

JOURNAL OF THE HOUSE

OF THE

Thirtieth General Assembly

OF THE

STATE OF IOWA

WHICH CONVENE AT THE CAPITOL AT DES MOINES  
JANUARY 11, 1904.

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DES MOINES  
BERNARD MURPHY, STATE PRINTER  
1904



## OFFICERS OF THE HOUSE.

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### Speaker:

GEORGE W. CLARKE,  
Adel, Dallas County.

### Speaker Pro Tempore:

B. F. CUMMINGS,  
Marshalltown, Marshall County.

### Chief Clerk:

C. R. BENEDICT,  
Shelby, Shelby County.

Assistant Clerk.....Leroy E. Corlett, Elkader, Clayton County.  
Assistant Clerk..... W. C. Ramsey, Belmond, Wright County.  
Engrossing Clerk..... Mrs. Mollie Heist, Allerton, Wayne County.  
Enrolling Clerk..... Walter P. McCulla, Cherokee, Cherokee County.  
Journal Clerk..... Harry E. Griffen, Maquoketa, Jackson County.  
Journal Clerk..... R. H. Clock, Hampton, Franklin County.  
Bill Clerk..... L. M. Black, Ireton, Sioux County.  
Bill Clerk..... F. J. Alexander, Winterset, Madison County.  
File Clerk..... J. C. Hall, Woodward, Dallas County.  
Assistant File Clerk..... Harry Breeding, Des Moines, Polk County.  
Sergeant-at-Arms..... Col. S. A. Moore, Bloomfield, Davis County.  
Assistant Postmistress.... Hester Runyan, Odebolt, Sac County.  
Chief Doorkeeper..... J. B. Lewis, Spencer, Clay County.  
Speaker's Clerk..... A. E. Brown, Des Moines, Polk County.

THE HOUSE OF REPRESENTATIVES OF THE THIRTIETH GENERAL ASSEMBLY.

District	Name.	Postoffice Address.	Counties in District.	Occupation.	Nativity.	Years in Iowa.	Age.
7	Bailey, M. Z.	Diagonal	Ringgold	Farmer	Iowa	47	47
48	Bealer, E. J. C.	Cedar Rapids	Linn	Cont and Quarry	Switzerland	47	58
68	Bixby, R. J.	Edgewood	Delaware	Farmer and Stock	Iowa	49	49
40	Boland, Edward	Williamsburg	Iowa	Farmer	Ireland	35	62
18	Buchanan, A. W.	Ottumwa	Wapello	Whl Flour and Grain	New Jersey	33	53
77	Buckingham, F. N.	Alta	Buena Vista	Farmer	Illinois	19	47
48	Calderwood, M. H.	Eldridge	Scott	Banker	Iowa	40	40
20	Carden, William	Winfield	Henry	Merchant	Iowa	38	38
45	Carstensen, Theo.	Clinton	Clinton	Woodworker	Germany	22	34
19	Cassel, A. F.	Four Corners	Jefferson	Farmer	Sweden	58	71
78	Chassel, E. D.	LeMars	Plymouth	Pblr and Com. Trav.	New York	36	45
82	Cheney, A. H.	Spencer	Clay, Palo Alto	Implement Dealer	Vermont	40	65
63	Christianson, Geo. P.	Randall	Hamilton	Banker	Denmark	36	40
36	Clarke, G. W.	Aiel	Dallas	Lawyer	Indiana	47	51
86	Clary, Tim C	New Hampton	Chickasaw	Lawyer	Wisconsin	32	41
8	Cobb, William	Bedford	Taylor	Minister and Farmer	Indiana	58	68
59	Coburn, George F.	Marcus	Cherokee	Farmer	Illinois	28	47
55	Coleto, C. C	Carroll	Carroll	Editor	Ohio	49	52
73	Conn, Stanley	Parkersburg	Butler	Farmer	Canada	47	48
9	Cröse, Chas. F.	Shenandoah	Page	Merchant	Iowa	47	47
51	Cummings, B. F.	Marshalltown	Marshall	Lawyer	New York	39	39
27	Dashiell, Mark A.	Indianola	Warren	Physician and Surg.	Indiana	50	75
56	Davie, William A.	Dunlap	Crawford	Farmer	Illinois	47	48
30	DeLano, L. L.	Atlantic	Cass	Lawyer	Ohio	37	57
53	Doran, Justin R.	Beaver	Boone	Farmer	New York	32	58
74	Dow, D. W.	Hampton	Franklin	Attorney	Michigan	44	67
37	English, Emory H.	Valley Junction	Polk	Editor and Publisher	Iowa	33	33
70	Flenniken, J. C.	Strawberry Point	Clayton	Real Estate	Iowa	41	41
31	Freeman, W. H.	Oakland	Pottawattamie	Stock and Grain	Illinois	38	59
69	Frudden, A. F.	Dubuque	Dubuque	Lumber Merchant	Germany	19	49
24	Geneva, Thomas.	What Cheer	Keokuk	Mcht and Live Stock	England	44	46
52	Greeley, W. M.	Ames	Story	Banker	New York	37	62
28	Greene, Robert A.	Peru	Madison	Merchant	Iowa	33	38
13	Gregory, Ross H.	Nevinville	Adams	Physician	Illinois	10	33
76	Hakes, Montague	Laurens	Pocahontas	Merchant	Iowa	45	45
25	Hambleton, A. F. N.	Oskaloosa	Mahaska	Real Est and Ins.	Iowa	46	46
83	Hanna, George W.	Lu Verne	Kossuth	Banker and Farmer.	Iowa	53	53
39	Harris, Thomas	Montezuma	Poweshiek	Grain and Lumber.	Massachusetts	47	71
87	Hart, William S.	Waukon	Allamakee	Lawyer	Iowa	35	35

54	Head, Mahlon	Jefferson	Greene	Banker	Ohio	48	68
59	Heles, Philip	N. Buena Vista	Dubuque	Farmer	Iowa	48	48
69	Hollenbeak, R. W.	Casey	Adair	Farmer	Illinois	27	52
90	Hume, Thomas H.	St. Angar	Mitchell	Lumber and Coal	Iowa	85	85
88	Jacobson, Abraham	Decorah	Winneshiek	Farmer and Minister	Norway	53	68
52	Jepson, C. N.	Sioux City	Woodbury	Lawyer	Iowa	81	81
12	Jones, F. F.	Villisca	Montgomery	Bank'r and Merchant	New York	80	49
17	Kendall, N. E.	Albia	Monroe	Lawyer	Iowa	85	35
1	Kennedy, Chas. A.	Montrose	Lee	Nurseryman	Iowa	34	34
32	Kling, H. B.	Woodbine	Harrison	Coal and Lumber	Wisconsin	26	51
41	Koontz, Geo. W.	Iowa City	Johnson	Banker	Pennsylvania	49	58
10	Laird, F. M.	Tabor	Fremont	Farmer	Iowa	48	48
81	Lamkin, C. B.	Inwood	Lyon, Osceola	Farmer and Stock	New York	29	42
45	Langan, Raymond C.	Clinton	Clinton	Attorney	Iowa	39	39
44	Leech, Louis J.	West Branch	Cedar	Phys. and Surgeon	Ohio	48	56
65	Lister, John	Conrad	Grundy	Farmer and Stock	Illinois	38	49
61	Lowrey, Jason H.	Pomeroy	Calhoun	Bank'r and R'l Est.	Illinois	35	53
50	Lundt, J. F.	Berlin	Tama	Farmer	Germany	35	52
48	McAllister, John	Palo	Linn	Farmer and Stock	Ireland	37	63
22	McClurkin, E. L.	Morning Sun	Louisa	Banker and Farmer	Iowa	46	46
4	McCreary, Wm. M.	Centerville	Appanoose	Merchant	West Virginia	47	65
5	McCulloch, Geo.	Humeston	Wayne	Physician	Ohio	32	54
46	McDole, Albert E.	Sabula	Jackson	Farmer and Stock	New York	50	53
58	McElrath, Wm. W.	Moville	Woodbury	Farmer	Ireland	28	55
49	McNie, Malcolm F.	Vinton	Benton	Farmer and Banker	New York	47	55
92	Maben, O. K.	Forest City	Hancock	Farmer	Iowa	35	35
16	Manning, Eli	Chariton	Lucas	Coal Dealer	Illinois	33	57
81	Martin, Robert J.	Hancock	Pottawattamie	Mcht and Impl.	Canada	32	40
60	Mattes, Joseph	Odebolt	Sac	Hardware Merchant	Iowa	48	48
79	Morris, James F.	Ireton	Sioux	Farmer and Stock	Illinois	48	49
34	Mott, D. C.	Audubon	Audubon	Editor and Publisher	Ohio	41	45
42	Nichols, J. I.	West Liberty	Muscatine	Farmer	Iowa	48	48
38	O'hill John F.	Prairie City	Jasper	Farmer and Stoc	Kentucky	40	58
91	OLSON H. L. †	Northwood	Winnebago, Worth	Farmer	Norway	47	53
87	Peet, R. M.	Springville	Jones	Farmer	Iowa	48	48
45	Powers, P. H.	Powersville	Floyd	Farmer and Mnfr	Canada	34	63
3	Prevo, T. J.	Bloomfield	Davis	Hardware Merchant	Indiana	65	67
75	Pritchard J. S.	Belmond	Wright	Farmer	Michigan	47	58
21	Ritter, Henry	Burlingttn	Des Moines	Brick Manufacturer	Iowa	51	51
53	Robinson, B. F.	Armstrong	Dickinson, Emmet	Banker	Connecticut	33	53
6	Sankey, E. J.	Leon	Decatur	Real Est. and Loans	Pennsylvania	54	60
72	Saylor, W. W.	Waverly	Bremer	Mgr. Lumber Yard	Pennsylvania	48	44
71	Shaffer, J. D.	Elgin	Fayette	Farmer	Iowa	45	45
14	Skinner, Scott	Creston	Union	Real Est. and Ins.	Iowa	51	51
89	Spaulding, H. L.	Elma	Howard	Attorney	New Hampshire	34	40
67	Springer, L. F.	Independence	Buchanan	Attorney	Pennsylvania	24	51
84	Stanbery, John S.	Mason City	Cerro Gordo	Attorney	Ohio	48	57
43	Stoltenberg, A. H.	Davenport	Scott	Retired Farmer	Iowa	40	40
2	Summers L. F.	Milton	Van Buren	Phys. and Surgeon	Missouri	32	54
37	Teachout, H. E.	Des Moines	Polk	Bnkr and Ice Dealer	New York	28	58

THE HOUSE OF REPRESENTATIVES OF THE THIRTIETH GENERAL ASSEMBLY—CONTINUED.

District	Name.	Postoffice Address.	Counties in District.	Occupation.	Nativity.	Years in Iowa.	Age.
15	Temple, M. L.	Osceola	Clarke	Lawyer	West Virginia	30	55
26	Teter, Lorenzo D.	Knoxville	Marion	Lawyer	Iowa	33	33
11	Washburn, A. B.	Hastings	Mills	Farmer	Iowa	34	34
35	Weeks, Elbert W.	Guthrie Center	Guthrie	Attorney	Ohio	47	53
64	WELDEN, WM.	Iowa Falls	Hardin	Merchant	Wisconsin	35	58
57	Whiting, Will C.	Whiting	Monona, Ida.	L'b'r and Imp. D'r.	Iowa	46	46
80	Whitmer, G. R.	Primghar	O'Brien	Banker	Iowa	38	38
23	Willson, H. H.	Wellman	Washington	Farmer	Iowa	49	49
66	Wise, Charles A.	Cedar Falls	Black Hawk	Banker	Germany	46	56
62	Wright, Robert M.	Ft. Dodge	Webster	Lawyer	England	27	59
33	Wyland, O. P.	Harlan	Shelby	Real Estate	Indiana	47	48

Republicans in roman—76. Democrats in italic—23. Independent republicans in small capitals—2.

\* Republican in politics, elected on Citizens ticket. † Republican in politics, elected on Independent Republican ticket.

ADDITIONAL INFORMATION.

*Former Legislative Service.*—Bailey, H. 29; Bealer, H. 29; Buchanan, H. 23, 29; Calderwood, elected to fill vacancy in H. 28, 29; Carden, H. 19; Cassell, H. 29; Chassell, H. 25; Cheney, H. 29; Christianson, H. 29; Clarke, H. 28, 29; Coburn, H. 28, 29; Colcolo, H. 29; Cummings, H. 29; Dashiell, H. 12, S. 14, 15, 18, 19; Davie, H. 22, 23, 29; English, H. 29; Flenniken, H. 29; Freeman, H. 29; Frudden, H. 29; Greeley, H. 29; Greene, H. 29; Head, H. 28, 29; Kendall, H. 28, 29; Kling, H. 29; Koontz, H. 27, 28, 29; Langan, H. 29; Leech, H. 29; McClurkin, H. 29; McCulloch, H. 19; McNie, H. 29; Mattes, H. 29; Powers, H. 29; Pritchard, H. 29; Robinson, H. 19; Springer, H. 29; Teachout, H. 29; Temple, H. 28, 23, 29; Whiting, H. 29; Wise, H. 28, 29; Wright, H. 19.

*Military Service.*—Bealer, Corporal Co. A., 22nd Iowa Infy.; Cheney, 10th Vt. Infy., 7th and 141 U. S. C. T. Major; Cobb, Corporal Co. F., 29th Iowa Infy.; Dow 32d and 44th Iowa Infy.; Greeley, 151st New York; Hart, Private, 2d Lieut., 1st Lieut., 4th Iowa infantry, S. A. W.; Head 2d Lieut., Co. F., 10th Iowa Infy.; Leech, Corporal Co. B., 2d Iowa Cav.; McAllister, Sergeant, 69th Ohio Infy.; McCreary, 1st Lieut., Co. G., 38th Iowa Infy.; Offill, Private Co. A., 3d Iowa Cav.; Olson, Co. B., 32nd Iowa Infy.; Pritchard, Private, 2d Iowa Cav.; Sankey, Private, 3rd Iowa Vet. Vol. Cav.; Welden, Corporal, 48d Wisconsin.

Married, 89. Single, Chassell, Christianson, Kennedy, Langan, Springer, Teter—6. Widowers, Calderwood, Carstensen, Cassell, DeLano, Welden—5.

## SCHEDULE

Showing the bills which, as originally introduced or as modified by amendments, became laws, with date of approval by the Governor and the chapter number of the session laws of the Thirtieth General Assembly.

Engrossed bill.	GENERAL LAWS.	Chapter.
H. F. 244—	AN ACT to repeal the law relating to the amendment and repeal of statutes which appear as chapter two (2) of the laws of the Twenty-seventh (27th) General Assembly, and as section forty-one-a (41-a) of the Supplement to the Code, and to enact a substitute therefor. Approved March 7, A. D. 1904.	1
H. F. 353—	AN ACT to amend sections fifty-five (55), fourteen hundred and nineteen (1419), fourteen hundred and forty-one (1441), fourteen hundred and ninety-five (1495), eighteen hundred and forty-two (1842), eighteen hundred and forty-three (1843), twenty-three hundred and eighty-eight (2388), thirty hundred and seventy-four (3074), thirty-one hundred and nine (3109), thirty-one hundred and thirty-one (3131), thirty-two hundred and eighty-four (3284) and forty-four hundred and seventy-four (4474) of the Code and the law which appears as section sixteen hundred and eighteen (1618) of the Supplement to the Code, relating to the publication of legal notices. Approved April 12, A. D. 1904.	2
S. F. 2—	AN ACT to amend section one hundred and thirteen (113) of the Code, and to provide for securing to the State interest on public funds. Approved March 31, A. D. 1904.	3
H. F. 247—	AN ACT relating to the payment by the State of the premiums of surety companies on the bond of the State treasurer and deputy State treasurer. [Additional to chapter four (4) Title two (2) of the Code, relating to the treasurer of State.] Approved April 9, A. D. 1904.	4
S. F. 217—	AN ACT defining the duties and powers of the Secretary of State with references to the State documents and other State publications, and amending section one hundred and twenty-six (126) of the Code. Approved March 12, A. D. 1904.	5

Engrossed bill.	GENERAL LAWS—Continued.	Chapter.
H. F. 402—AN ACT providing for the disposition of State documents, publications and laws, not required for public uses. [Additional to chapter five (5) of Title two (II) of the Code, relating to printing and binding.] Approved April 9, A. D. 1904.		6
S. F. 341—AN ACT requiring all boards, commissions, departments and officers of State to turn into the State treasury all fees collected, and to file with the Executive Council statements of expenses and per diem allowances to be paid by the State, and repealing all acts or parts of acts inconsistent with this act. [Additional to chapter seven (7) of Title two (II) of the Code, relating to the Executive Council.] Approved April 13, A. D. 1904.		7
S. F. 338—AN ACT repealing chapter eight (8) of title two (II) of the Code, relating to the census, and enacting in lieu thereof a substitute providing for the taking of the census, and making an appropriation therefor. Approved April 13, A. D. 1904.		8
H. F. 227—AN ACT regulating appointments, employment, and removals in the public departments and upon public works in the State of Iowa, and the counties, cities and towns thereof. [Additional to Titles two (II), three (III), four (IV) and five (V) of the Code, relating to state, judicial, county, township, city and town officers.] Approved March 21, A. D. 1904.		9
H. F. 302—AN ACT to amend section two hundred and twelve (212) of the Code, relating to the salary of the Assistant Attorney-General, and fixing his compensation. Approved March 24, A. D. 1904.		10
S. F. 90—AN ACT enlarging the powers of the district court, and to regulate the treatment and control of dependent, neglected and delinquent children. [Additional to chapter five (5), Title three (III) of the Code, relating to the district court.] Approved April 7, A. D. 1904.		11
H. F. 310—AN ACT amendatory to the law as it appears in chapter five-a (5-a) of Title three (III) of the Supplement to the Code, relating to appointment of trustees by district court to manage, control and invest cemetery funds. Approved April 12, A. D. 1904.		12
H. F. 222—AN ACT defining the duties of clerks of district courts in cases of suspension or revocation of the license of an attorney or counselor at law to practice. [Amendatory to chapter ten (10) Title three (III) of the Code.] Approved March 7, A. D. 1904.		13
S. F. 55—AN ACT to amend section three hundred and fifty-four (354) of the Code, in relation to compensation of jurors. Approved February 10, A. D. 1904.		14



Engrossed bill.	GENERAL LAWS—Continued.	Chapter.
H. F. 452—AN ACT to amend section four hundred and three (403) of the Code, relating to county bonds. Approved April 12, A. D. 1904.		15
S. F. 169—AN ACT to amend the law as it appears in section four hundred and three (403) of the Code relating to funding and refunding outstanding county indebtedness. Approved April 7, A. D. 1904.		16
H. F. 374—AN ACT to amend the law as it appears in section four hundred and thirty (430) and four hundred and thirty-three (433) of the Code, relative to the power and duty of boards of supervisors with regard to indigent soldiers, sailors and marines. Approved April 13, A. D. 1904.		17
H. F. 180—AN ACT to amend the law as it appears in section four hundred and forty-one (441) Supplement to the Code, relating to number of papers authorized to publish the proceedings of the board of supervisors. Approved April 6, A. D. 1904.		18
H. F. 248—AN ACT to repeal section four hundred seventy-nine (479) of the Code, relating to the compensation of county auditors, and to enact a substitute therefor. Approved April 6, A. D. 1904.		19
H. F. 96—AN ACT to amend section four hundred ninety-four (494) of the Code, relating to the duties of the county recorder. Approved March 30, A. D. 1904.		20
H. F. 140—AN ACT to amend the law as it appears in section four hundred ninety-five (495) of the Code and in section four hundred ninety-six (496) of the Supplement to the Code, relating to the compensation of county recorders. Approved March 21, A. D. 1904.		21
H. F. 329—AN ACT to amend section five hundred sixty (560) of the Code, relating to township clerk and trustees. Approved March 30, A. D. 1904.		22
H. F. 150—AN ACT to amend the law as it appears in section five hundred eighty-six (586) of the Supplement to the Code, relating to the powers of township trustees. Approved April 12, A. D. 1904.		23
S. F. 62—AN ACT to amend section seven hundred twenty-eight (728) and section seven hundred thirty (730) of the Code,, relating to library trustees and library treasurer, and to legalize the maintenance and control under joint ownership and control of cities and towns and institutions of learning. Approved April 13, A. D. 1904.		24
S. F. 149—AN ACT to amend the law as it appears in section seven hundred and thirty-two (732) of the Supplement to the Code, relating to the support and maintenance of free public libraries. Approved April 13, A. D. 1904.		25

