women and more intellectual men. And the United States is the best government ever organized by man; no other nation so nearly approaches absolute equality, no other republic ever survived half so long without a successful revolution, and every additional star we imprint upon our brilliant banner is a perpetual evidence that we intend to live forever. I have not been depressed by the insidious pessimism which characterizes current opinion; on the contrary I have unlimited faith in this great republic. A nation that is capable of producing George Washington and Thomas Jefferson and Alexander Hamilton; that is capable of producing Andrew Jackson and Henry Clay and Daniel Webster; that is capable of producing Abraham Lincoln, and what shall I say of that overshadowing genius of the unprecedented conflict; that mysterious admixture of merriment and melancholy, of laughter and sadness, of humility and stalwart self-confidence? He was the finest figure of the fiercest civil war. He is the

tenderest recollection of our occidental world, a nation that is capable of producing Ulysses S. Grant, that silent soldier whose military prowess exploded ancient fallacies and created new perceptions of popular government and whose dying words "let us have peace" were a sacred benediction upon the troubled hearts of of all his countrymen; a nation that is capable of producing James G. Blaine, that pre-eminent patriot who claimed everything for his country and nothing for himself and whose exalted achievements in diplomacy and statesmanship illumined the expiring years of the nineteenth century with a halo that shall never dissipate. A nation that is capable of producing such men and inaugurates the golden epoch of its existence by introducing upon the theater of international affairs the matchless McKinley and the redoubtable Roosevelt—such a nation must have a marvelous destiny. And it will go forward forever surmounting one obstacle after another in the pathway of its development and of its destiny until at last it shall sieze and hold and reflect the glory and the grandeur of all the earth. Joaquin Miller, that erratic, eccentric and almost insane genius of the Sierra Nevadas has written a poem of Columbus and his voyage, of its hopes and fears, and suspense and despair and finally of its supreme reward in the discovery of an unsuspected continent. I never read that poem that I do not instinctively feel that its lofty sentiment typifies the irresistible progress of my country:

Behind him lay the gray Azores,  
 Behind the gates of Hercules;  
 Before him not the ghost of shores;  
 Before him only shoreless seas.  
 The good mate said: "Now must we pray,  
 For lo! the very stars are gone.  
 Brave Admiral, speak, what shall I say?"  
 "Why, say: 'Sail on! sail on! and on!'"

They sailed and sailed, as winds might blow,  
 Until at last the blanched mate said:  
 "Why, now not even God would know  
 Should I and all my men fall dead.  
 These very winds forget their way,  
 For God from these dread seas is gone.  
 Now speak, brave Admiral; speak and say—"  
 He said: "Sail on! sail on! and on!"

They sailed. They sailed. Then spake the mate:  
 "This mad sea shows his teeth tonight.  
 He curls his lip, he lies in wait,  
 With lifted teeth, as if to bite!  
 Brave Admiral say but one good word:  
 What shall we do when hope is gone?"  
 The words leapt like a leaping sword:  
 "Sail on! sail on! sail on! and on!"

Then, pale and worn, he kept his deck,  
And peered through darkness. Ah, that night  
Of all dark nights! And then a speck—  
A light! A light! A light! A light!  
It grew, a starlit flag unfurled!  
It grew to be Time's burst of dawn.  
He gained a world; he gave that world  
Its grandest lesson: "On! sail on!"

And so shall this imperial republic of ours, sanctified by the tears and prayers and blood of its mighty dead, sail on and on and on until in the lapse of time it shall realize the fondest hopes of the most devoted patriot who ever offered his best blood to establish it, to maintain it, to protect it, to defend it.

But, Mr. Speaker, in the unparalleled prosperity which we enjoy today and in that which shall be bestowed upon us in the years to come, let us not be forgetful of the heroic veterans whose suffering and sacrifice and death enabled us to claim liberty as our heritage. I love every one of them, and I seldom make public address without acknowledging my individual obligation to the men who sustained this government when it was attacked by open treason at the south and assailed by covert disloyalty at the north. They are the most resplendent stars in all the firmament of humanity. Nobler than the Roman, grander than the Greek, they suppressed an insurrection without a precedent and without a parallel. The historian of the future will tno discover in the annals of the past a more inspiring spectacle of human grandeur than that presented by the volunteer soldiers of the American republic who perished on the bloody battlefields of the civil war. We can not regalanize their mouldering clay, we cannot reincarnate their departed spirits. We can only unite in the creation of perpetual monuments to illustrate their glory.



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