Engrossed bill.	GENERAL LAWS—Continued.	Chapter.
S. F. 118—AN ACT repealing section seven hundred and thirty-eight (738) and seven hundred and thirty-nine (739) of the Code. [Relative to construction of sewers in towns and smaller cities.] Approved March 31, A. D. 1904.		26
H. F. 461—AN ACT authorizing cities of over sixty thousand (60,000) inhabitants to levy a tax for the purpose of erecting public buildings and procuring grounds for the same. [Additional to chapter four (4) of Title five (V) of the Code, relating to general powers of cities and towns.] Approved April 13, A. D. 1904.		27
H. F. 70—AN ACT authorizing cities and towns to levy a tax for the purpose of erecting public buildings, and purchasing grounds for the same. [Additional to chapter four (4), title five (V) of the Code, relating to general powers of cities and towns.] Approved March 17, A. D. 1904.		28
S. F. 189—AN ACT to amend the law relating to the construction of viaducts appearing as section seven hundred and seventy-one (771) of the Code supplement. Approved March 17, A. D. 1904.		29
S. F. 45—AN ACT relating to the construction of permanent sidewalks and providing for the assessment and collection of the cost thereof. [Amendatory of chapter six (6) of Title five (V) of the Code, relating to streets and public grounds.] Approved March 17, A. D. 1904.		30
S. F. 112—AN ACT to provide for the construction of sewers by incorporated towns. [Amendatory of chapter seven (7), of Title five (V), of the Code, relating to street improvements, sewers and special assessments.] Approved March 31, A. D. 1904.		31
H. F. 283—AN ACT to amend the law as appearing in section eight hundred and thirty-five (835) of the Code, relating to refunding the cost of pavement removed by a street railway company. Approved April 13, A. D. 1904.		32
S. F. 310—AN ACT to authorize cities to protect lots, lands and property within their limits from danger and damage from floods and high water by deepening, widening, straightening, altering or changing and otherwise improving water courses within their limits and by constructing levees, embankments and other works and to provide for the levy of special assessments and other taxes and the issuance of bonds and certificates to defray the expense of such improvements. Additional to chapters seven (7) and eight (8), of title five (V), of the Code. Approved March 31, A. D. 1904.		33

Engrossed bill	GENERAL LAWS—Continued.	Chapter.
H. F. 328—An act to amend section eight hundred and fifty-two (852) of the supplement to the Code, and sections eight hundred and fifty-three (853) and eight hundred and fifty-eight (858) of the Code, relating to park commissioners, their powers and duties. Approved April 13, A. D. 1904.		34
H. F. 383—AN ACT to amend the law as it appears in section eight hundred and sixty (860) of the supplement to the Code, in relation to the creation and improvement of parks, and to provide for the issuing of bonds therefor in cities and towns having a population of twelve thousand five hundred and less. Approved April 12, A. D. 1904.		35
S. F. 280—AN ACT to amend the law as it appears in section eight hundred and sixty-one (861) of the supplement to the Code, relating to park commissioners. Approved April 6, A. D. 1904.		36
H. F. 69—AN ACT to amend section eight hundred and eighty-one (881) of the Code, relative to the condemnation and purchase of land for sewer outlets and for sewer and garbage disposal plants. Approved April 12, A. D. 1904.		37
S. F. 298—AN ACT to repeal the law as it now appears in sub-division four (4) of section eight hundred ninety-four (894) of the Code and of the supplement to the Code and to enact a substitute therefor, relating to the levy of taxes for library purposes. Approved April 13, A. D. 1904.		38
S. F. 243—AN ACT amending the law as it appears in section eleven hundred and twenty-nine (1129) of the Code, relating to elections and the payment of the expenses thereof. Approved March 31, A. D. 1904.		39
H. F. 1—AN ACT providing for the election of delegates of political parties by a primary election and for the nomination of officers by a delegate convention system. [Additional to chapters three (3) and four (4) of Title six (VI) of the Code, relating to election and canvass of votes.] Approved April 9, A. D. 1904.		40
H. F. 14—AN ACT to amend section twelve hundred and seventy-two (1272), of the Code, relating to the filling of vacancies in office. Approved February 27, A. D. 1904.		41
H. F. 16—AN ACT to amend section one thousand three hundred and three (1303) of the Code, in relation to county levy for bridge purposes. Approved February 24, A. D. 1904.		42
H. F. 362—AN ACT to amend section two (2), chapter forty-one (41) of the acts of the Twenty-eighth General Assembly as found in section thirteen hundred and six-b (1306-b) of the supplement to the Code, relating to the amount of indebtedness which incorporated towns and cities of the second class may incur for the purpose of erecting or purchasing waterworks and a system of sewers. Approved April 6, A. D. 1904.		43

Engrossed bill.	GENERAL LAWS—Continued.	Chapter.
H. F. 254—AN ACT providing the manner in which telegraph and telephone companies shall report for assessment purposes, amendatory of Code sections number thirteen hundred twenty-eight (1328), and thirteen hundred twenty-nine (1329.) Approved March 24, A. D. 1904.		44
S. F. 302—AN ACT to amend the law as it appears in section thirteen hundred and thirty-b (1330-b) of the supplement to the Code, in reference to the assessment of telegraph and telephone companies. Approved April 6, A. D. 1904.		45
H. F. 305—AN ACT requiring railway and other corporations owning real estate to report the same to the Executive Council for assessment, and amending the law as it appears in section thirteen hundred thirty-four (1334) of the supplement to the Code. Approved March 30, A. D. 1904.		46
S. F. 235—AN ACT to amend the law as it appears in sections thirteen hundred forty-two-b (1342-b) and thirteen hundred forty-two-d (1342-d) of the Supplement to the Code, relating to the taxation of freight line and equipment companies. Approved April 13, A. D. 1904.		47
H. F. 165—AN ACT to repeal the law as it appears in section thirteen hundred and forty-seven-a (1347-a) of the Supplement to the Code, relating to the vocation of peddlers and to enact a substitute therefor. Approved April 9, A. D. 1904.		48
S. F. 303—AN ACT providing for the filing with county auditors of maps of telephone and telegraph lines within the several counties in the State. [Additional to chapter one (1) of Title seven (VII) of the Code, relating to assessment of taxes.] Approved April 6, A. D. 1904.		49
H. F. 255—AN ACT relating to road-tax and amending sections thirteen hundred eighty-three (1383), and fifteen hundred thirty-three (1533) of the Code. Approved April 13, A. D. 1904.		50
S. F. 225—AN ACT to amend section fourteen hundred and sixty-seven (1467) of the Code, relating to the collection of a tax on collateral inheritances. Approved April 6, A. D. 1904.		51
S. F. 295—AN ACT to amend the law as it appears in section fifteen hundred seventy-one (1571) of the Supplement to the Code, relating to steam engines on public roads. Approved April 6, A. D. 1904.		52
H. F. 142—AN ACT requiring registration of motor vehicles and regulating their use or operation upon highways or streets. [Additional to chapter two (2) of Title eight (VIII) of the Code, relating to the working of roads.] Approved April 12, A. D. 1904.		53
H. F. 153—AN ACT to amend section sixteen hundred and forty-one (1641) of the Code, relating to ownership of real property by corporations organized in this or any other state for pecuniary profit. Approved February 27, A. D. 1904.		54

Engrossed bill	GENERAL LAWS—Continued.	Chapter.
S. F. 206—AN ACT relating to the right to vote corporate stock,		55
	[Additional to chapter one (1), Title nine (9) of the Code, relating to corporations for pecuniary profit.] Approved March 21, A. D. 1904.	
H. F. 144—AN ACT to provide for the examination of insurance companies.	(Amendatory to chapters four (4), five (5), six (6), seven (7) and eight (8) of Title nine (IX) of the Code, relating to insurance. Approved March 17, A. D. 1904.	56
H. F. 393—AN ACT to provide for the licensing of agents of insurance companies and associations.	[Amendatory of chapters four (4), five (5), six (6), seven (7) and eight (8) of Title nine (IX) of the Code, relating to insurance.] Approved April 9, A. D. 1904.	57
H. F. 145—AN ACT to provide for the consolidation or reinsurance of the risks of insurance companies or associations with or by other companies or associations authorized to transact business within this State, and providing a plan for such consolidation or reinsurance.	[Additional to chapters four (4), five (5), six (6), seven (7) and eight (8) of Title nine (IX) of the Code, relating to insurance.] Approved March 30, A. D. 1904.	58
H. F. 389—AN ACT to provide for the approval of policies or contracts of life insurance companies contemplated by chapter six (6) of Title nine (IX) of the Code.	Approved April 12, A. D. 1904.	59
H. F. 319—AN ACT to amend section seventeen hundred and eighty-eight (1788) of the Code, relating to stipulated premium, and assessment life insurance associations.	Approved March 30, A. D. 1904.	60
H. F. 331—AN ACT to provide for the examination of fraternal beneficiary associations.	[Amendatory of chapter nine (9) of Title nine (IX) of the Code, relating to fraternal beneficiary societies, orders and associations.] Approved March 17, A. D. 1904.	61
H. F. 226—AN ACT to repeal the law which appears as section eighteen hundred and thirty-two (1832) of the Supplement to the Code, relating to fraternal beneficiary associations and to enact a substitute therefor.	Approved March 30, A. D. 1904.	62
H. F. 256—AN ACT to provide for consolidation or reinsurance of the risks of fraternal beneficiary societies with or by other societies or organizations, and providing a plan therefor.	[Additional to chapter nine (9) of Title nine (IX) of the Code, relating to fraternal beneficiary societies, orders and associations.] Approved March 30, A. D. 1904.	63

Engrossed bill.	GENERAL LAWS—Continued.	Chapter.
S. F. 301—AN ACT to repeal the law as it appears in section eighteen hundred seventy-five (1875) and eighteen hundred seventy-six (1876) of the Code, relating to the appointment, compensation and expenses of bank examiners, and providing a substitute therefor. Approved April 13, A. D. 1904.		64
H. F. 25—AN ACT to amend section eighteen hundred eighty-nine (1889) of the Code, in relation to savings and State banks and loan and trust companies, and the capital and examination thereof. Approved March 30, A. D. 1904.		65
H. F. 425—AN ACT to provide for the regulations of persons, firms, companies, partnerships, associations or corporations, other than building and loan associations and insurance companies and associations, which issue, place, sell, or otherwise engage in the business, of handling certificates, memberships, shares, contracts, debentures, bonds, stocks, tontine contracts or other investment securities or agreements of any kind or character, on the partial payment or installment plan, prescribing the terms and conditions upon which such persons, firms, companies, partnerships, associations or corporations shall be permitted to do business within this State. Approved April 29, A. D. 1904.		66
S. F. 15—AN ACT relating to levees, drains, ditches and water courses, and to the apportionment, assessment, levy, reassessment, re-levy and collection of taxes therefor, and issuance of drainage bonds, and to amend section one thousand nine hundred and forty-six (1946) of the Code. Approved April 29, A. D. 1904.		67
S. F. 16—AN ACT to promote the public health, convenience and welfare, by leveeing, ditching and draining the lands of the State, and providing for the establishment of levees, drainage districts, or for the changing of natural water courses to secure better drainage, and providing for the construction of ditches, drains and water courses and prescribing the method for so doing, and providing for the assessment and collection of the costs and expenses for the same, and issuing improvement certificates, or issuing and selling bonds therefor. [Additional to Title ten (X), chapter two (2) of the Code and Code Supplement, relating to levees, ditches, drains and water courses.] Approved April 29, A. D. 1904.		68
H. F. 450—AN ACT to establish and maintain pumping stations or plants in levee districts of the State, presenting the method of so doing. [Additional to Title ten (X), chapter two (2) of the Code and Code Supplement, relating to levees, ditches, drains and water courses.] Approved April 13, A. D. 1904.		69

Engrossed bill.	GENERAL LAWS—Continued.	Chapter.
S. F. 239—AN ACT to define the rights of owners and proprietors of land in respect to surface waters. [Additional to chapter two (2) of Title ten (X) of the Code, relating to levees, ditches, drains and water courses.] Approved April 29, A. D. 1904.		70
S. F. 329—AN ACT providing for the condemnation of real property for the use of the State. [Amendatory of chapter four (1) of Title ten (X) of the Code, relating to the taking of private property.] Approved April 13, A. D. 1904.		71
H. F. 451—AN ACT providing for the condemnation of real estate for the erection of court houses and jails. [Additional to chapter four (4) of Title ten (X) of the Code, relating to the taking of private property.] Approved April 13, A. D. 1904.		72
S. F. 86—AN ACT to empower boards of supervisors, township trustees, city and town councils to buy or condemn land for gravel and other material to improve roads, public highways, streets and alleys. [Additional to chapter four (4) of Title ten (X) of the Code, relating to the taking of private property.] Approved April 6, 1904.		73
H. F. 185—AN ACT in relation to common carriers, additional to section two thousand and seventy-four (2074) of the Code. Approved April 9, A. D. 1904.		74
H. F. 304—AN ACT to repeal the law as it appears in section two thousand and seventy-eight (2078) of the Code and enact a substitute therefor, and providing for the classification of railways. Approved March 30, A. D. 1904.		75
H. F. 266—AN ACT to require common carriers to issue transportation to owners shipping live stock. [Additional to chapter seven (7) Title ten (X) of the Code, relating to the regulation of common carriers.] Approved April 9, A. D. 1904.		76
H. F. 216—AN ACT additional to and amendatory of the law as it appears in chapter one (1) of Title XI of the Code and Supplement to the Code, relative to the State military force and Iowa National Guard. Approved April 12, A. D. 1904.		77
H. F. 340—AN ACT to provide for the payments of costs and expenses which accrue from the care and investigation of persons found to be insane in counties in which they do not have a legal settlement. [Amendatory of chapter two (2) of Title twelve (XII) of the Code, relating to the care of the insane.] Approved March 30, A. D. 1904.		78
H. F. 183—AN ACT amending twenty-two hundred and eighty-seven (2287) of the Code, in relation to the return of patients escaped from hospitals for the insane. Approved March 15, A. D. 1904.		79

Engrossed bill.	GENERAL LAWS—Continued.	Chapter.
S. F. 36—AN	ACT providing for the establishment, location, erection and operation of a State Hospital for dipsomaniacs, inebrates, and for those addicted to the excessive use of narcotics, and providing for its support, and for discipline of persons committed to it, and for the repeal of all laws inconsistent herewith. [Amendatory of chapter two-a (2-a), Title twelve (XII) of the Supplement to the Code, relating to the detention and treatment of dipsomaniacs, inebrates and those addicted to the excessive use of narcotics.] Approved April 6, A. D. 1904.	80
H. F. 44—AN	ACT to amend section twenty-three hundred and forty (2340) of the Code, relating to damage done by dogs. Approved April 13, A. D. 1904.	81
S. F. 34—AN	ACT to amend section twenty-four hundred six (2406) of the Code, relating to the sale of intoxicating liquors and the manner of bringing and prosecuting injunction actions for the suppression of the illegal sale of intoxicating liquors. Approved April 7, A. D. 1904.	82
S. F. 210—AN	ACT to amend sections twenty-four hundred thirty-seven (2437) and twenty-four hundred thirty-eight (2438) of the Code, relating to mulet tax. Approved March 15, A. D. 1904.	83
S. F. 124—AN	ACT relating to the sale of intoxicating liquors, and defining a boot legger, and prescribing punishment therefor. [Additional to chapter six (6) of Title twelve (XII) of the Code, relating to intoxicating liquors.] Approved April 6, A. D. 1904.	84
H. F. 189—AN	ACT to repeal section twenty-four hundred and seventy seven (2477) of the Code, relating to the expenses of the bureau of labor statistics, and to enact a substitute therefor. Approved April 13, A. D. 1904.	85
H. F. 347—AN	ACT to amend section twenty-four hundred and seventy-nine-a (2479-a) of the Supplement to the Code relating to mines and mining. Approved March 12, A. D. 1904.	86
S. F. 76—AN	ACT to repeal the law as it appears in chapter eleven (11), Title twelve (12), of the Code, and the law as it appears in section two thousand five hundred and three (2503), two thousand five hundred and eight (2508) and two thousand five hundred and eight-a (2508-a), of the Supplement to the Code, relating to the inspection of petroleum products and enacting a substitute therefor. Approved April 6, A. D. 1904.	87
S. F. 67—AN	ACT amending the law relating to deputy and assistant dairy commissioners, appearing in section twenty-five hundred fifteen (2515), of the Supplement to the Code. Approved April 2, A. D. 1904.	88



Engrossed bill.	GENERAL LAWS—Continued.	Chapter.
S. F. 342—AN ACT amending the law as it appears in section two thousand five hundred and thirty-six (2536) of the Supplement to the Code, making appropriation for carrying on the work of the veterinary surgeon. Approved April 12, A. D. 1904.		89
H. F. 387—AN ACT to amend section twenty-five hundred and thirty-eight-i (2538-i) of the Supplement to the Code, and provide for registering without examination veterinarians registered in other states or in foreign countries. Approved April 12, A. D. 1904.		90
S. F. 205—AN ACT to amend the law as it appears in section twenty-five hundred and thirty-eight-j (2538-j) and twenty-five hundred and thirty-eight-p (2538-p) of the Supplement to the Code, in reference to the department of veterinary surgery and medicine. Approved April 4, A. D. 1904.		91
S. F. 158—AN ACT to amend the law as the same appears in section twenty-five hundred and forty (2540) and section twenty-five hundred and fifty-one (2551) of the Code supplement, relative to the protection of fish and game. Approved March 21, A. D. 1904.		92
H. F. 138—AN ACT to amend the law which appears as section twenty-five hundred and forty (2540) of the Supplement to the Code, relating to the protection of fish and game. Approved March 15, A. D. 1904.		93
S. F. 196—AN ACT to amend the law as the same appears in section twenty-five hundred and forty-six (2546) of the Code supplement, relating to taking fish from the waters of the State. Approved March 22, A. D. 1904.		94
H. F. 249—AN ACT to amend section twenty-five hundred and fifty-two (2552) of chapter fifteen (15), Title twelve (XII) of the Code, relating to fish and game. Approved March 15, A. D. 1904.		95
H. F. 59—AN ACT for the protection of live birds, and providing penalties for the violation thereof. [Additional to chapter fifteen (15) of Title twelve (XII) of the Code, relating to fish, birds and game.] Approved March 7, A. D. 1904.		96
H. F. 111—AN ACT to amend section twenty-five hundred and sixty-four (2564) of the Code, relating to the meetings of the State board of health. Approved March 24, A. D. 1904.		97
S. F. 263—AN ACT to amend the law as it appears in section twenty-five hundred and seventy-a (2570-a) of the Supplement to the Code and to repeal the law as it appears in section twenty-five hundred and seventy-b (2570-b) of the Supplement to the Code, relating to payment of expenses of local boards of health in restricting the spread of infectious diseases. Approved April 6, A. D. 1904.		98

- | Engrossed bill.   | GENERAL LAWS—Continued. | Chapter. |
|---|-------------------------|----------|
| H. F. 312—AN ACT to regulate the removal of persons sick with infectious and contagious diseases from one city, town or township to another city, town or township. [Additional to chapter sixteen (16), of Title twelve (XII) of the Code.] Approved April 13, A. D. 1904.   |                         | 99       |
| H. F. 418—AN ACT to require the registration of births and deaths in Iowa. [Additional to chapter sixteen (16), Title twelve (XII), of the Code, relating to the State Board of Health. Approved April 13, A. D. 1904.  |                         | 100      |
| H. F. 455—AN ACT to provide for the maintenance of a bacteriological laboratory at Iowa City, Iowa, in connection with the medical department of the State University. [Additional to chapter sixteen (16), Title twelve (XII) of the Code.] Approved April 12, A. D. 1904.   |                         | 101      |
| S. F. 178—AN ACT to amend the law as it appears in section two thousand five hundred eighty-two (2582) of the Code supplement, and to provide for registering without examination, physicians registered in other states. Approved March 15, A. D. 1904.  |                         | 102      |
| H. F. 295—AN ACT to amend the law as it appears in section twenty-six hundred and six-b (2606-b) of the Supplement to the Code, in regard to the pension money of members of the Iowa Soldiers' Home. Approved March 21, A. D. 1904.  |                         | 103      |
| H. F. 457—AN ACT requiring a report from the State University, State College of Agriculture and Mechanic Arts and the State Normal School, and appointing a committee to inspect and report on said institutions. [Additional to chapters three (3), four (4) and five (5), of Title thirteen (XIII) of the Code relating to the State University, the State College of Agriculture and the State Normal School.] |                         | 104      |
| H. F. 371—AN ACT to create a highway commission for the State of Iowa, and defining the duties of same. [Additional to chapter four (4), Title thirteen (XIII) of the Code, relating to the State College of Agriculture and Mechanic Arts. Approved April 13, A. D. 1904.  |                         | 105      |
| S. F. 223—AN ACT to amend the law as it appears in section twenty-six hundred and ninety-one (2691) of the Code, and to repeal section twenty-six hundred and ninety-two (2692) of the Supplement to the Code, and enact a substitute therefor, relating to the support of the Iowa Soldiers' Orphans' Home. Approved March 31, A. D. 1904.   |                         | 106      |
| H. F. 160—AN ACT to amend section twenty-seven hundred and fifteen (2715) of the Code relating to compensation for non-resident pupils in the College for the Blind. Approved February 24, A. D. 1904.  |                         | 107      |

- | Engrossed bill.  | GENERAL LAWS—Continued.   | Chapter. |
|--|---|----------|
| H. F. 161—AN ACT to amend section twenty-seven hundred and   | twenty-four (2724) of the Code relating to compensation for non-resident pupils in the School for the Deaf. Approved February 24, A. D. 1904. | 108      |
| S. F. 320—AN ACT to amend the law as it appears in section twenty-seven hundred twenty-seven-a-twenty-three (2727-a-23) of the Supplement to the Code in regard to the employment of architects by the Board of Control of State Institutions. Approved April 6, A. D. 1904.   |   | 109      |
| H. F. 60—AN ACT to appropriate money in aid of the quarterly conferences of the chief executive officers of the institutions under the management of the Board of Control of State Institutions. [Additional to chapter eleven-b (11-b) of Title thirteen (XIII), of the Supplement to the Code, relating to the board of control of state institutions.] Approved March 17, A. D. 1904. |   | 110      |
| H. F. 423—AN ACT authorizing the appointment of policemen by certain State institutions. [Additional to chapter eleven-b (11-b), of Title thirteen (XIII), of the Supplement to the Code, relating to the Board of Control of State Institutions.] Approved April 13, A. D. 1904.  |   | 111      |
| S. F. 318—AN ACT to provide for the disposition of unclaimed money left by deceased inmates of state institutions. [Additional to chapter eleven-b (11-b) of Title thirteen (13) of the Supplement to the Code, relating to the Board of Control of State Institutions. Approved April 13, A. D. 1904.   |   | 112      |
| S. F. 148—AN ACT to amend the law as it appears in section twenty-seven hundred and thirty-eight (2738) of the Supplement to the Code in relation to the publication of reports of county superintendents of schools. Approved April 13, A. D. 1904.   |   | 113      |
| H. F. 258—AN ACT to amend chapter fourteen (14) of Title thirteen (XIII) of the Code, relating to the system of common schools and the incurring of indebtedness for school-house purposes. Approved March 30, A. D. 1904.   |   | 114      |
| S. F. 17—AN ACT to amend section twenty-seven hundred and eighty-three (2783) of the Code, relating to text-books in public schools, and use of contingent funds. Approved February 24, A. D. 1904.  |   | 115      |
| S. F. 40—AN ACT to amend the law as it appears in sections twenty-eight hundred and twenty-three-a (2823-a) and twenty-eight hundred and twenty-three-e (2823-e) of the Supplement to the Code, relating to compulsory education. Approved April 6, A. D. 1904.  |   | 116      |

- | Engrossed bill   | GENERAL LAWS—Continued. | Chapter. |
|--|-------------------------|----------|
| H. F. 297—AN ACT making appropriations to the State Historical Society of Iowa. [Amendatory of chapter eighteen (18) of Title thirteen (XIII) of the Code, relating to the State Historical Society.] Approved April 9, A. D. 1904.  |                         | 117      |
| H. F. 13—AN ACT to amend the law, which appears as section twenty-nine hundred and forty-two-f (2942-f) of the Supplement to the Code, relating to certain conveyances of real estate. Approved March 17, A. D. 1904.  |                         | 118      |
| H. F. 172—AN ACT to repeal section three thousand one hundred sixty-seven (3167) and three thousand one hundred sixty-nine (3169) of the Code and to enact substitutes therefor. Approved February 27, A. D. 1904.   |                         | 119      |
| S. F. 57—AN ACT governing the right of inheritance of a child born after the making of a will, providing manner of payment of claims and amounts necessary to be paid in disregard of, or opposition to the terms of a will, repealing section thirty-two hundred and seventy-nine (3279) of the Code, and amending section thirty-two hundred and seventy-six (3276) of the Code. Approved April 7, A. D. 1904. |                         | 120      |
| H. F. 437—AN ACT to amend section three thousand three hundred and seventy-six (3376) of the Code of Iowa, as to distributive share of surviving spouse as affected by will. Approved April 12, A. D. 1904.  |                         | 121      |
| H. F. 193—AN ACT to amend section three thousand six hundred and fifty-six (3656) of the Code, relating to the time of trying appeal cases in contested elections. Approved March 7, A. D. 1904.   |                         | 122      |
| S. F. 190—AN ACT relating to the release of liens on attached property (amendatory of chapter one (1), Title nineteen (XIX) of the Code, relating to attachments.) Approved March 17, A. D. 1904.  |                         | 123      |
| H. F. 102—AN ACT to protect employes in garnishment cases. [Additional to chapter three (3) of Title nineteen (XIX) of the Code, relating to executions.] Approved March 7, A. D. 1904.  |                         | 124      |
| S. F. 180—AN ACT to amend section four thousand one hundred and thirty-four (4134) of chapter two (2) Title twenty (XX) of the Code, in relation to procedure in supreme court. Approved March 22, A. D. 1904.   |                         | 125      |
| H. F. 5—AN ACT to repeal sections four thousand one hundred and thirty-six (4136), and four thousand one hundred and thirty-seven (4137) of the Code, relating to assignments of error in appeals to the supreme court, and to enact a substitute therefor. Approved February 18, A. D. 1904.  |                         | 126      |

- | Engrossed bill.   | GENERAL LAWS—Continued. | Chapter. |
|---|-------------------------|----------|
| H. F. 316—AN ACT repealing chapter eighteen (18) Title twenty-one (XXI) of the Code, and enacting a substitute therefor, relative to change of names. Approved April 6, A. D. 1904.   |                         | 127      |
| H. F. 210—AN ACT to amend section four thousand four hundred and eighty-one (4481) of the Code, in relation to place of bringing actions, and taxation of costs therein. Approved April 9, A. D. 1904.  |                         | 128      |
| S. F. 31—AN ACT to amend section forty-seven hundred and sixty-eight (4768) of the Code, relating to punishment for the crime of assault with intent to commit murder. Approved February 10, A. D. 1904.  |                         | 129      |
| H. F. 381—AN ACT to repeal section four thousand eight hundred and seven (4807) of the Code and of the Supplement to the Code, and to enact a substitute therefor, relating to malicious mischief and trespass. Approved March 30, A. D. 1904.  |                         | 130      |
| S. F. 265—AN ACT to protect the property of public libraries and reading rooms. [Additional to chapter four (4) of Title twenty-four (XXIV) of the Code, relating to malicious mischief and trespass.] Approved March 31, A. D. 1904.   |                         | 131      |
| H. F. 382—AN ACT prohibiting the willful taking of any electric current, gas or water from the wires, meters, pipes or any apparatus of any electric light, electric motor, gas or water plant with intent to defraud. [Additional to chapter five (5) Title twenty-four (XXIV) of the Code, relating to larceny and receiving stolen goods.] Approved March 30, A. D. 1904.                                      |                         | 132      |
| H. F. 130—AN ACT providing punishment for the larceny of domestic fowl or poultry, in the night time, from buildings, sheds, coops or enclosed premises. [Additional to chapter five (5) of Title twenty-four (XXIV) of the Code relating to larceny and receiving stolen goods.] Approved April 12, 1904.  |                         | 133      |
| S. F. 157—AN ACT relating to the bringing into any penitentiary, reformatory or industrial school of the State, or into any buildings or grounds appurtenant thereto, of certain drugs, intoxicating liquors, weapons, or articles designed to aid escapes. [Additional to chapter seven (7) of Title twenty-four (XXIV) of the Code, relating to offenses against public justice.] Approved March 7, A. D. 1904. |                         | 134      |
| H. F. 52—AN ACT to prohibit docking horses and providing penalties for the violation thereof. [Additional to chapter nine (9) of Title twenty-four (XXIV) of the Code, relating to offenses against chastity, morality or decency.] Approved March 31, A. D. 1904.  |                         | 135      |

- | Engrossed bill.   | GENERAL LAWS—Continued.        | Chapter. |
|---|--------------------------------|----------|
| H. F. 361—AN ACT to repeal the law as it appears in section forty-nine hundred and ninety-nine-e (4999-e), forty-nine hundred and ninety-nine-f (4999-f), forty-nine hundred and ninety-nine-g (4999-g), forty-nine hundred and ninety-nine-h (4999-h), forty-nine hundred and ninety-nine-i (4999-i), forty-nine hundred and ninety-nine-j (4999-j) of the Supplement to the Code, and enact in lieu thereof the following, relative to the 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. [Additional to chapter ten (10) of Title twenty-four (XXIV) of the Code, relating to offenses against the public health.] | Approved April 6, A. D. 1904.  | 136      |
| H. F. 352—AN ACT relating to objectionable advertisements in the vicinity of public school buildings. [Additional to chapter eleven (11) of Title twenty-four (XXIV) of the Code, relating to offenses against public policy.]  | Approved April 12, A. D. 1904. |          |
| H. F. 50—AN ACT to amend section fifty-two hundred and fifty-six (5256) of the Code, relating to clerks of grand juries, and providing for the appointment and compensation thereof.  | Approved March 30, A. D. 1904. | 138      |
| S. F. 156—AN ACT to amend sections fifty-six hundred and sixty-three (5663), fifty-six hundred sixty-nine (5669) and fifty-seven hundred sixteen (5716) of the Code as amended, to repeal section fifty-seven hundred eleven (5711) thereof, and to provide for the appointment of assistant deputy wardens for the penitentiaries.   | Approved April 13, A. D. 1904. | 139      |
| S. F. 226—AN ACT to repeal the law as it appears in section five thousand six hundred eighty-five (5685) and section five thousand six hundred eighty-five-a (5685-a) of the Supplement to the Code, and to enact in lieu thereof a section relating to the disposition of gate receipts of the State penitentiaries.   | Approved April 6, A. D. 1904.  | 140      |
| S. F. 146—AN ACT to amend section fifty-seven hundred and sixteen (5716) of the Code, relating to the classification and payment of turnkeys and guards of the penitentiaries.  | Approved March 12, A. D. 1904. | 141      |
| S. F. 231—AN ACT relating to the distribution of the Code and Supplement to the Code and other State documents. [Amendatory of chapter twenty (20) of the acts of the Twenty-sixth General Assembly, extra session relating to the publication and distribution of the Code.]   | Approved April 4, A. D. 1904.  | 142      |

Engrossed bill.	GENERAL LAWS—Continued.	Chapter.
H. F. 135—AN ACT making provisions for the support of the Industrial School for Girls at Mitchellville. [Amendatory of section one (1) of chapter one hundred and one (101) of the acts of the Twenty-eighth General Assembly, relating to the Industrial School for Girls at Mitchellville.] Approved April 9, A. D. 1904.		143

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## APPROPRIATION ACTS.

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Engrossed bill.	APPROPRIATION ACTS.	Chapter.
S. F. 345—AN ACT to provide for the general levy for State purposes for the years nineteen hundred and four (1904) and nineteen hundred and five (1905). Approved April 13, A. D. 1904.		144
S. F. 325—AN ACT making an appropriation to defray the mileage and expenses of the members of the various committees sent by the Thirtieth General Assembly to visit the several State institutions, the School for the Deaf, and the grounds of the Louisiana Purchase Exposition at St. Louis, and Old Camp McClellan at Davenport, Iowa. Approved April 13, A. D. 1904.		145
S. F. 344—AN ACT to make appropriations for the payment of State and judicial officers, State and other expenses. Approved April 13, A. D. 1904.		146
S. F. 339—AN ACT making an appropriation for the restoration and repair of the Capitol building on account of damages caused by the fire therein, and for the purpose of providing for needed additional repairs upon said building. Approved April 13, A. D. 1904.		147
S. F. 37—AN ACT to make immediately available funds appropriated under provisions of chapter 179, laws of the twenty-ninth General Assembly. Approved February 16, A. D. 1904.		148
S. F. 1—AN ACT to appropriate eight thousand dollars or so much thereof as may be necessary to pay the extraordinary expenses caused by the fire in the Capitol and the temporary repair of the hall of the House of Representatives. Approved January 11, A. D. 1904.		149
H. F. 141—AN ACT making an appropriation for the department of Agriculture for the purpose of erecting a permanent fire-proof building for agricultural, horticultural and dairy exhibits. Approved April 6, A. D. 1904.		150

- | Engrossed bill.   | APPROPRIATION ACTS—Continued.                              | Chapter. |
|---|--|----------|
| S. F. 104—AN ACT making an appropriation for the purchase and im- | provement of a permanent camp ground for Iowa Na-          | 151      |
|   | tional Guard. Approved April 13, A. D. 1904.               |          |
| H. F. 112—AN ACT making an appropriation for relief of the Iowa   | National Guard. Approved March 7, A. D. 1904.              | 152      |
| H. F. 281—AN ACT relating to fish and game, and making appropria- | tion for the fish and game commission of the state of      | 153      |
|   | Iowa. Approved April 12, A. D. 1904.                       |          |
| S. F. 25—AN ACT making an appropriation for the fish and game     | warden of the state of Iowa to cover a deficit and pro-    | 154      |
|   | vide for the expenses of the warden to July 1, 1904. Ap-   |          |
|   | proved February 10, A. D. 1904.                            |          |
| H. F. 432—AN ACT making appropriations for the construction, re-  | pair, improvement and contingent funds for the state       | 155      |
|   | hospitals, penitentiaries, industrial schools, Institution |          |
|   | for Feeble-Minded Children, College for the Blind,         |          |
|   | School for the Deaf, Iowa Soldiers' Home, and Iowa Sol-    |          |
|   | diers' Orphans Home, and authorizing a change in the       |          |
|   | use of certain other appropriations heretofore made. Ap-   |          |
|   | proved April 12, A. D. 1904.                               |          |
| H. F. 444—AN ACT making appropriations to the Iowa State College  | of Agriculture and Mechanic Arts, the State University     | 156      |
|   | and the State Normal School. Approved April 13, A. D.      |          |
|   | 1904.  |          |
| S. F. 317—AN ACT providing for the appointment of a State agent   | and defining his duties and making an appropriation        | 157      |
|   | therefor. Approved April 13, A. D. 1904.                   |          |
| H. F. 204—AN ACT appropriating money for the inspection of county | and private institutions in which insane persons are       | 158      |
|   | kept and associations, societies and homes receiving       |          |
|   | friendless children. Approved March 17, A. D. 1904.        |          |
| H. F. 61—AN ACT to appropriate money for the inspection of county | and private institutions wherein insane persons are        | 159      |
|   | kept. Approved March 7, A. D. 1904.                        |          |
| S. F. 6—AN ACT making an appropriation for the purchase of land   | for the use of the Iowa Soldiers' Orphans' Home. Ap-       | 160      |
|   | proved February 5, A. D. 1904.                             |          |
| S. F. 155—AN ACT making an appropriation to reimburse certain     | officers, teachers and employes of the Iowa School for     | 161      |
|   | the Deaf, for loss of wearing apparel and other prop-      |          |
|   | erty, by fire, at said school, on the ninth day of May     |          |
|   | 1902. Approved March 31, A. D. 1904.                       |          |
| H. F. 117—AN ACT to authorize the State Board of Control to in-   | vestigate the extent of tuberculosis in Iowa, and the best | 162      |
|   | means of prevention of the same. Approved April 12, A.     |          |
|   | D. 1904.   |          |



## SCHEDULE

xxv

- | Engrossed bill.  | APPROPRIATION ACTS—Continued.   | Chapter. |
|------------------|---|----------|
| H. F. 211—AN ACT | providing for the completion of the historical memorial and art building, and the acquisition of the real estate hereinafter described, and making an appropriation therefor. Approved April 2, A. D. 1904.   | 163      |
| S. F. 200—AN ACT | making twenty thousand dollars (\$20,000) additional appropriation for the Iowa exhibit at the Louisiana Purchase Exposition at St. Louis and amendatory of the law as it appears in chapter one hundred and ninety-five (195) of the acts of the Twenty-ninth (29th) General Assembly. Approved March 22, A. D. 1904.  | 164      |
| S. F. 207—AN ACT | to provide for the disposition of the property of the State at the Louisiana Purchase Exposition and providing an appropriation therefor. Approved March 22, A. D. 1904.  | 165      |
| H. F. 215—AN ACT | providing for the erection of a monument at the site of the confederate military prison at Andersonville, Georgia, in commemoration of the patriotism, suffering and martyrdom of the Iowa soldiers who were imprisoned and died in such military prison, and creating a commission to have charge of the erection thereof and providing an appropriation therefor. Approved April 9, A. D. 1904. | 166      |
| S. F. 65—AN ACT  | to appropriate forty-five hundred dollars, or so much thereof as may be necessary, to pay the additional employes of the Thirtieth General Assembly. Approved February 16, A. D. 1904.  | 167      |
| S. F. 28—AN ACT  | making an appropriation to defray the expenses of the inaugural ceremonies. Approved February 5, A. D. 1904.  | 168      |
| H. F. 127—AN ACT | appropriating money to pay express, freight and cartage. Approved February 27, A. D. 1904.  | 169      |
| H. F. 322—AN ACT | to appropriate money to pay for metal shelving in the new storage building. Approved April 9, A. D. 1904.   | 170      |
| S. F. 215—AN ACT | making an appropriation to provide for an existing deficit in the contingent fund of the supreme court. Approved March 17, A. D. 1904.  | 171      |
| S. F. 99—AN ACT  | making an appropriation for the purchase of twenty-five thousand (25,000) railroad commissioners' official maps to be distributed by members of the General Assembly and railroad commissioners. Approved March 12, A. D. 1904.   | 172      |

- | Engrossed bill.  | APPROPRIATION ACTS—Continued. | Chapter. |
|--|-------------------------------|----------|
| S. F. 159—AN ACT to appropriate money to reimburse the ex-commissioners of pharmacy for the State of Iowa and their attorneys for moneys paid by them and expenses incurred in the enforcement of law. Approved March 31, A. D. 1904.  |                               | 173      |
| S. F. 218—AN ACT making an appropriation to return to the state board of veterinary medical examiners of Iowa, moneys paid by them into the treasury of the State. Approved March 31, A. D. 1904.  |                               | 174      |
| H. F. 57—AN ACT making an appropriation for the payment of certain costs which were incurred by reason of the intervention of the State of Iowa in certain suits originally commenced in the district court of Humboldt county, Iowa. Approved March 30, A. D. 1904.   |                               | 175      |
| H. F. 429—AN ACT to appropriate money to pay the costs and attorney's fees in certain cases brought in Marion county to revoke fraudulent naturalization papers. Approved April 13, A. D. 1904.  |                               | 176      |
| H. F. 459—AN ACT making an appropriation to pay the costs of the case of State of Iowa vs. Sioux County. Approved April 13, A. D. 1904.  |                               | 177      |
| S. F. 279—AN ACT appropriating annually seven hundred and fifty dollars (\$750) to assist in defraying the expenses of the headquarters department of Iowa, Grand Army of the Republic, at Des Moines, Iowa. Approved March 17, A. D. 1904.  |                               | 178      |
| H. F. 184—AN ACT making an appropriation for the Benedict Home, Des Moines, Iowa. Approved April 2, A. D. 1904.  |                               | 179      |
| H. F. 284—AN ACT making an appropriation for the Dubuque Rescue Home at Dubuque, Iowa. Approved April 2, A. D. 1904.   |                               | 180      |
| H. F. 159—AN ACT making an appropriation for the Florence Crittenton Home, formerly the Woman's and Baby's Home, at Sioux City. Approved April 2, A. D. 1904.  |                               | 181      |
| S. F. 313—AN ACT appropriating the sum of seventy-five hundred dollars (\$7,500) to be paid to Charles B. Fountain, Harold Fountain and Amil Hoch, in settlement of all claims against the State of Iowa by reason of the death of Mrs. Charles B. Fountain and Mrs. Amil Hoch, who were killed by an accident which occurred in one of the elevators at the State House on the Twenty-sixth day of February, 1904. Approved April 13, A. D. 1904. |                               | 182      |
| S. F. 328—AN ACT appropriating one thousand dollars (\$1,000) to William Redden to aid in procuring him an education, and providing for the appointment of a trustee to control and disburse the same. Approved April 13, A. D. 1904.  |                               | 183      |

## SPECIAL ACTS.

- | Engrossed bill.  | SPECIAL ACTS. | Chapter. |
|--|---------------|----------|
| H. F. 438—AN ACT to apportion the State into representative districts and declare the ratio of representation. Approved April 13, A. D. 1904.  |               | 184      |
| H. F. 318—AN ACT to enable the State of Iowa to sell and dispose of all abandoned river channels, and all land within such abandoned river channels, and all sand bars or islands in the navigable waters of the State, and authorizing the appointment of a commission to ascertain and establish the boundary lines between the State of Iowa and adjoining states. Approved April 11, A. D. 1904. |               | 185      |
| H. F. 277—AN ACT relating to the meandered lake beds in the State and authorizing the executive council to survey and sell the same. Approved April 29, A. D. 1904.  |               | 186      |
| S. F. 230—AN ACT relating to islands in the waters of the State, and authorizing the executive council to sell or lease the same. Approved April 29, A. D. 1904.   |               | 187      |
| S. F. 142—AN ACT authorizing the executive council to have surveyed and to convey an island newly formed by accretion in the Mississippi river off the southeastern portion of Green Bay township, being township 69 north, range 3 west of the 5th P. M., in Lee county, Iowa. Approved April 4, A. D. 1904.  |               | 188      |
| H. F. 307—AN ACT authorizing the executive council to sell the property known as "State Square," being block twenty-seven (27) in Stewart's addition to the City of Des Moines, Iowa, and use the proceeds of the sale in the purchase of other property. Approved March 24, A. D. 1904.   |               | 189      |
| S. F. 253—AN ACT authorizing the executive council of the State to grant the right of way to the Chicago, Anamosa & Northern Railway company over and across the east half of the southwest quarter of section thirty-three (33), township eighty-five (85), range four (4), west of the 5th principal meridian. Approved April 6, A. D. 1904.   |               | 190      |
| S. F. 336—AN ACT empowering the executive council to authorize the location, construction, maintenance and operation of an electric line of railway over, upon and across certain lands belonging to the State of Iowa. Approved April 13, A. D. 1904.   |               | 191      |
| H. F. 241—AN ACT to authorize the granting to the Council Bluffs, Tabor & Southern Electric Railway company, its successors or assigns, a right of way through lands owned by the State of Iowa and used for the School for the Deaf at Council Bluffs, Iowa. Approved February 29, A. D. 1904.  |               | 192      |

- | Engrossed bill.   | SPECIAL ACTS—Continued.   | Chapter. |
|---|---|----------|
| S. F. 256—AN ACT to authorize and empower the Governor of Iowa  | to relinquish and reconvey to the United States, certain lands in Dickinson county, Iowa, granted to the State of Iowa by the act of Congress entitled, "An Act for a grant of land to the State of Iowa in alternate sections to aid in the construction of a railroad in the State of Iowa," approved May 12, A. D. 1864, which have not been earned pursuant to the provisions of said act. Approved March 31, A. D. 1904. | 193      |
| H. F. 156—AN ACT for the relief of the grantees of Frederick M. Stumbo and for the purpose of having a patent issued in his name for a certain tract of land. Approved February 24, A. D. 1904.   |   | 194      |
| H. F. 235—AN ACT for the relief of the grantees of Charles M. Downs, and for the purpose of having a patent issued in the name of George S. Stall and Frances E. Stall for a certain tract of land. Approved March 7, A. D. 1904.   |   | 195      |
| H. F. 238—AN ACT empowering the Governor to execute a quitclaim deed to right and title, claim and interest of the State of Iowa on lot four (4) of section seven (7) and south part of lot three (3) of section seven (7), township seventy (70) north, of range eleven (11) west of the fifth (5th) principal meridian. Approved February 29, A. D. 1904.   |   | 196      |
| H. F. 424—AN ACT empowering the Governor to execute quitclaim deeds to all right, title and interest of the State of Iowa in and to lot No. six (6) of block No. eight (8); lot No. eight (8) of block No. fourteen (14); lot No. six (6) of block No. fifteen (15); and lot No. two (2) of block No. thirty-five (35), all in Railroad Addition to Cedar Falls, Iowa. Approved April 13, A. D. 1904. |   | 197      |
| H. F. 449—AN ACT to provide for the disposition of canvas, furniture and other property used temporarily in the hall of the House of Representatives. Approved April 12, A. D. 1904.  |   | 198      |
| H. F. 339—AN ACT to authorize the city of Marshalltown to construct and maintain a sewer through land of the State used by the Iowa Soldiers' Home. Approved March 30, A. D. 1904.  |   | 199      |

## LEGALIZING ACTS.

- | Engrossed bill.   | LEGALIZING ACTS. | Chapter. |
|---|------------------|----------|
| H. F. 335—AN ACT to legalize certain actions of the board of supervisors of Clayton county, Iowa, relating to the purchase of land. Approved April 6, A. D. 1904.   |                  | 200      |
| S. F. 204—AN ACT to legalize certain actions of the board of supervisors of Crawford county, Iowa, relating to the purchase of land. Approved March 7, A. D. 1904.  |                  | 201      |
| H. F. 378—AN ACT to legalize the acts of the board of supervisors of Delaware county, Iowa, relating to the levying of a tax for the support of the poor, and legalizing the tax so levied. Approved March 30, A. D. 1904.  |                  | 202      |
| H. F. 366—AN ACT to legalize the election held in the incorporated town of Alta, Buena Vista county, Iowa, on the 30th day of March, 1903, and the proposition submitted at said election for the purpose of erecting and maintaining a hot water heating plant for municipal purposes in the town of Alta, Buena Vista county, Iowa. Approved April 9, A. D. 1904. |                  | 203      |
| H. F. 394—AN ACT to legalize the incorporation of the town of Arnolds Park, Dickinson county, Iowa, the notices of election and the election of its officers. Approved April 9, A. D. 1904.   |                  | 204      |
| H. F. 245—AN ACT to legalize the issuing of bonds to the amount of thirty-three hundred dollars (\$3,300) by the incorporated town of Deep River, Poweshiek county, Iowa. Approved April 6, A. D. 1904.   |                  | 205      |
| S. F. 8—AN ACT legalizing the resolutions passed by the city council of the city of Dubuque, Iowa, relating to the improvement of the streets and alleys in said city and legalizing the special assessments levied thereunder. Approved March 7, A. D. 1904.   |                  | 206      |
| H. F. 325—AN ACT to legalize the incorporation of the town of Hamilton, Marion county, Iowa, the election of its officers, and ordinances passed and all official acts of the council of said town. Approved April 9, 1904.   |                  | 207      |
| H. F. 77—AN ACT to legalize the election for the incorporation of the town of LeRoy, Decatur county, Iowa. Approved February 18, A. D. 1904.  |                  | 208      |
| H. F. 106—AN ACT to legalize the incorporation of the town of Lost Nation, Clinton county, Iowa, the election of its officers, and all acts done and ordinances passed by the town council of said town. Approved February 18, A. D. 1904.  |                  | 209      |

- | Engrossed bill.  | LEGALIZING ACTS—Continued. | Chapter. |
|--|----------------------------|----------|
| S. F. 337—AN ACT to legalize all the acts and proceedings of the     |                            | 210      |
| town of Mapleton, Monona county, Iowa, relative to the               |                            |          |
| construction of permanent sidewalks. Approved April 13,              |                            |          |
| A. D. 1904.  |                            |          |
| H. F. 436—AN ACT to legalize the election of the town council of the |                            | 211      |
| incorporated town of Minburn, Dallas county, Iowa, and               |                            |          |
| all the acts thereof during the ten (10) years last past.            |                            |          |
| Approved April 13, A. D. 1904.                                       |                            |          |
| H. F. 358—AN ACT to legalize the incorporation of the town of        |                            | 212      |
| Persia, Harrison county, Iowa, the election of its officers,         |                            |          |
| passage of its ordinances and resolutions, and all acts              |                            |          |
| done by the council of said town. Approved April 9,                  |                            |          |
| A. D. 1904.  |                            |          |
| H. F. 430—AN ACT to legalize the incorporation of the town of        |                            | 213      |
| Quasqueton, Buchanan county, Iowa, the election of its               |                            |          |
| officers, the passage and record of its ordinances and reso-         |                            |          |
| lutions, and all acts done by the council of said town. Ap-          |                            |          |
| proved April 9, A. D. 1904.  |                            |          |
| H. F. 439—AN ACT legalizing the acts and proceedings of the council  |                            | 214      |
| of the incorporated town of Schaller, Iowa, in granting              |                            |          |
| a franchise to the Schaller Gas Light & Fuel Company,                |                            |          |
| and contracting with said Gas Light & Fuel Company                   |                            |          |
| for lights, and legalizing the ordinance granting such               |                            |          |
| franchise and the franchise so granted, and the contract             |                            |          |
| made between said town and the Schaller Gas Light and                |                            |          |
| Fuel Company, and the levy of a tax by said town to de-              |                            |          |
| fray the expenses of lighting the streets thereof. Ap-               |                            |          |
| proved April 12, A. D. 1904.   |                            |          |
| H. F. 416—AN ACT to legalize the incorporation of the town of Ti-    |                            | 215      |
| tonka, Kossuth county, Iowa, the election of its officers            |                            |          |
| and all acts done and ordinances passed by the council               |                            |          |
| of said town. Approved April 9, A. D. 1904.                          |                            |          |
| H. F. 350—AN ACT to legalize the incorporation of the town of Wall   |                            | 216      |
| Lake, Sac county, Iowa, the election of its officers, and            |                            |          |
| all acts done and ordinances passed by the council of                |                            |          |
| said town. Approved April 2, A. D. 1904.                             |                            |          |
| S. F. 340—AN ACT to legalize the election of the town officers       |                            | 217      |
| elected March 28, 1904, for the incorporated town of                 |                            |          |
| Weldon, Decatur county, Iowa. Approved April 13, A. D.               |                            |          |
| 1904.  |                            |          |
| S. F. 335—AN ACT to legalize the acts of the board of directors,     |                            | 218      |
| and authorize the issuing of ten thousand dollars (\$10,-            |                            |          |
| 000) in school building bonds in the Independent School              |                            |          |
| District of Center Point in Washington township, Linn                |                            |          |
| county, Iowa. Approved April 13, A. D. 1904.                         |                            |          |

- | Engrossed bill.  | LEGALIZING ACTS—Continued | Chapter. |
|--|---------------------------|----------|
| S. F. 105—AN ACT to legalize the action of the Independent School District of West Des Moines, Polk county, Iowa, in voting bonds at an election held on the 10th day of March, 1902, and legalizing the bonds issued by said school district thereunder. Approved February 18, A. D. 1904.  |                           | 219      |
| H. F. 115—AN ACT to legalize organization of the Independent School District of Soldier, Monona county, Iowa, and the acts of its board of directors. Approved February 24, A. D. 1904.  |                           | 220      |
| H. F. 28—AN ACT legalizing the organization of the Independent School District of Somers, located in Calhoun county, Iowa. Approved February 24, A. D. 1904.   |                           | 221      |
| H. F. 336—AN ACT to legalize the acts and proceedings of the Brookfield Creamery Association of Worth county, Iowa, and legalize the title to the real estate acquired by such creamery association and to authorize its incorporation under the provisions of chapter one (1), Title nine (IX) of the Code, and of the Supplement to the Code. Approved April 13, A. D. 1904.   |                           | 222      |
| H. F. 448—AN ACT to legalize the incorporation of the Farmers' Co-operative Creamery Association of Tenold, Worth county, Iowa, and to legalize the acts and transactions of said association under defective articles of incorporation, and to legalize the title to the real estate acquired by said association and to authorize its reincorporation and succession to all the rights, privileges, property and assets acquired and possessed under the defective articles of incorporation. Approved April 13, A. D. 1904. |                           | 223      |
| H. F. 445—AN ACT to legalize the acts of Harry C. Wright, a notary public in and for Wayne county, State of Iowa, and the acts of Harry C. Wright, acting de facto as a notary public from July 4, 1900, to December 25, 1902. Approved April 9, 1904.   |                           | 224      |

SCHEDULE SHOWING JOINT RESOLUTIONS WHICH PASSED  
BOTH HOUSES OF THE THIRTIETH GENERAL  
ASSEMBLY.

JOINT RESOLUTIONS.

House Joint Resolution No. 1.

JOINT RESOLUTION relating to the selection of additional employes of the Thirtieth General Assembly, fixing their compensation and defining their duties.

Senate Joint Resolution No. 1.

JOINT RESOLUTION NO. 1 proposing to amend the Constitution of the State of Iowa, so as to provide for biennial elections.

Senate Joint Resolution No. 2.

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 to adopt the following in lieu thereof and as a substitute therefor:

Senate 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 proposing amendments to the Constitution of the United States of America, as provided in Article V of said Constitution.

House Joint Resolution No. 4.

JOINT RESOLUTION relative to the duties of the Commissioner of the Bureau of Labor Statistics.

House Joint Resolution No. 5.

JOINT RESOLUTION for the appointment of a joint committee to purchase a chair and gavel for the Speaker of the House and President of the Senate.

Senate Joint Resolution No. 6.

JOINT RESOLUTION providing for the appointment of a committee to investigate the workings of the indeterminate sentence and Elmira reformatory systems, and making an appropriation of five hundred dollars therefor.

House Joint Resolution No. 6.

JOINT RESOLUTION proposing an amendment to the Constitution of the State of Iowa additional to section eighteen (18) of Article one (1) of said Constitution.

Senate Joint Resolution No. 7.

JOINT RESOLUTION providing for the appointment of a joint committee to investigate the system of management and affairs of the State educational institutions of Iowa, and for the payment of the expenses of such investigation and defining the powers of the committee.

House Joint Resolution No. 9.

JOINT RESOLUTION fixing the number and compensation of employes in the departments of State at the seat of government.



## JOURNAL OF THE HOUSE.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 11, 1904. }

Pursuant to law, the House of Representatives of the Thirtieth General Assembly convened at 10 o'clock A. M., Monday, January 11, A. D. 1904.

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

Prayer was offered by the Reverend A. L. Frisbee, of Des Moines.

Mattes of Sac moved that C. R. Benedict be elected temporary chief clerk.

Carried.

Mr. Benedict was sworn in.

Kendall of Monroe moved that E. D. Chassell of Plymouth be elected temporary speaker.

Carried.

Mr. Chassell was sworn in.

Mr. Coburn of Cherokee moved that the following named persons be elected the temporary officers:

John A. Cook, First Assistant Clerk; C. L. Lamb, Second Assistant Clerk; Ole Peterson, Journal Clerk; S. M. Cart, Engrossing Clerk; Inez Black, Enrolling Clerk; Bessie Conger, Bill Clerk; Estelle Martin, Assistant Bill Clerk; B. I. Kinsey, Chief Door Keeper; W. D. Blakemore, Sergeant at Arms; R. P. Harris, Assistant Door Keeper; T. W. Hazelton, Assistant Door Keeper; Jennie Wharton, Assistant Post Mistress; Arthur Crook, Speaker's Page.

The temporary 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:

C. R. Benedict, John A. Cook, Inez Black, C. L. Lamb, Estelle Martin, Minnie E. Hess, Bessie Conger, W. D. Blakemore, T. W. Hazelton, Jennie Wharton, R. P. Harris, Arthur Crook, B. I. Kinsey, S. M. Cart, Ole Peterson, E. D. Chassell.

Weeks of Guthrie moved that a committee of five be appointed on credentials and that the members appearing on the list prepared by the Secretary of State be accepted as the official list of members who are entitled to seats in this body.

Carried.

The Speaker appointed as this committee, Messrs. Weeks of Guthrie, Powers of Floyd, Koontz of Johnson, Bailey of Ringgold, and Lowrey of Calhoun.

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 seats in the House of Representatives of the Thirtieth General Assembly.

E. W. WEEKS,  
P. H. POWERS,  
G. W. KOONTZ,  
M. Z. BAILEY,  
J. H. LOWREY.

Bailey, M. Z., Bealer, E. J. C., Bixby, R. J., Boland, Edward, Buchanan, A. W., Buckingham, F. N., Calderwood, M. H., Carden, William, Carstensen, Theo., Cassel, A. F., Chassel, E. D., Cheney, A. H., Christiansen, Geo. P., Clarke, G. W., Clary, Tim C., Cobb, William, Coburn, George F., Colclo, C. C., Conn, Stanley, Crose, Chas. F., Cummings, B. F., Dashiell, Mark A., Davie, William A., DeLano, L. L., Doran, Justin R., Dow, D. W., English, Emory H., Flenniken, J. C., Freeman, W. H., Frudden, A. F., Geneva, Thomas, Greeley, W. M., Greene, Robert A., Gregory, Ross H., Hakes, Montague, Hambleton, A. F. N., Hanna, Geo. W., Harris, Thomas, Hart, William S., Head, Mahlon, Heles, Philip, Hollebeak, R. W., Hume, Thomas H., Jacobson, Abraham, Jepson, C. N., Jones, F. F., Kendall, N. E., Kennedy, Chas. A., Kling, H. B., Koontz, George W., Laird, F. M., Lamkin, C. B., Langan, Raymond C., Leech, Louis J., Lister, John, Lowrey, Jason H., Lundt, J. F., McAllister, John, McClurkin, E. L., McCreary, Wm. M., McCulloch, George, McDole, Albert E., McElrath, Wm. W., McNie, Malcom F., Maben, O. K., Manning, Eli, Martin, Robert J., Mattes, Joseph, Morris, James F., Mott, D. C., Nichols, J. I., Offill, John F., Olson, H. L., Peet, R. M., Powers, P. H., Prevo, T. J., Pritchard, J. S., Ritter, Henry, Robinson, B. F., Sankey, E. J., Saylor, W. W., Shaffer, J. D., Skinner, Scott, Spaulding, H. L., Springer, L. F., Stanbery, John S., Stoltenberg, A. H., Summers, L. F., Teachout, H. E., Temple, M. L., Teter, Lorenzo D., Washburn, A. B., Weeks, Elbert W., Welden, Wm.,

Whiting, Will C., Whitmer, G. R., Willson, H. H., Wise, Charles A., Wright, Robert M., Wyland, O. P.

On motion the report was adopted.

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: M. Z. Bailey, E. J. C. Bealer, R. J. Bixby, Edward Boland, A. W. Buchanan, F. N. Buckingham, M. H. Calderwood, William Carden, Theo. Carstensen, A. F. Cassel, E. D. Chassell, A. H. Cheney, Geo. P. Christianson, G. W. Clarke, T. C. Clary, William Cobb, George F. Coburn, C. C. Colclo, Stanley Conn, Chas. F. Crose, B. F. Cummings, Mark. A. Dashiell, William A. Davie, L. L. DeLano, Justin R. Doran, D. W. Dow, Emory H. English, J. C. Flenniken, W. H. Freeman, A. J. Frudden, Thomas Geneva, W. M. Greeley, Robert A. Greene, Ross H. Gregory, Montague Hakes, A. F. N. Hambleton, Geo. W. Hanna, Thomas Harris, William S. Hart, Mahlon Head, Philip Heles, R. W. Hollebeak, Thomas H. Hume, Abraham Jacobson, C. N. Jepson, F. F. Jones, N. E. Kendall, Chas. A. Kennedy, H. B. Kling, Geo. W. Koontz, F. M. Laird, C. B. Lamkin, Raymond C. Langan, Louis J. Leech, John Lister, Jason H. Lowrey, J. F. Lundt, John McAllister, E. L. McClurkin, Wm. M. McCreary, Geo. McCulloch, Albert E. McDole, Wm. W. McElrath, Malcolm F. McNie, Geo. K. Maben, Eli Manning, Robert J. Martin, Joseph Mattes, James F. Morris, D. C. Mott, J. I. Nichols, John F. Offill, H. L. Olson, R. M. Peet, P. H. Powers, T. J. Prevo, J. S. Pritchard, Henry Ritter, B. F. Robinson, E. J. Sankey, W. W. Saylor, J. D. Shaffer, Scott Skinner, H. L. Spaulding, L. F. Springer, John S. Stanbery, A. H. Stoltenberg, L. F. Summers, H. E. Teachout, M. L. Temple, Lorenzo D. Teter, A. B. Washburn, Elbert W. Weeks, Wm. Welden, Will. C. Whiting, G. R. Whitmer, H. H. Willson, Charles A. Wise, Robert M. Wright, O. P. Wyland.

Temporary Speaker declared that the House now proceed to the selection of permanent officers.

Mr. Wise of Black Hawk placed in nomination Clarke of Dallas for permanent Speaker.

The roll was then called with the following result.

Those voting for Mr. Clarke were:

Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna,

Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland—95.

The nays were:

None.

Absent or not voting:

Messrs. Freeman, Gregory, Martin, Washburn, Clarke—5.

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

English of Polk moved that a committee of two be appointed to escort Mr. Clarke to the Speaker's chair.

Temporary Speaker appointed English of Polk and Koontz of Johnson as such committee.

Upon assuming the chair and being sworn, the Speaker made a few remarks, which, upon motion of Mr. McNie, of Benton, were ordered printed in the Journal, and which are as follows:

*Gentlemen of the House:* I sincerely thank you for the honor which you have conferred upon me and assure you of my very great appreciation of it. I need not say more than this touching my election, because I could not adequately express the appreciation I feel for what has seemed to me the heartiness of your support and the universal and very generous expression of your good will. It has been all I could ask and more than I could expect. And these words apply with all their force, also, to the members of the minority party. I wish to thank them in this public way for the very kind and generous course they have taken toward me. I bring to each member of this House the tribute of my thanks and assure him in all sincerity that his good will is reciprocated to the fullest extent.

We meet today under some inconveniences and difficulties on account of the fire which so recently swept through a portion of this great building. The Thirtieth General Assembly will pass into history distinguished, if in no other way, as being the one that followed immediately upon the fire in the capitol. It is greatly to be deplored that this fire should have occurred at any time, but especially so at this juncture. However, it is not without its compensation, as nothing is. It has taught the people of Iowa how much they love their great state, and revealed to them the immeasurable pride

they have in this magnificent and beautiful structure, hardly surpassed by any other in the Union. When the news went over the state that the capitol was burning, men were shocked and concerned as if the flames were in their own homes and inquired impatiently about the progress and extent of the fire. This is a good omen; for so long as the state is thus loved and her public buildings so cherished she is secure and her future greatness is assured. It is a guarantee of good and loyal citizenship, and that out of the ashes and wreckage will come, at least as beautiful and certainly a far more enduring building in the portion burned, and the people of the state will applaud while the work goes on.

It is believed that the inconveniences which we now suffer will be very soon to a very large extent removed. But this is not a matter of so much moment. The really great matter that should concern us is the quality of the work we shall do and how promptly and well we shall do it. We shall not be without abundant advice and that is well enough. We shall be told what would be done if we were to exchange places with our advisers. But public responsibilities sober a man and he is not so free to say what he would do when it is "up to him" to do it. I think one of the greatest evils of our day so far as legislation is concerned, is the great flood of it which is constantly pouring into the statute books of these states. It constantly unsettles and makes uncertain the law. It touches matters of the most trivial importance, and matters of the greatest importance it touches in the most trivial way. It is a reproach to the legislature of a State that 800 or more bills should be submitted for its consideration in a few weeks, when aside from formal matters you could count upon the fingers of your two hands, as it seems to me, the matters that really demand its attention. Scarcely is a law enacted by the legislature before another comes along with a bill to repeal or change it, and that, too, before the law has had a fair test or an opportunity to show its value or the want of it. This, however, may be due in part to hasty, slipshod legislation, and it must be admitted that legislators do not always realize the necessity for careful, painstaking, conscientious hard work.

Another great danger and a rapidly growing one is the belief that the evils of society can be cured by legislative enactment or that the business of particular interests or of the people is to be promoted by regulating this or that, or creating a board here or a commission there, until the whole machinery of the state is loaded down and burdened and difficult and expensive of administration. The fewer the places where the citizen or his business is touched by the law the better. Moral problems are not solved by legislation; probably sometimes helped thereby. The natural laws of business or trade may be safely relied on to correct any rising danger, and any business interest, great or small, corporate or not, that defies them does so at its peril. The really great duty of the legislator, therefore, is to interpose himself as a barrier to the great flood which biennially sweeps into the legislative halls of this country. In no other way can he better serve the state. He legislates best who legislates least. I am quite sure that the people of this state would live quite contentedly and happily and prosperously two years more if we should content ourselves with making the necessary provision for the educational and charitable institutions of the state

and for carrying on the different departments of the state government and giving attention to a few other matters and adjourning. I think a short, business session would be greatly to our credit. I believe it would have the enthusiastic approval of the state. I hope we shall be noted for careful, conservative, conscientious work. I shall be glad to contribute whatever I can to that end. In the position which I shall occupy I pray your mild and considerate judgment, your support and help. Thanking you again, let us enter at once upon the work of the session. What is the pleasure of the House?

Mr. Wise, of Black Hawk, moved that the following named persons be elected as the permanent officers of the House:

For Chief Clerk, C. R. Benedict, of Shelby county.

For Assistant Clerks, L. E. Corlett of Clayton county, and W. C. Ramsey of Wright county.

For Journal Clerks, Harry E. Griffin of Jackson county, and Ralph H. Clock of Franklin county.

For Enrolling Clerk, Walter McCulla of Cherokee county.

For Engrossing Clerk, Mrs. Mollie Heist of Wayne county.

For File Clerk, J. C. Hall of Dallas county.

For Bill Clerks, T. J. Alexander of Madison county, and L. M. Black of Sioux county.

For Assistant Postmistress, Miss Hester Runyan of Sac county.

For Sergeant at Arms, Col. S. A. Moore of Davis county.

For Chief Doorkeeper, J. B. Lewis of Clay county.

For Assistant Doorkeepers, Jacob Nunweiler of Hancock county, Henry Johnson of Emmet county, J. Heffelfinger of Grundy county, E. F. Moon of Audubon county, R. C. Payne of Monroe county, G. H. Russell of Polk county, Thad Maxon of Cedar county, J. R. White of Hamilton county, J. V. Shorey of Guthrie county, R. G. Shuey of Linn county.

For Chief Janitor cloak room, R. N. Hyde of Polk county.

For Assistant cloak room janitors, A. Walker of Marshall county, Forrest E. White of Muscatine county, Harry Burnaugh of Henry county.

For Pages, Harry H. Brown of Polk county, R. A. Green Jr. Madison county, Vivien MacCannon of Polk county, Verner Snyder, Frank O. Jay of Greene county, Lawrence Berkley of Harrison county, Verna Cloutier of Clayton county, Leo. O. Pickett, Dow Elliott of Story county.

For Telephone Messenger, Richard Woodruff of Woodbury county.

On call of the roll those voting in favor of the motion were: Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Frud-

den, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Helms, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Mattes, Morris, Mott, Nichols, Ofill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—96.

The nays were:

None.

Absent or not voting:

Messrs. Freeman, Gregory, Martin, Washburn—4.

So the persons named therein were 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, L. E. Corlett, W. C. Ramsey, H. E. Griffin, Ralph H. Clock, Walter P. McCulla, Mollie Heist, John K. Hall, L. M. Black, Hester Runyan, T. J. Alexander, S. A. Moore, J. B. Lewis, Henry Johnson, J. Heffelfinger, E. F. Moon, R. C. Payne, G. H. Russell, Thad Maxon, J. R. White, J. V. Shorey, R. G. Shuey, Harry H. Brown, R. A. Greene, Jr., Vivien MacCannon, Richard Woodruff, Frank O. Jay, Leo O. Pickett, Dow Elliott, Albert Walker, Harry Burnaugh, Forest E. White, Verna Cloutier.

Hart of Allamakee in a few well chosen and eloquent remarks presented the Speaker with a handsome gavel on behalf of Mr. and Mrs. W. H. Jayne of Des Moines.

Calderwood of Scott moved that the rules of the House of the Twenty-ninth General Assembly be in force and effect until the report of the Committee on Rules shall have been adopted.

Carried.

Kendall of Monroe offered the following concurrent resolution and moved that the rules be suspended and the resolution be adopted:

*Resolved By the House, 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 the Speaker of the House

and the President of the Senate be appointed a committee to deliver the invitation.

*Resolved*, That, if agreeable to the Governor, the reading of the message be the first business in order when the Joint Convention shall be assembled to canvass the vote for the offices of Governor and Lieutenant Governor.

The motion prevailed and the resolutions were adopted.

Bealer of Linn moved that a committee of three be appointed to wait upon the Governor and notify him that the House is duly organized and ready to receive any communications from him.

Carried.

The Speaker appointed as such committee, Bealer of Linn, Bixby of Delaware, Langan of Clinton.

Jepson of Woodbury moved that the Speaker appoint a committee of three to notify the Senate that the House is permanently organized and ready to receive any communications that it may desire to transmit.

The Speaker appointed as such committee, Jepson of Woodbury, Mott of Audubon, Colclo of Carroll.

Chassell of Plymouth moved that a committee of three be appointed by the Speaker to arrange and group the standing committees of the House and to assign clerks therefor.

The Speaker appointed as such committee, Chassell of Plymouth, Mattes of Sac, Wyland of Shelby.

Kendall of Monroe offered the following concurrent resolution and moved that the rules be suspended and the resolution adopted:

*Resolved, by the House, the Senate concurring*, That a joint committee of three (3) members from the House, to be appointed by the Speaker, and three members from the Senate, to be appointed by the President of the Senate, be designated to nominate such additional employes, other than committee clerks, as may be deemed necessary for the session, including a mail carrier, and to recommend the position and compensation of each.

The motion prevailed and the resolution was adopted.

Teachout of Polk offered the following concurrent resolution and moved that the rules be suspended and the resolution be adopted:

*Resolved, by the House, the Senate concurring*, That the Speaker of the House appoint a committee of six to act in concert with a like committee from the Senate, to make suitable arrangements for the inauguration of the Governor and Lieutenant Governor.



The motion prevailed and the resolution was adopted.

Head of Jefferson offered the following concurrent resolution and moved that the rules be suspended and the resolution be adopted:

*Resolved, by the House, the Senate concurring,* That joint session of the House of Representatives and the Senate be held on Tuesday, January 12th, at 2 P. M., in the Senate chamber, for the purpose of canvassing the vote for Governor and Lieutenant Governor.

The motion prevailed and the resolution was adopted.

Chassell of Plymouth offered the following concurrent 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 requested to furnish each member of the Thirtieth General Assembly with one copy of the Supplement to the Code of 1897.

Temple of Clarke in the chair.

English of Polk nominated Hon. B. F. Cummings of Marshall for speaker pro tem.

Upon call of the roll the following voted for Mr. Cummings:

Messrs. Bailey, Boland, Buchanan, Buckingham, Calderwood, Carden, Cassell, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland. — 90.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Bixby, Carstensen, Clarke, Cummings, Freeman, Gregory, Langan, Martin, Washburn.—10.

Mr. Cummings was declared elected Speaker pro tem.

Wise of Black Hawk moved that a committee of two be appointed to escort the Speaker pro tem to the chair.

Speaker appointed as such committee Wise of Black Hawk and Whiting of Monona.

McNie of Benton offered the following resolution and moved that the rules be suspended and the resolution be adopted;

*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.

Motion prevailed and the resolution was adopted.

Mr. Cummings was here presented by his escort, was sworn in and assumed the chair.

Skinner of Union moved that the Chief Clerk be authorized to assign desks in the press gallery to accredited representatives of the press.

Carried.

Robinson of Emmet moved that the Chief Clerk of the House be instructed to procure appropriate badges for the Sergeant at Arms, Chief Doorkeeper, Assistant Doorkeeper and Pages of the House.

The motion prevailed and the resolution was adopted.

The committee appointed to notify the Governor that the House was duly organized and ready to receive any communications from him, reported that they had so informed the Governor.

Nichols of Muscatine 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 same to the House.

On motion the rules were suspended and the resolution was adopted.

Hart of Allamakee moved that the members be considered as assigned to the seats which they now occupy during the time that the House occupies the Senate Chamber, and that the Clerk call the roll and as their names are called, the members give the number of their desk.

Carried.

Upon roll call the numbers of desks were reported as follows:

Bailey, 29; Bealer, 42; Bixby, 19; Boland, 19; Buchanan, 35; Buckingham, 7; Calderwood, 30; Carden, 23; Carstensen, 49; Cassell, 1; Chassell, 41; Cheney, 9; Christianson, 50; Clary, 28; Cobb, 16; Coburn, 12; Colclo, 48; Conn, 6; Crose, 8; Cummings, 45; Dashiell, 44; Davie, 3; DeLano, 33; Doran, 47; Dow, 1; English, 43; Flenniken, 10; Freeman; Frudden, 26; Geneva, 25; Greeley, 24; Greene, 4; Gregory; Hakes, 13; Hambleton, 33; Hanna, 2; Harris, 17; Hart 11; Head, 42; Heles, 26; Hollembeak, 49; Hume, 5; Jacobson, 9; Jepson, 47; Jones, 15; Kendall, 41. Kennedy, 27; Kling, 15; Koontz, 12; Laird, 16; Lamkin, 34; Langan, 50; Leech, 32; Lister, 36; Lowrey, 36; Lundt, 46; McAllister, 17; McClurkin, 23; McCreary, 18; McCulloch, 38; McDole, 40; McElrath, 47; McNie, 21; Maben, 39; Manning, 7; Martin; Mattes, 32; Morris, 34; Mott, 40; Nichols, 21; Offill, 44; Olson, 5; Peet, 14; Powers, 37; Prevo, 20; Pritchard, 22; Ritter, 20; Robinson, 22; Sankey, 18; Saylor, 46; Shaffer, 11; Skinner, 35; Spaulding, 28; Springer, 48; Stanbery, 39; Stoltenberg, 25; Summers, 27; Teachout, 6; Temple, 8; Teter, 43; Washburn; Weeks, 45; Welden, 31; Whiting, 30; Whitmer, 13; Willson, 14, Wise, 24; Wright, 29; Wyland, 31.

Carden of Henry moved that the Speaker and Chief Clerk each be allowed a page.

Speaker Clarke in the Chair.

Robinson of Emmet offered the following resolution and moved its adoption:

*Resolved*, That the Secretary of State be instructed to furnish each member of the House with a copy of the Session laws of the Twenty-eighth and Twenty-ninth General Assemblies.

On motion the rules were suspended and the resolution was adopted.

The committee appointed to notify the Senate that the House was duly organized and ready to receive any communication which they desired to transmit here appeared and reported that they had so notified the Senate.

Committee from Senate here appeared and notified the House that the Senate was duly organized and ready to receive any communications that the House might desire to transmit.

Wise of Black Hawk offered the following resolution and moved its adoption:

WHEREAS, The Chamber of the House of Representatives is partially destroyed by fire, therefore not in a condition for occupancy, and

WHEREAS, The Senate of the Thirtieth General Assembly have surrendered the use of the Senate Chamber and tendered the same to the House, therefore, be it

*Resolved*, That we highly appreciate the courtesy and self-denial of the Senate and tender to them our thanks for the same; and be it further

*Resolve*, That a copy of this resolution be messaged to the Senate.

On motion the rules were suspended and the resolution was adopted.

The Speaker announced the following committees:

Committee to determine amount of mileage due each member—Nichols of Muscatine, Bixby of Delaware, Frudden of Dubuque.

Committee to arrange with different ministers of the State to open sessions with prayer—McNie of Benton, Hanna of Kossuth, Prevo of Davis.

#### 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 House was asked:

Concurrent resolution relative to additional employes;

And names on part of the Senate—Smith of Mitchell, Maytag and Hogue.

GEO. A. NEWMAN,

*Secretary.*

Speaker appoints as committee on part of the House to arrange for additional employes—Kendall of Monroe, English of Polk, Maben of Hancock.

Speaker appoints as committee on part of the House to arrange for the inauguration of Governor and Lieutenant Governor—Teachout of Polk, Flenniken of Clayton, Robinson of Emmet, Weeks of Guthrie, Skinner of Union, DeLano of Cass.

On motion of Hambleton of Mahaska House adjourned until tomorrow, Tuesday, January 12, at 10 o'clock A. M.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 12, 1904. }

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

Prayer by the Rev. Jas. T. Nichols of Benton county.

PETITIONS AND MEMORIALS.

Bailey of Ringgold presented petition of Citizens of Ringgold county relative to the road law.

Referred to committee on Roads and Highways.

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:

Concurrent resolution relative to arrangements for the inauguration of Governor and Lieutenant Governor,

And names on the part of the Senate: Dowell, Molsberry, Winne, Turner, Lambert, Eckles.

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 asking the Governor to read his message before the joint convention, when they meet to canvass the vote.

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 joint session for canvassing the vote for Governor and Lieutenant Governor.

GEORGE A. NEWMAN,  
*Secretary.*

Bailey of Ringgold moved that the Speaker be accorded the courtesy of appointing a Speaker's clerk.

Motion prevailed.

Speaker Clarke appoints as his clerk Arnold E. Brown of Osage.

Chief Clerk appoints as his page Verner Byers of Garner.

Speaker Clarke reported on part of the Joint Committee that Governor Cummins accepted the invitation to read his message before the Joint Convention of the Senate and House of Representatives.

English of Polk offered the following resolution, moved that the rule be suspended, and the resolution be adopted:

*Resolved,* That all bills and resolutions introduced in the House shall be in duplicate; that one copy of all bills introduced shall be marked and known as the "original bill," and one copy which shall be marked and designated as "printer's copy." The "original bill" shall, after engrossment, be subject to delivery to the chairman of the committee to which reference is made, and the "printer's copy" shall be delivered to the State Printer.

The motion prevailed and the resolution was adopted.

Temple of Clarke moved a recess subject to call of the Speaker.

Carried.

The House reconvened.

The Chief Clerk made the following assignment of seats in the press gallery:

Leon Brown of Register and Leader, 51; Ora Williams of News, 52; Fred Gaston of Capital, 53; G. F. Authier of Register and Leader, 54; Julian Richards of Chicago Tribune, 64.

Kendall of Monroe offered the following resolution:

JOINT RESOLUTION NO. 1.

Joint resolution relating to the selection of additional employes of the Thirtieth General Assembly, fixing their compensation and defining their duties.

*Be it resolved by the General Assembly of the state of Iowa:*

SECTION 1. That E. J. Culver of Clarion, W. S. Page of Colesburg, Frank Crawford of Altoona, and A. J. Scott of Rockwell City, are hereby appointed policemen at a salary of \$70.00 per month each.

SECTION 2. That Arnie Gunderson of Clermont, L. B. Raymond Jr., of Hampton, Will Richards of Hinton, and T. W. Hazelton of Calmar, are hereby appointed clerks in the document room at a salary of \$60.00 per month each.

SECTION 3. That H. H. Baldwin of Fort Dodge is hereby appointed a clerk in the supply department at a salary of \$60.00 per month.

SECTION 4. That Frank Myers of Des Moines is hereby appointed assistant bill clerk in the Senate at a salary of \$60.00 per month.

SECTION 5. That Harry Narey of Spirit Lake and Harry Breeding of Des Moines are hereby appointed assistant file clerks in the Senate and House respectively at salaries of \$60.00 per month each.

SECTION 6. That Carl Peters of Reasoner, Samuel Diller of Des Moines, J. S. Dee of Shelby, and John H. Merrill of Des Moines are hereby appointed elevator attenders at a salary of \$60.00 per month each.

SECTION 7. That Samuel Salts of Bernhart, J. E. Winder of Bedford, J. F. Smith of Garden Grove, F. M. Stone of Knoxville, C. B. Kennedy of Cedar Rapids, J. R. Brink of Creston, H. T. Barber of Macedonia, J. H. Morgan of Sioux City, C. F. Wright of Davenport, E. T. Harris, of Buxton, C. W. Carter of Chariton, and R. Boeman of Viola, are hereby appointed janitors at a salary of \$60.00 per month each.

SECTION 8. That W. W. Hyzer of Guthrie Center is hereby appointed mail carrier at a salary of \$90.00 per month.

SECTION 9. That the policemen, elevator tenders, and janitors shall be assigned to their respective duties by the custodian; the clerks in the document room by the Secretary of State; the clerk in the supply department by the Secretary of the Executive Council; the assistant bill and file clerks by the Secretary of the Senate and the Chief Clerk of the House; and the mail carrier by the President of the Senate and Speaker of the House.

SECTION 9½. That the Custodian, Secretary of State, Secretary of the Executive Council, President of the Senate and Speaker of the House respectively shall 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 and file clerks shall be certified in the same manner as that of the other employes of the respective Houses.

SECTION 10. 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 presented to the Auditor of State.

SECTION 11. That the Custodian be authorized to employ such additional help as may be necessary to remove snow from the approaches, porticos and walks about the capitol.

SECTION 12. That the Secretary of State be authorized to retain as many clerks hereby appointed to serve in the document room as he may deem necessary for a period of not exceeding two weeks after the adjournment of the Thirtieth General Assembly.

Read first and second times.

On motion of Mr. Kendall, House Joint Resolution No. 1 was taken up and considered.

Mr. Kendall moved that the rules 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. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassell, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles Hollembeak, Hume, Jacobson, Jepson, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Weldon, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—96.

Absent or not voting:

Messrs. Buckingham, Greeley, Gregory, Jones—4.

So the joint resolution was adopted.

Stanbery of Cerro Gordo moved that the Democratic members of the House be accorded the courtesy of selecting four committee clerks, which number shall include those clerks selected by Democratic chairmen of committees; also the selection of one page.

Carried.

House Journal of Monday, January 11, 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 House Joint Resolution in which the concurrence of the Senate was asked:



House Joint Resolution No. 1 relating to the selection of additional employes, fixing their compensation and defining their duties.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Kendall of Monroe House adjourned until 1:45 P. M.

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### AFTERNOON SESSION.

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House met pursuant to adjournment.

Speaker Clarke in the chair.

Weeks of Guthrie moved that the Speaker be and is hereby authorized and empowered, upon request, to excuse members of the House for a stated period, and he shall cause a proper entry thereof to be made in the House Journal.

Carried.

Buchanan of Wapello moved that a committee of three be appointed to notify the Senate that the House is ready to receive them.

The Speaker appointed Messrs. Buchanan of Wapello, Clary of Chickasaw and Stanbery of Cerro Gordo.

## JOINT CONVENTION.

In accordance with law and concurrent resolution duly adopted the Joint Convention met at 2:00 P. M. Tuesday, January 12, 1904.

The Joint Convention was called to order by Lieutenant Governor Herriott.

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

Messrs. Bailey, Bixby, Bleakly, Boland, Brooks, Bruce, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chasell, Cheney, Christianson, Clary, Clarke, Cobb, Coburn, Colclo, Conn, Courtright, Crawford, Crose, Crossley, Cummings, Davie, DeLano, Doran, Dow, Dowell, Dunham, Eckles, Elerick, Ericson, English, Flenniken, Freeman, Frudden, Gale, Garst, Geneva, Gilliland, Greeley, Greene, Hakes, Hambleton, Hanna, Harper, Harris, Hart, Hartshorn, Hasselquist, Hayward, Head, Heles, Hollembeak, Hopkins, Hughes, Hume, Jepson, Jackson, Jacobson, Jamison, Jones of Mahaska, Jones of Montgomery, Kendall, Kennedy, Kimmel, Kinne, Kling, Koontz, Laird, Lambert, Lamkin, Langan, Leech, Lewis, Lister, Lowrey, Lundt, Lyons, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Molsberry, Mott, Newberry, Nichols, Offill, Olsen, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saunders, Saylor, Shaffer, Skinner, Smith of Des Moines, Smith of Mitchell, Spaulding of Chickasaw, Spaulding of Howard, Springer, Stanbery, Stirton, Stoltenberg, Stookey, Stuckslager, Summers, Taylor, Teachout, Teter, Temple, Turner, Warren, Washburn, Weeks, Welden, Whipple, Whiting, Whitmer, Willson of Washington, Wilson of Fayette, Wilson of Clinton, Winne, Wise, Wright, Wyland, Young of Lee, Young of Calhoun—142.

Absent or not responding:

Messrs. Bealer, Dashiell, Gregory, Hogue, Maytag, Peet, Young of Washington, Wade—8.

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

Greeley of Story moved that a committee of two from the House and one from the Senate be appointed to notify the Governor that the joint convention is now in session.

The President appointed Senator Garst, Greeley of Story, Langan of Clinton.

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

The reading of the message being completed, President Herriott appointed Senators Crossley, Turner and Smith of Des Moines as tellers on the part of the Senate to act with Representatives Lowrey, Manning and Whitmer, as tellers 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, 1903.

The tellers reported as follows:

HALL OF THE HOUSE OF REPRESENTATIVES.

DES MOINES, IOWA, January 12, 1904.

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

Your Tellers appointed by the Senate and House of Representatives, to canvass the vote cast for candidates for Governor and Lieutenant Governor, at the election held on November 3, 1903, beg leave to make the following report of the total vote cast for Governor:

Albert B. Cummins received.....	238,804
J. B. Sullivan received.....	159,725
J. F. Hanson received.....	12,375
J. M. Work received.....	6,421
L. H. Weller received.....	594
Total.....	419,919

And of the total vote cast for Lieutenant Governor at the election held on November 3, 1903:

John Herriott received.....	237,983
J. D. Butler received.....	157,210
James H. Scull received.....	11,530
A. K. Gifford received.....	6,483
S. M. Harvey received.....	592
Total.....	413,798

All of which is most respectfully submitted.

JAMES J. CROSSLEY,  
 FRED N. SMITH,  
 D. W. TURNER,  
 J. H. LOWREY,  
 ELI MANNING,  
 G. R. WHITMER,  
*Tellers.*

Lieutenant Governor Herriott, 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.

The Speaker of the House 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 Herriott, president of the joint convention, then directed the abstracts of votes to 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 12, 1904. }

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. 1903, 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 twelfth day of January, A. D. 1904.

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

GEO. W. CLARKE,  
*Speaker of the House.*

JAMES J. CROSSLEY,  
FRED N. SMITH,  
DAN W. TURNER,  
*Tellers of the Senate.*

J. H. LOWREY,  
ELI MANNING,  
G. R. WHITMER,  
*Tellers of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, January 12, 1904 }

This is to certify that upon a canvass in joint convention of the two house of the General Assembly of the state of Iowa of the votes cast at the November election, A. D. 1903, 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 twelfth day of January, A. D. 1904.

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

GEO. W. CLARKE,  
*Speaker of the House.*

JAMES J. CROSSLEY,  
FRED N. SMITH,  
DAN W. TURNER,  
*Tellers of the Senate.*

J. H. LOWREY,  
ELI MANNING,  
G. R. WHITMER,  
*Tellers of the House.*

The President announced that the certificates of election had been signed in the presence of the Joint Convention.

Senator Lewis moved that a committee of one from the Senate and one from the House be appointed to notify the Governor and Lieutenant Governor of their election.

Carried.

President Herriott appointed on the part of the Senate, Senator Lewis, and Speaker Clarke appointed Cummings of Marshall and Jones of Montgomery.

The minutes of the Joint Convention were read and approved.

On motion of Senator Garst Joint Convention dissolved.

House reconvened.

Flenniken of Clayton moved that the Governor's message be printed in the Journal of the House.

Carried.

## GOVERNOR'S MESSAGE.

*To the Senate and House of Representatives of the Thirtieth General Assembly:*

In obedience to the command of the constitution, I have the honor to submit to you the following message:

I lay before you reports from various departments and officers, as follows:

Secretary of State. (Pertaining to Land Office).  
Secretary of State. (Pertaining to Criminal Convictions).  
Auditor of State.  
Treasurer of State.  
Superintendent of Public Instruction.  
State University.  
Iowa State College of Agriculture and Mechanic Arts.  
State Normal School.  
Commissioner of the Bureau of Labor Statistics.  
State Librarian.  
State Historical Department.  
State Historical Society.  
Adjutant General.  
Dairy Commissioner.  
Boat Inspectors.  
Custodian of Public Buildings.  
Geological Board.  
Accountants.  
Board of Dental Examiners.  
State Veterinary Surgeon.  
Pharmacy Commission.  
State Board of Health.  
Fish and Game Warden.  
Capitol Commission.

These reports will inform you of all the doings of the executive branch of the State government.

## FINANCES.

As to the monies that were received and paid out during the biennial period ending June 30, 1903, you are referred to the

reports of the Auditor and Treasurer. They disclose all financial transactions, both in summary and detail, and nothing that I could add would make your information upon this phase of the subject more complete. It is your duty, however, not only to review the past, but to provide for the future, and I have ventured to prepare a table that I hope will aid you in determining the amount available for appropriation at this time.

I have endeavored to ascertain the probable revenue of the State during the years 1904 and 1905 upon the basis of a three mill levy for general purposes, the fixed expenses of the State, as now established, the appropriations made by preceding General Assemblies, payable during these years, and thus reach the aggregate sum that can be safely appropriated by you upon the assumption that the rate of taxation already mentioned is continued.

I have excluded from my computation all special funds and have considered only those items which may be properly reckoned in a general account. I have used the two calendar years immediately before us, for the reason that it has become customary to make appropriations extending beyond the biennial period.

The assessable value of all the taxable property in the State for the year 1903 was \$637,937,386.00, and as it is not probable that it will be materially changed in the coming two years, it is not difficult to discover what additional revenue an increased rate of taxation will yield.

#### AMOUNT IN TREASURY AND ESTIMATED RECEIPTS FOR 1904.

Amount in treasury January 1, 1904.....	\$1,198,754.58
Receipts from general tax, to be paid in 1904 (estimated) .....	1,901,000.00
Receipts from insurance companies (estimated)	240,000.00
Receipts from state officers (estimated) .....	140,300.00
Receipts from general government for Soldiers' Home .....	50,000.00
Receipts from counties for support of state insti- tutions (estimated) .....	460,000.00
Receipts from collateral inheritance tax (esti- mated) .....	100,000.00
Total .....	<u>\$4,099,054.58</u>



## ESTIMATED EXPENDITURES FOR 1904.

Salaries and expenses of the various state offices, boards, commissions, etc.

Adjutant general.....	\$ 3,200.00
Attorney-general.....	7,280.00
Auditor of state.....	12,670.00
Board of control.....	1,303,120.00
Clerk of supreme court.....	6,460.00
Commissioner of labor.....	3,000.00
Commissioners of pharmacy.....	1,200.00
Custodian of public buildings.....	23,500.00
Dairy commissioner.....	8,000.00
District judges' salaries.....	185,500.00
Fish and game warden.....	8,700.00
Executive department.....	23,200.00
Historical department.....	15,380.00
Library departments.....	16,060.00
Mine inspectors.....	10,930.00
Railroad commissioners.....	13,100.00
Secretary of state.....	11,950.00
Superintendent of public instruction.....	7,340.00
Superintendent of weights and measures.....	50.00
Supreme court.....	41,300.00
Treasurer of State.....	9,110.00
Veterinary surgeons.....	5,000.00
Agricultural societies.....	35,000.00
Board of health.....	5,000.00
Collateral inheritance.....	7,300.00
Condemnation real estate.....	2,000.00
Executive council.....	7,690.00
Farmers institutes.....	4,000.00
Geological survey.....	8,780.00
Historical society.....	2,500.00
Interest on school fund loans.....	660.00
Iowa Weather Service.....	2,700.00
Militia.....	58,150.00
Miscellaneous (Secs. 36, 164, 165).....	53,000.00
Providential contingencies.....	50,000.00
Relief Joseph Metz and F. M. Hull.....	480.00
State Printer and State Binder.....	60,000.00
State department of agriculture.....	3,400.00
Teachers institutes.....	12,000.00
Thirtieth General Assembly.....	130,000.00
Horticultural Society.....	4,000.00
College of Agricultural and Mechanic Arts.....	94,500.00
State Normal School.....	80,500.00
State University.....	190,500.00
Total.....	\$2,528,210.00

UNPAID APPROPRIATIONS OF STATE INSTITUTIONS UNDER  
BOARD OF CONTROL.

Boys' Industrial School at Eldora .....	\$ 14,381.85
Girls' Industrial School at Mitchellville .....	2,272.00
Soldiers' Home, Marshalltown .....	4,263.76
Blind Industrial Home, Knoxville.....	3,103.45
Cherokee Hospital for Insane.....	1,146.34
Clarinda Hospital for Insane .....	14,143.23
Independence Hospital for Insane.....	16,211.65
Mt. Pleasant Hospital for Insane.....	19,626.56
College for Blind.....	739.36
Penitentiary at Anamosa.....	24,213.15
Penitentiary at Ft. Madison.....	69,639.82
Soldier's Orphan's Home, Davenport.....	7,027.44
School for the Deaf, Council Bluffs.....	8,678.67
Institute for Feeble-Minded Children, Glenwood	29,246.74
<hr/>	
Total.....	\$ 214,664.02

UNPAID SALARIES AND EXPENSES FOR 1903 AND UNEXPENDED  
APPROPRIATIONS PAYABLE IN 1903 AND 1904.

Adjutant general's salary.....	\$ 58.33
College of Agriculture and Mechanic Arts.....	28,105.21
Attorney-general.....	898.33
Auditor of state.....	285.33
Benedict Home.....	1,400.41
Board of control.....	3,396.66
Capitol Improvements.....	139,050.12
Clerk of supreme court.....	308.33
Collateral inheritance.....	250.00
Commissioner of labor.....	208.33
Curator's salary.....	133.33
Custodian public building, salary.....	325.00
Constitutional amendments.....	2,500.00
Dubuque Rescue Home.....	200.00
Dairy commissioner.....	691.66
District judges' salaries.....	15,900.00
Executive council.....	450.00
Fish and game warden.....	100.00
Geological survey.....	2,070.00
Governor's salary, room rent, executive council and contingent.....	541.61
Historical department.....	2,455.00
Weather service.....	200.00
Library departments.....	1,129.98
Lookout Mountain monuments.....	33,722.20
Louisiana Purchase Exposition.....	68,000.00
Militia.....	7,199.06
Mine inspectors.....	1,042.50

Miscellaneous (Secs. 164 and 165).....	1,400.00	
State Normal School.....	20,850.00	
Railroad commissioners.....	874.99	
Secretary of state.....	325.00	
Relief of Hull and Metz.....	120.00	
Superintendent of public instruction.....	460.45	
State printer.....	1,000.00	
Etomologist.....	100.00	
Shiloh monuments.....	29,449.42	
Judges supreme court.....	2,393.33	
Treasurer of state.....	1,225.00	
University, support and purchase land.....	57,800.00	
Veterinary surgeon.....	600.00	
Vicksburg monuments.....	3,209.00	
Women's and Babies' Home.....	380.20	
<b>Total</b> .....		<b>\$ 419,808.50</b>

## RECAPITULATION.

Cash on hand Dec. 31, 1903.....	\$ 1,198,754.58	
Estimated receipts to Dec. 31, 1904.....	3,900,300.00	\$4,099,054.58
Unpaid balances state institutions.....	214,694.02	
Unpaid balances, general.....	419,808.50	
Estimated expenditures to Dec. 31, 1904.....	2,528,210.00	3,162,712.52
<b>Balance Dec. 31, 1904</b> .....		<b>\$ 936,342.04</b>

Carrying the computation through 1905, assuming the same general cost of administration, and we have this result:

Balance January 1, 1905.....	\$ 936,342.04	
Receipts for the year (estimated).....	2,900,300.00	
<b>Total</b> .....		<b>\$ 3,836,642.04</b>
Expenditures (omitting \$130,000 for General Assembly, and adding \$10,000 00 for census on the plan now authorized).....	\$ 2,428,210.00	
<b>Total</b> .....		<b>\$ 1,428,432.04</b>

The conclusion, therefore, is that, after providing for the State government and its institutions upon the basis now existing, making no allowance for additions, betterments, renewals, or repairs, except as now expressly authorized by statute, and upon the hypothesis of a three mill general levy, it would be unwise to appropriate for purposes not taken into account in the foregoing table, more than \$1,400,000.00 to be paid in 1904 and 1905.

The average monthly balance in the depositories selected by the Treasurer and approved by the Executive Council during the

last year has been more than one million dollars. I can conceive of no reason why the banks in which these funds are deposited should not pay interest to the state upon balances at the rate which they customarily pay to other depositors. Each bank gives a bond to indemnify the state against loss, and there would be no additional risk involved in requiring the payment of interest. The state, under the present law, is deprived of a revenue of from twenty to thirty thousand dollars per year from this source, which ought to be used in the reduction of general taxation.

I believe, therefore, that the law should be amended so as to provide for taking interest upon balances, if such arrangement can be made. The amendment should also provide that the state shall pay the premium to a surety company for the Treasurer's bond. The bond required of him is too large for personal sureties, and the premium to a surety company, if paid by him, would more than consume his entire salary.

#### PROVIDENTIAL CONTINGENT FUND.

The Twenty-ninth General Assembly appropriated \$35,000.00 and put it at the disposal of the Executive Council to meet such contingencies as the destruction, by fire or other casualty, of the public property of the State.

On May 9, 1902, the main building of the School for the Deaf and Dumb at Council Bluffs, was burned. It seemed absolutely necessary to take such steps as would enable the Board of Control to continue the School, and upon its representations and request, the Executive Council appropriated \$28,000.00 for the construction and equipment of temporary buildings. This sum has been expended, and it is believed that the School can be successfully conducted until the General Assembly makes permanent provision.

On the 14th day of August, 1903, a fire occurred at the Iowa State College of Agriculture and Mechanic Arts, at Ames, which destroyed what was left of the old main building. This necessitated the construction of temporary quarters as a substitute for the class rooms destroyed, and, after careful consultation with the officers of the College, the Executive Council appropriated \$3,000.00, which has already been expended for the purpose named.

On the 25th day of May, 1903, the buildings of the School for the Feeble Minded at Glenwood were very seriously injured by a wind storm. The Board of Control had no appropriation that could be used for repair, and after looking carefully into the situation, the Executive Council appropriated the remainder of the providential contingent fund to put the school at Glenwood in such condition that it could be used.

Thus the entire appropriation has been expended, and it has accomplished the object for which it was created.

#### INSURANCE.

I call especial attention to that part of the Auditor's report relating to insurance. In the development of the state, the supervision of insurance companies, which has been given to the Auditor, has become the most important work of his office. The interests involved are not only large, but they deeply concern a great number of our people. I was formerly of the opinion that an independent insurance department should be created, but I have changed my mind, and I now believe that the wiser course is to leave the work where it is, giving to the Auditor authority to employ a force sufficient to transact the business in an efficient way.

I concur in the recommendation of the Auditor that he should have the authority to employ at a yearly salary an examiner and actuary, with such other clerical assistance as may be necessary. It is impossible to engage a competent man for the examination of an insurance company for the compensation now authorized; and there is no practicable provision of law for the employment of an actuary. The people are vitally interested in knowing whether the insurance companies with which they deal are solvent or insolvent, and when the time comes for an examination, it is of no value unless made by an upright, competent, and skillful examiner and actuary.

I concur also in the recommendation that an effort be made to define what a contract of life insurance is. In these days life insurance takes on so many phases, and the ingenuity of managers is so great, that every kind of indemnity and investment, fair and unfair, honest and fraudulent, is offered to the people as life insurance. I believe that a statutory definition can be devised, broad enough to embrace every legitimate contract, and that would facilitate the work of the Auditor in excluding con-

tracts which are either fraudulent or which belong to some other field of enterprise.

I concur most heartily in the recommendation relating to reinsurance or consolidation. It is highly necessary for the protection of policy holders that the state shall determine the conditions under which one company shall be absorbed by another.

Other recommendations made by the Auditor, I have not time to comment upon, but they merit careful consideration.

Upon my own behalf I earnestly urge upon you an amendment to the law which shall provide that all fees paid by insurance companies for examinations, or for any other service rendered under the direction of the state, shall be paid into the state treasury, and that whatever compensation is allowed to those who perform the work, shall be paid by the state. As the law now is, the insurance companies pay to the examiners whatever sum may be charged for service and expense, and the examiners make no account of it whatever. The practice affords opportunities for wrong doing that are intolerable in a state which cherishes a reputation for integrity and fair dealing. Whatever the state does through any of its officers or agents, for which a fee is prescribed, should be paid for by the person or corporation from which the fee is due, directly to the state, and whatever the officer or agent receives for his work should be paid by the state, and the books of the state ought to show the exact transaction.

I am led to comment upon this subject with unusual emphasis, largely on account of some matters which occurred during the four years in which Frank F. Merriam was the Auditor of State. Toward the close of his last term it was charged by various foreign insurance companies that he, together with his insurance examiner, Mr. Max Beehler, had made, or pretended to make a large number of examinations which were without the authority of the Executive Council, and for which fees and disbursements were exacted grossly in excess of fair compensation and reimbursement for the examinations made and expenses incurred. The records of the Executive Council did not disclose any authority for such examinations. When Mr. Merriam's attention was called to the matter, he said that the members of the Executive Council had given him oral authority, and his recollections in this respect were verified by letters from former members. As Governor of the state I then made an examination of his office, for the purpose

of ascertaining what companies had been examined and what fees and disbursements had been charged. I at once discovered that the books of the Auditor's office did not show what examinations had been made, or what had been charged for them, or indeed anything in respect to the subject. The only papers that could be found, relating to the examinations under consideration, were some reports of examinations. In this situation the Auditor was asked, under the advice of the Attorney General, to complete his books in this respect, so we might know what had been done and what money had been collected. The term expired, and Mr. Merriam left the office without complying with this request. The present Auditor, Mr. B. F. Carroll, was requested by the Executive Council to correspond with the insurance companies that had been doing business in Iowa, and discover, if possible, when and by whom examinations had been made, and what had been charged for them. He prepared blanks for this purpose, and I now have the result of his investigation. I summarize it as follows:

Examinations made (a few in Iowa)	- - -	116.
Charged for examinations	- - - - -	\$23,267.03.

No man should be judged without a hearing, and these men have had no hearing. It may be that they can explain what they have done so that all adverse criticism will be unwarranted. I think it is your duty to give them an opportunity to do so. Upon the face of the papers that I have, and upon the information that I have received, it appears that many of these examinations were not in good faith, were without value, and that the farce was enacted for no other purpose than to collect money which had not been earned. It seems, from the *ex parte* inquiry that we have been able to make, that nearly all the insurance companies paid what was demanded of them, simply because they knew that the Auditor held a power which he could exercise to their injury. It is due to these men, as well as to the reputation of the commonwealth that these matters be investigated by a committee having authority to ascertain the whole truth; and if it be found that the power of the state of Iowa has been used by unworthy officers to coerce payments for which no honest service was rendered, I recommend the reimbursement of the sums so unjustly exacted.

To make my recommendation complete upon the matter of fees being made payable directly to the treasury, I suggest that

the law relating to the Pharmacy Commission, the Bank Examiners, the Oil Inspectors, the Dental Board, the Veterinary Board, and all other boards, commissions, and offices with which the contrary practice prevails, should be changed so as to require payment of fees as above indicated.

#### PUNISHMENT FOR CRIMES—PARDONS AND PAROLES.

A detailed statement of all pardons and suspension of sentences, otherwise known as paroles, is submitted herewith, as required by law. During the two years of my term, I have released, upon absolute pardon, six prisoners, not including the seven conditional pardons issued upon the recommendation of the Twenty-ninth General Assembly. I have, in the same time, released from penitentiaries, jails, and industrial schools, one hundred and forty-three prisoners upon suspensions of sentences.

Of the paroled prisoners, I have returned nineteen to imprisonment for violation of the terms of parole, of which fourteen had been paroled by my predecessors; of the remaining one hundred and thirty-seven, it gives me pleasure to say that substantially all of them are living uprightly, and give promise of enduring reformation.

Of paroled prisoners, I have restored sixty-eight to complete citizenship upon a showing of worthiness. I have not done this, however, in any case, save one or two exceptional instances, until the period for which the sentence was imposed had passed, and generally not until a considerable time thereafter.

Having thus stated the essential facts, I desire to consider, a moment, the general subjects of paroles. The rule by which I have been guided in the main, is this: If a prisoner could show a good life prior to the commission of the offense, and the circumstances indicated that the crime was what may be termed an accidental, incidental, and solitary one, and did not proceed from a criminal habit, and if upon a full investigation there seemed to be a probability of reform and a law-abiding life, I have inclined toward giving such a prisoner a chance to become a respectable, self-supporting member of society. My experience has deepened my conviction that the parole system ought to be preserved, but in so saying, I am quite conscious that it ought also to be perfected.



Assuming that the discretion, which must be reposed somewhere, is properly exercised, the system has one serious defect. Whenever a prisoner is paroled, there is an interference with the judgment of the court. The power of the Governor overrides the sentence of the judge. There is thus created a conflict which unhappily tends to impair the confidence of the people in the administration of criminal law, and begets a feeling that the sentence of a judge is not to be feared. A philosophical analysis of the exercise of the two powers, removes any such apparent collision, but the people reason upon broad lines, and I know that the sentiment, which I have endeavored to express, exists. It seems to me, therefore, that this apparent antagonism should be removed. I believe that the parole should be consistent with the execution of the sentence imposed by the court, indeed, should carry out the sentence. To accomplish this, it is evident that some phase of the plan of indeterminate sentences should be adopted, and I earnestly hope that you will give the subject the attention which its importance demands, and so amend our law that a prisoner may be paroled without seeming to strike down the judgment of the court which imposed the sentence.

I do not believe that a board of pardons is necessary. So long as the Governor is required, under the constitution, to take the responsibility for the release of prisoners, I think the investigation which precedes the parole can be carried forward just as well in the Governor's office as anywhere else, and I concur with my distinguished predecessor in saying that no rule can be formulated to govern the discretion which must in the very nature of things be exercised.

The Governor should be authorized to employ one or two additional agents. The critical time for a paroled prisoner is the period which immediately follows his release. I have made it a general rule not to discharge anyone unless I know that employment of proper character is at hand. I very much need one or two persons to assist in securing work for prisoners who are without friends; and to watch over them and lend a helping hand until they are again fairly established among their fellowmen. With these additions to my force, and until the present population grows much larger than it is, the work can be done as efficiently in my office as through a board of pardons.

Touching the same general subject, I beg to call your attention to the movement which is now general throughout the country,

to better care for the boys and girls who are led into crime. There ought to be a marked difference between the treatment given to the mature and the immature criminal. By far the greater number of the boys and girls who are arrested and convicted could be saved from lives of wrongdoing, if intelligent and merciful supervision were exercised at the time they first violate the law. It is cruel to them and hurtful to the state to consign them to the association of hardened and habitual lawbreakers. There is no subject which better deserves your careful thought than this.

#### THE INEBRIATE LAW.

The report of the Board of Control, concerning the operation of the law for the care and confinement of inebriates, passed by the Twenty-ninth General Assembly, merits your most serious consideration. Being charged with duties in the enforcement of the statute, I have given to it and to its results the most careful thought and investigation. I believe that the general principle of the law should be preserved, for its influence upon men given to habits of intemperance, but who fear the humiliation of confinement, has been widespread and effective; but I say without hesitation that if it cannot be amended it should be repealed.

The plan of sending inebriates to insane hospitals is bad, not only for the inebriates, but for the insane. This is the unanimous opinion of the Board of Control, of all the superintendents of the hospitals, and I have seen enough of its ill effects to lead me into an earnest appeal to provide some other place of detention.

I believe further that the minimum term of confinement should be one year. To me it is absurd to declare that any person who is in such condition as to warrant his involuntary withdrawal from the community upon the ground of inebriety, can be cured in thirty days.

I believe further, that when physically able, inebriates in confinement should be given an opportunity to work and be required to do so. It is clear that, wherever they are confined they should be so guarded, either by walls or attendants, that they cannot escape.

Under the present law it is made my imperative duty, upon the certificate of the superintendent of the hospital, that in his

opinion the patient is cured, to issue a parole. I have no discretion in the matter. It certainly ought to be true that upon a violation of the terms of the parole the patient could be returned summarily to the place of detention, and yet, as I understand the statute, if the paroled inebriate makes his reports regularly, he cannot be returned, even though it is known that he is drunk every day.

I have found also, that for the efficient working of such a law, it will be necessary to create a fund, either in the county or state treasury, for the return to confinement of inebriates who break faith.

Taking it all together, the statute, while growing out of a high conception of the duty of the state to its citizens, needs thorough revision, and I sincerely hope that you can give to the work of reconstructing it, the attention its importance demands.

#### A PRIMARY ELECTION LAW.

There has been much discussion in Iowa during the past few years respecting a primary election law, and I believe that public opinion has gradually ripened so that now there is a great preponderance of sentiment in favor of some regulation that will insure common decency and fairness in the nomination of candidates for office. There is practically no fraud, dishonesty, or even unfairness in the conduct of general elections, but the manner in which caucuses, party primaries, and other proceedings leading up to nominations are held; and the practices which attend them in many parts of the State, have become intolerable with clean, fair-minded people.

Corruption in this important stage of government poisons free institutions at their fountain head, and there is nothing can be done for the removal of this blot upon our affairs too difficult nor too expensive to be undertaken. I need not recount the evidences of my statements. They are all around you, and are well known to every man who gives the most casual attention to what is going on.

I commend the subject to your careful consideration, and earnestly recommend the passage of a law which will surround the selection of candidates with the same safeguards against intrigue, dishonesty and unfairness, that already exist with regard to the election of candidates to office.

While I recognize that there are wide differences of opinion concerning the scope, as well as the detail of such a law, I venture to express the opinion that it should have the following features:

First—It should include all municipal, county, state, and congressional offices, filled by the voters.

Second—The primary election for all political parties should be held at the same place and time.

Third—It should include a system of registration, where registration is now required at general elections, and where registration is not required at general elections, it should include an adequate plan for identifying the voters.

Fourth—It should provide severe penalties for fraud, intimidation and bribery.

The greatest objection which I have found in studying the measures adopted by other states, and the subject generally, has been that in the complete primary election system, a plurality, instead of a majority, will nominate. I regard this as a weakness, because it prevents in some instances the exercise of a second choice, which is oftentimes of great value.

It seems to me, therefore, that the delegate convention ought to be preserved, and that the law should arrange for the selection of delegates. If any candidate, whether for a city, county, state or congressional office, receives a majority of the votes cast in the territory which fills the office, the delegates chosen would have no other duty but to record the decision of the voters. If, however, no candidate receives a majority of the votes cast by his party, then the delegates chosen with the instructions given them by the vote, should work out in the convention their second choice.

These suggestions are intended as a mere outline of the views I have formed in looking into the matter, and I lay them before you, not so much as a recommendation for any particular law, as a way of indicating to you my conviction that some adequate legislation is necessary.

#### GOOD ROADS.

There is nothing which Iowa needs, which she has not, more than good roads. It is unnecessary to enlarge upon the subject,

because the want is recognized by every thoughtful man. Can the need be supplied? I believe it can be. It will require years to accomplish the purpose; but we ought to begin now. We should adopt a permanent plan and work upon it so that what is done one year will not be lost the next. I submit my opinion with diffidence to men of your wide experience and observation; but as I have thought much upon it, I give you my conclusions:

The roads to be improved should be first surveyed to ascertain the grade, easiest method of drainage, the character of the soil, and all other conditions which are essential to be known. The plan of improvement should then be made. So much of the work should be done by the state, and if committed to the engineering departments of the University and the Agricultural College, it could be done without great expense.

When the plan for any county is complete, it should be presented to the Board of Supervisors, and if found satisfactory, adopted.

Thereafter the work done on any road embraced in the plan should proceed accordingly. In this way we can gradually secure good roads. We must go forward slowly, to avoid the burden of increased taxation, but let us at least go forward. I am thoroughly convinced that there is no investment that will yield the people a larger return than the money intelligently spent in the betterment of highways.

#### THE CENSUS OF 1905.

Section 33 of Article 3 of the Constitution requires the general assembly to cause an enumeration to be made of all the inhabitants of the state in 1905. Section 171 of the Code of 1897 repealed former regulations respecting the taking of the census, and limits the work to the ascertainment of the number of males, females, persons entitled to vote, and the number of the militia. It is obvious that if no further authority be given, the census of 1905 will be of very little importance.

In modern times the collection of information, and the gathering of statistics and their compilation in the form of a census report, has not only become a well recognized function of the government, but a necessity for the guidance of society. The census to be taken next year should be a complete compendium

of all the knowledge that the most modern view demands for such a work.

I therefore recommend that the statute be so amended and that such an appropriation be made as will enable the proper officers to issue a census report, adequate in its scope, and complete in its detail.

In this connection I also recommend that the Commissioner of the Bureau of Labor Statistics be authorized to co-operate with the National Census Department in certain matters relating to manufactures, the full explanation of which will appear in communications from the department at Washington, copies of which will be laid before you.

#### PUBLIC DOCUMENTS.

We have now erected a warehouse in which all the public documents can be placed, and have arranged to equip it with shelves so that these documents may be kept something after the manner of a library. I recommend that the law be so amended that all public documents shall be delivered by the State printer and binder to the Executive Council, and that all bills for printing and binding shall be passed upon by the Council; that under the supervision of the Council, the distribution of documents as now provided, shall be made; that a certain number of each issue, say two hundred, shall be kept for future uses, and that the remaining volumes of each report shall be distributed by the Council upon requisition of the officer, department, board or commission issuing it. If these changes be authorized, we can preserve order in our public documents, an order which is sadly needed for their safe keeping and proper distribution.

#### EDUCATIONAL INSTITUTIONS.

By virtue of my office I have been, during the past two years, a member of the Board of Regents of the State University and of the Board of Trustees of the Iowa State College of Agriculture and Mechanic Arts. I have faithfully attempted to become familiar with the work of these institutions, and I believe I know their needs.

With respect to the Iowa State Normal School, I have no such intimate knowledge, and therefore submit the report of its Board

without comment, save to express my belief that its financial affairs have been honestly and wisely managed, and the school conducted by a master mind.

With respect to the State University, and the Iowa State College of Agriculture and Mechanic Arts, I know that the appropriations made for them have been expended with a painstaking economy and a strenuous effort to make them cover wants which they will not cover, the like of which I have rarely seen. I have advised both these Boards to lay before you the needs of their respective institutions, without regard to the probability of your being able to supply them all at this time. I have no sympathy, nor indeed tolerance, for the attitude sometimes assumed, of appearing before you, asking something, and fearing lest too much should be asked. I have said to them, and I now repeat to you, that these institutions belong to the State of Iowa, and these Boards are simply trustees to manage them as best they may; and it is their duty to report to you their exact condition and all their needs, and it is for you to supply them if you can.

I speak now of my own knowledge. We might as well face the unpleasant fact that, with respect to support, equipment, and buildings we are behind the times, and in these respects we compare unfavorably with the states that would be naturally chosen for comparison. We may well be proud of the instructional force of both these institutions. It is superb, and its strength and loyalty keep both the University and the College in the front, notwithstanding the meagerness of compensation, the inadequacy of numbers, and the incompleteness of equipment. We can well boast, also, of the student bodies, for in everything which makes up the promise of superior manhood and womanhood, they are not surpassed. It is, however, true that both of them must have more support or they will fall behind in the race, and both of them must have more buildings or we cannot hope to educate and train our boys and girls at home.

I refer now more especially to the buildings. The State University needs imperatively and needs now, a science hall, an engineering hall, an auditorium, a library, a law building, an additional medical building, a detention hospital, and a gymnasium.

The Iowa State College of Agriculture and Mechanic Arts needs, and needs sadly, a central heating plant, a hall of agriculture, a library, a domestic science building, an auditorium, a

gymnasium, a dairy building, and a dairy farm. If we intend to carry on successfully the magnificent work that is fairly begun at Iowa City and at Ames, and to give our boys and girls an opportunity equal to that afforded elsewhere, we must have these buildings, and they must be equipped.

Do not understand me to recommend that immediate appropriations be made covering all these wants, but I do earnestly urge upon you the necessity of making such provision as will insure these additions and improvements as speedily as possible. The taxpayers of Iowa have never complained of any expenditure for the training of their children, the development of a better citizenship and more efficient men and women.

I have reflected a great deal upon the methods of creating the support funds of our educational institutions, as distinguished from building and equipment funds. I am thoroughly convinced that it ought to be through special taxes, and not through general appropriations. The experience of other states that have adopted this plan is most satisfactory. It has many advantages that will at once occur to you, but the one which recommends it most strongly to me is that it will enable every taxpayer, upon looking at his tax receipt, to know exactly what he is contributing to the support of these institutions, and the knowledge thus acquired and continually impressed upon him will lead to a more intelligent appreciation of the subject than is otherwise probable.

#### THE BOARD OF CONTROL.

The work of this Board still vindicates the wisdom of the law creating it, and still commands the confidence of the people.

It would be idle for me to attempt a review of its report in the limited time which I may consume. I can only give it my unqualified commendation, and express my belief that a comparison of the condition of the institutions, under its management, as they now are, with their condition at the time the change was made, will gratify every disciple of economy and every lover of humanity.

#### BUREAU OF LABOR STATISTICS.

One of the most interesting, as well as instructive, reports submitted to you is that of the Commissioner of the Bureau of Labor Statistics. No better work has ever been done in this department than is recorded in this report. The importance of



the supervision exercised by the Commissioner is not yet fully appreciated. Even a casual examination of the subject makes it clear that we need more stringent legislation respecting child labor, fire escapes, the reporting of accidents, and the competency of employes whose work involves the lives and safety of others. Our factory inspections are imperfect, simply because the force in the Commissioner's office is not sufficient. I commend these matters to your attention.

#### OIL INSPECTORS.

I concur in the recommendation of the Secretary of State to the following effect:

All supplies furnished to inspectors should be bought and furnished by the Executive Council.

Dealers in oils, when giving notice to the inspectors of the arrival of oil, should inform the Secretary of State of the quantity to be inspected.

#### THE CAPITOL COMMISSION.

The Capitol Commission has submitted to me a report which is now laid before you, showing with great precision what it has done, and the reasons which have influenced it in adopting its plans, in making its expenditures, and in creating the obligations which it shows.

I have kept closely in touch with the work of the Commission, and while it may add nothing to your confidence in the discretion of the eminent gentlemen who compose the body, it gives me pleasure to say that I have heartily approved of all that has been done.

It is not surprising that when the Commission came to critically examine a building which has stood without substantial repair since its foundation was laid thirty years ago, it found many things to be done which had escaped the observation of the preliminary commission, and that it discovered that the cost of the work was largely in excess of the estimate.

It was with the advice of the Executive Council that the location of the warehouse just north of the Capitol, and the character of its construction were determined. The Commission acted wisely, in my opinion, when it combined the work relating to

heating, ventilation, electrical equipment, and elevators, involving an obligation in excess of the sum which could be legally drawn during the year 1903.

As I understand the report to which I have referred, the Commission had expended on the 1st day of January, \$120,878.17 and had incurred obligations for work, nearly all of which has been done, to the amount of \$70,089.35. Under the present law no more than \$125,000.00 can be drawn prior to July 1, 1904. Under these circumstances I recommend that immediate action be taken by the General Assembly, putting the whole balance of the appropriation at the disposal of the Commission, or, if it be found that the late fire in the Capitol, to which I shall here-after refer, necessitates a change in the improvement and repair of the building, that a sum sufficient to discharge liabilities already created, shall be made at once payable.

#### ROSTER OF IOWA SOLDIERS IN THE CIVIL WAR.

The history of Iowa soldiers and sailors in the civil war is a subject of ever increasing interest. The loyalty of this commonwealth was not surpassed by any state in the Union. It always furnished promptly, indeed eagerly, many more than its quota. It sent into the service nearly half of its young men, and more than one fifth of them were in their graves before the war closed at Appomattox. The courage of these men in every battle in which they were engaged was as conspicuous as their enthusiasm in enlistment. It can be safely said that there is no community more justly proud of the achievements of its sons in war, than ours. Nowhere is there more gratitude to those who have passed away, or more affection for those who still survive.

The records of Iowa men in the war are lamentably incomplete. We have no publication which gives, in useful form the enlistments, the service, the casualties, and the muster out of the Iowa men. The Adjutant General's reports from 1863 to 1868 contain a great deal of the information that is desired, and some of it may be found in the departments at Washington, but further information could be collected, and all of it should be compiled.

In 1885 Ohio, under William McKinley, began a complete roster of the Ohio regiments. The work was completed eight years later, in eleven volumes, giving the name of every soldier with date and place of enlistment, date of muster out, of promotions

casualties sustained, list of battles, etc. Even earlier, Indiana began the work, and has published seven volumes of like records. Illinois, Wisconsin, Minnesota, and Kansas, have published, or are publishing a similar compilation.

The time is rapidly passing in which any information not already in reports, can be gathered.

I therefore recommend that you authorize the beginning of this work, and that its scope be broad enough to include not only the soldiers and sailors of the civil war, but the soldiers and sailors of the Spanish war as well. It is not like many other things, which can be deferred for future years. To be well done, it must be done now.

#### HISTORICAL BUILDING.

I had occasion two years ago, in my inaugural address, to make some comment with respect to the importance of completing the historical building. Close observation, and a somewhat intimate connection with the subject since that time have strengthened my conviction that we ought to at once begin the construction of the central part and east wing of this building.

Remembering, as I constantly do, other imperative demands upon the treasury, I think the work ought to be continued during three or four years. I find, upon examination, that contracts can be let for the erection of the remaining parts, payable as I have suggested, without loss to the State, and it can be so arranged that the central portion can be occupied as soon as complete.

#### STATE ARSENAL AND NATIONAL GUARD.

My experience during the last two years has shown me that as soon as practicable the State should erect an arsenal, with quarters for the Adjutant General. When I entered my office I had little conception of the value of the National Guard. It had not occurred to me that the State Militia was a very important part of the State government. I have entirely changed my views. There are no men in the State who are performing the duties of citizenship more faithfully than the officers and men of the Guard, and I cordially commend them to your friendly consideration.

In the recent military maneuvers at Fort Riley, the regiment representing Iowa, commanded by Colonel James R. Lincoln, won the highest honors among the militia, and their conduct, efficiency and skill, gave new lustre to the reputation of the State. An arsenal at the seat of government is essential to the proper care and development of the Guard, and therefore I favor its early construction.

I also recommend the establishment of a permanent camp and drill ground. Under the present practice, each regiment camps annually at some place selected by the Adjutant General. I am clearly of the opinion that it would add to the efficiency and spirit of the service if all the Iowa regiments could camp and drill together. It would not only introduce a friendly rivalry between the regiments, that is much to be desired, but a few inexpensive buildings of a permanent character would much contribute to the convenience of the men. The cost of providing such facilities would not be large if taken up in a judicious way, and I sincerely hope that you will find it practicable to make the necessary appropriation for this purpose.

#### THE LATE FIRE IN THE CAPITOL.

As you all know, a fire occurred in the Capitol on Monday, January 4, 1904, which substantially destroyed the interior finish of the hall of the House of Representatives, wrecked some of the committee rooms in the north wing, and the water used in extinguishing it, damaged to some extent the ceilings of the rooms and offices opening from the north corridor upon the main floor.

The Executive Council made an immediate investigation for the purpose of ascertaining the origin of the fire, and, after examining under oath, every person who had any knowledge of the subject, so far as it could ascertain, it arrived at the conclusion that the fire originated in an air shaft near the southeast corner of room No. 5, and that it came from a lighted candle, left in the shaft by one of the electrical workers engaged in equipping the building with electric lights.

Fortunately the disaster was not so great as at one time it was feared it would be, and a comparatively small sum will be required to repair the injury. A most careful examination of the structural iron, and walls, has been made by the most competent experts that could be employed, and it has been ascertained

that they have suffered little injury. For the temporary repairs hereafter mentioned, a few splices and bolts are all that will be necessary, and for the permanent repair the substitution of a few beams, girders and rods.

Under the informal advice of a caucus of the members of the Thirtieth General Assembly, the Executive Council empowered the Capitol Commission to go forward, clear away the debris, and put the hall of the House of Representatives in order for use during the present session. So rapidly has this work been dispatched, that it is now believed that the House of Representatives can occupy it at the close of the coming week.

As I have already reported, what is known as the providential contingent fund, put at the disposal of the Executive Council by the Twenty-ninth General Assembly, was entirely exhausted in repairing the fire losses occurring at the School for the Deaf and Dumb at Council Bluffs, the Iowa College of Agriculture and Mechanics Arts, at Ames, and the damage from a tornado at the School for the Feeble Minded, at Glenwood. We are, therefore, without any available money to defray what may be termed the fire expenses, which consist of the payment of men employed on the day of the fire for various things which it is not necessary to mention, and to pay for the temporary repair of the hall of the House of Representatives, which is now being carried on. I have not been able to secure precise information as to the outlay which will be required for these two purposes, but inasmuch as the obligations created must be discharged immediately, I recommend that an appropriation be at once made of \$8,000.00. What remains can be carried into the providential contingent fund, which undoubtedly will be created later in your session.

With respect to the permanent repair of the injury caused by the fire, I have three suggestions to make:

*First*—I believe that the Capitol Commission, already in working order, should be charged with the duty of repair, in connection with the completion of the plan provided for by the Twenty-ninth General Assembly.

*Second*—I believe that the material used in reconstruction should be as nearly fireproof as possible.

*Third*—I believe that an adequate water supply should be installed in the building.

APPLICATION FOR PARDONS BY PRISONERS CONVICTED OF MURDER  
IN THE FIRST DEGREE AND SENTENCED FOR LIFE.

There have been filed in my office eighteen applications for pardon, by persons convicted of the crime of murder in the first degree and sentenced to imprisonment for life in the penitentiary. Publication as required by law has been made in these cases, and the papers are at your disposal for such investigation as it seems proper to make.

More complete detail will be found in the report submitted by me respecting pardons, suspensions, commutations of sentences and remissions of fines.

CALLING OUT OF MILITIA TO PRESERVE ORDER AT DUBUQUE.

On the 20th day of June 1903, under the call of the Sheriff of Dubuque County, supplemented by the representations of many of the citizens of Dubuque, and after a full investigation, I ordered three companies of the National Guard to Dubuque, for the purpose of keeping the peace, and preventing the destruction of property.

The difficulty grew out of a strike of the street railway employes. As soon as the troops had arrived, I visited Dubuque in order to inform myself more accurately of the conditions then existing. With the aid of the good people of that city I was able, within a short time, to bring about an adjustment of the controversy between the street car company and its employes, and to return the militia to their homes.

I take this opportunity of expressing my appreciation of the faithful service rendered by the officers and men of the Guard in the midst of trouble that at one time appeared to be very serious.

DRAINAGE.

Our experience during the past two years has shown with conclusive force that our laws relating to drainage need complete revision. It is unnecessary for me to go further into the subject, because its importance is deeply impressed upon a great majority of the members of the Thirtieth General Assembly. I earnestly recommend such adequate legislation as will enable the land owners of this State to protect themselves against rainfalls such as we have recently witnessed.

## CORPORATIONS.

I had an opportunity two years ago, in my inaugural address, to define to some extent my views upon the organization of corporations. The history of this State, as well as the country, since that time, demonstrates beyond controversy that in the organization of corporations, the law ought to limit the issuance of capital stock to the amount actually paid to the corporation for it. You can render your constituents no better service than to so amend our laws as to make it certain that the capital stock of a corporation, together with any bonded indebtedness, shall not exceed the money or the value of the property coming into the possession of the corporation as the consideration for such stocks and bonds. The most serious menace to the prosperity which has been so generally enjoyed by the people of the United States during the last few years, has grown out of over-capitalization.

I believe also that, before any corporation about to be organized is permitted to file its articles of incorporation in the office of Secretary of State, they ought to be submitted to a board, composed of the Executive Council and the Attorney General for approval. Our experience has shown that this is necessary in order to restrict corporations within legitimate lines, and to exclude those which are organized for an unlawful or a dishonest purpose. If you will examine the records of the office of the Secretary of State for the past two years, you will feel no doubt respecting the propriety of this suggestion.

## LOUISIANA PURCHASE EXPOSITION COMMISSION.

The work of this Commission is fairly under way. Our State building is practically complete, and it will not suffer in comparison with any other. Under the law creating the Commission and making the appropriation, one-half of the sum appropriated is not payable until June 30, 1904. The exposition begins May 1st, 1904, and it is clear that the fund is needed between now and the opening.

I, therefore, recommend that the law be amended so as to enable the last half of the appropriation to be drawn whenever required by the needs of the Commission.

I am advised that the members of the Commission believe that an additional appropriation ought to be made. Upon this phase of the matter my information is not sufficiently definite to warrant specific recommendation.

I can only repeat what I have so often said respecting the importance of the occasion. It is obvious that the Commission should know at once what sum is to be expended.

IN MEMORIAM.

Since last you met, the hand of death has removed many of the eminent citizens of the commonwealth. One of them, Francis Marion Drake, was formerly the Chief Executive of the state of Iowa. He was a man whose youth exhibited the best characteristics of our pioneer period, whose early manhood was brilliant with patriotic courage in the defense of his country, and whose middle life and old age were full of that wisdom which insures the perpetuity of the Republic. His memory will belong revered by the people of his state.

Another of the distinguished dead is Joshua G. Newbold, who became Governor of the State of Iowa upon the selection of Samuel J. Kirkwood as a member of the cabinet of the United States. Governor Newbold was a man whose whole life was an exemplification of the virtues of humanity, and, ripe in years, he passed away amid the affection of his friends and the respect of his fellowmen.

CONCLUSION.

You meet under fortunate conditions. You come directly from a people who hold as perfect a conception of good government as any people in the world. They are prosperous and contented. They believe in the sovereignty of the law. They are not moved by prejudice, nor swept by passion. The duties you have assumed are not light; but they will be discharged free from the influences which sometimes make legislation difficult and disagreeable.

With profound confidence in the high character of the work that will come from your hands, the foregoing message is respectfully submitted.

*Albert B. Cummins*

*Governor.*

The following additional employes were sworn in, and signed the oath: Jacob Nownwiler, Verner H. Byers, Arnold E. Brown, R. N. Hyde, Lawrence Berkley.

On motion of Mr. Flenniken of Clayton the House adjourned until 10 o'clock A. M. tomorrow.



HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, January 13, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

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

The committee on Inauguration of Governor and Lieutenant Governor submitted the following report:

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

The Inauguration ceremonies will be held in Foster's Opera House at 2:30 o'clock P. M. Thursday, January 14, 1904. 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 name 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:

ORDER OF FORMATION.

Platoon of Police.

Iowa State Military Band.

Military Escort under command of Capt. Joseph D. Leitch, Twenty-fifth U. S. Infantry, consisting of of:

Company L, Twenty-fifth U. S. Infantry, Lieut. G. L. Chapman, commanding.

Company C, Twenty-fifth U. S. Infantry, Capt. Ross L. Bush, commanding.

Company A, Fifty-fifth Infantry, I. N. G., Capt. L. F. Blyler, commanding.

Company F, Fifty-fifth Infantry, I. N. G., Capt. H. G. Karns, commanding.

First Signal Company, I. N. G., Lieut. C. M. Domback, commanding.

Three carriages containing members of the Legislative Inaugural committee.

Carriage containing Governor A. B. Cummins, Chief Justice of Supreme Court, Adjutant General and Chaplain A. L. Frisbee.

Four carriages containing Military Staff of Governor Cummins.

Five carriages containing State officers and Ex-Governors.

Carriage containing Lieutenant Governor Herriott, Speaker of the House Clarke, Clerk of the House and Secretary of the Senate.

Carriages containing members of the Senate.

Carriages containing members of the House.

Carriages 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 Sixth street to Locust, west on Locust to West Fourth, south on Fourth to Walnut, west on Walnut to Foster's Opera House.

Lieutenant Governor Herriott will have charge of the ceremonies.

#### PROGRAM.

Music by Adair's Orchestra.

Calling to order by Lieutenant Governor Herriott.

Invocation by Dr. A. L. Frisbee of Des Moines, Iowa.

Music by Adair's Orchestra.

Administering the oath of office to Lieutenant Governor Herriott and Governor A. B. Cummins, elect, by Chief Justice H. E. Deemer, of the Supreme Court.

Inaugural address by Governor Albert B. Cummins.

Music by Adair's Orchestra.

At conclusion of the 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 the Adjutant General, M. H. Byers, assisted by the Grant Club. The doors of Foster's Opera House will be open for admission at 2 o'clock P. M. Each Senator and Representative will be furnished with five visitors' tickets which will admit the bearer to Foster's Opera House. Seats will be reserved for those holding tickets. Seats will also be provided for representatives of the press.

All of which is respectfully submitted.

E. W. WEEKS,  
*Chairman.*

On motion of Weeks of Guthrie, the report was approved.

Nichols of Muscatine, from the committee on Mileage, submitted the following report and moved its adoption:

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 Thirtieth General Assembly and the amount of money to which each member is entitled by law:

Names.	Miles.	Amounts.	Names.	Miles.	Amounts.
Bailey .....	160	\$ 8 00	Lamkin .....	460	23 00
Bealer .....	280	14 00	Langan .....	470	23 50
Bixby .....	427	21 35	Leech .....	350	17 50
Boland .....	222	11 10	Lister .....	324	16 20
Buchanan .....	180	9 00	Lowrey .....	230	11 50
Buckingham .....	352	17 60	Lundt .....	160	8 00
Calderwood .....	372	18 60	McAllister .....	308	15 40
Carden .....	270	13 50	McClurkin .....	382	19 10
Carstensen .....	470	23 50	McCreary .....	256	12 80
Cassell .....	256	12 80	McCulloch .....	180	9 00
Chassell .....	400	20 00	McDole .....	468	23 40
Cheney .....	292	14 60	McElrath .....	400	20 00
Christianson .....	108	5 40	McNie .....	350	17 50
Clary .....	346	17 30	Maben .....	310	15 50
Cobb .....	256	12 80	Manning .....	224	11 20
Coburn .....	400	20 00	Martin .....	216	10 80
Colclo .....	214	10 70	Mattes .....	290	14 50
Conn .....	200	10 00	Morris .....	448	22 40
Cröse .....	332	16 60	Mott .....	250	12 50
Cummings .....	120	6 00	Nichols .....	284	14 20
Dashiell .....	42	2 10	Offill .....	48	2 40
Davie .....	300	15 00	Olson .....	350	17 50
DeLano .....	164	8 20	Peet .....	300	15 00
Doran .....	136	6 80	Powers .....	320	16 00
Dow .....	300	15 00	Prevo .....	222	11 10
English .....	5	25	Pritchard .....	226	11 30
Flenniken .....	442	22 10	Ritter .....	336	16 80
Freeman .....	227	11 35	Robinson .....	370	18 50
Frudden .....	414	20 70	Sankey .....	174	8 70
Geneva .....	180	9 00	Saylor .....	252	12 60
Greeley .....	74	3 70	Shaffer .....	330	16 50
Greene .....	80	4 00	Skinner .....	182	9 10
Gregory .....	226	11 30	Spaulding .....	380	19 00
Hakes .....	240	12 00	Springer .....	312	15 60
Hambleton .....	128	6 40	Stanbery .....	340	17 00
Hanna .....	218	10 90	Stoltenberg .....	348	17 40
Harris .....	144	7 20	Summers .....	350	17 50
Hart .....	738	36 90	Teachout .....		
Head .....	140	7 00	Temple .....	120	6 00
Heles .....	414	20 70	Teter .....	70	3 50
Hollembek .....	114	5 70	Washburn .....	318	15 90
Hume .....	450	22 50	Weeks .....	120	6 00
Jacobson .....	520	26 00	Welden .....	150	7 50
Jepson .....	400	20 00	Whiting .....	400	20 00
Jones .....	260	13 00	Whitmer .....	400	20 00
Kendall .....	136	6 80	Willson .....	352	17 60
Kennedy .....	400	20 00	Wise .....	214	10 70
Kling .....	306	15 30	Wright .....	174	8 70
Koontz .....	244	12 10	Wyland .....	226	11 30
Laird .....	360	18 00	Mr. Speaker .....	46	2 30

We recommend that such mileage be duly certified.

J. I. NICHOLS,  
R. J. BIXBY,  
A. F. FRUDDEN.

Buckingham of Buena Vista 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 message of Gov. A. B. Cummins for general distribution.

On motion the rules were suspended and the resolution was 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 bill in which the concurrence of the House is asked:

Senate file No. 1, a bill for an act to appropriate \$8,000 or so much thereof as may be necessary to pay the extraordinary expense caused by the fire in the Capitol, and the temporary repair of the hall of the House of Representatives.

GEO. A. NEWMAN,  
*Secretary.*

Read first and second times.

Head of Greene moved that the rules be suspended, the bill be considered engrossed, read a third time now and placed upon its passage.

Motion prevailed and the bill was read the third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassel, Cheney, Christianson, Clary, Cobb, Coburn, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland—93.

Absent or not voting:

Messrs. Buchanan, Colclo, Cummings, Jones, Koontz, McAlister, Teachout—7.

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 passed the following concurrent resolution in which the concurrence of the House is asked:

Concurrent resolution in regard to matters concerning the Louisiana Purchase Commission;

And names on the part of the Senate, Lewis, Maytag and Lambert.

CONCURRENT RESOLUTION.

WHEREAS, the Iowa Commission of the Louisiana Purchase Exposition desires to submit and to report facts concerning its work and its needs to the General Assembly, and

WHEREAS, such report is desirable for the information of the people, and

WHEREAS, certain amendments to the existing law are needed to enable the Commission to carry out the purposes of the law creating said Commission, therefore be it

*Resolved, by the Senate, the House concurring,* That a committee of six be appointed, three members from the Senate and three members from the House, to visit St. Louis and inspect the Iowa Building erected by the Commission, examine the books of the Commission, its appropriations, expenditures and needs and make report to the Governor and General Assembly with such recommendations as such investigation shall warrant, containing a financial statement from the Commission and such other matters in its work which may be deemed of interest to the members of the General Assembly and to the people of the State of Iowa.

GEO. A. NEWMAN,  
*Secretary.*

Mr. Kendall of Monroe offered the following communication from the Louisiana Purchase Commission, and same was read:

DES MOINES, IOWA, Jan. 12, 1904.

*Hon. George W. Clarke, Speaker of the House, State House.*

MY DEAR SIR—No provision having been made in the Law creating the Iowa Commission of the Louisiana Purchase Exposition, for a report of its work until the close of its service, I am instructed by the Commission to invite your honorable body to appoint a committee to inspect the building erected at St. Louis, to investigate the accounts, books of record, and the disposal of the funds appropriated by Chapter 195, Laws of the Twenty-ninth General Assembly, and make a report to the Governor and General

Assembly concerning the affairs of the Commission, including a report of its work, with such recommendation in connection therewith as the committee in its wisdom may deem proper.

Very truly yours,  
F. R. CONAWAY,  
*Secretary.*

Mr. Kendall of Monroe moved that the rules be suspended and the concurrent resolution be adopted.

Motion prevailed and the resolution was adopted.

The correction of the Journal was passed by unanimous consent until the same was complete.

The Speaker appoints as a committee on the part of the House to visit St. Louis, the following: Teachout of Polk, Skinner of Union and Frudden of Dubuque.

#### 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 House Concurrent Resolution in which the concurrence of the Senate was asked:

Concurrent resolution relative to the printing of the Governor's message.

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 we adjourn on Thursday, the 14th of January, 1904, that we adjourn to meet on Tuesday, January 26, 1904, at 1:30 P. M.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Mr. Buchanan of Wapello the rules were suspended and the House concurred in the resolution.

Mr. Calderwood of Scott offered the following resolution and moved its adoption:

*Resolved by the House, the Senate concurring,* That the Secretary of State be directed to publish five thousand (5,000) copies of the Iowa Official

Register for the year 1904 in addition to the number specified in section 70 of the code.

The rules were suspended and the resolution was adopted.

Mr. Robinson of Emmet offered the following resolution:

*Resolved, by the House, the Senate concurring,* That the Secretary of State be instructed to furnish each member of the House and Senate with a copy of the session laws of the Twenty-seventh, Twenty-eight and Twenty-ninth General Assemblies.

On motion the rules were suspended and the resolution was adopted.

Mr. Chassell of Plymouth asked unanimous consent to insert in joint resolution passed Monday "a supplement of the Code to the Chief Clerk and Secretary of the Senate."

Granted by unanimous consent.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Spaulding 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 Joint resolution No. 1, a joint resolution relating to the selection of additional employes of the Thirtieth General Assembly, fixing their compensation and defining their duties.

H. L. SPAULDING,  
*Chairman House Committee.*

E. K. WINNE,  
*Chairman Senate Committee.*

Adopted.

Speaker Clarke announced that he had signed in the presence of the House, Senate File No. 1 and House Joint Resolution No. 1.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Spaulding 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 Joint Resolution No. 1,



relating to the selection of additional employes of the Thirtieth General Assembly, fixing their compensation and defining their duties.

H. L. SPAULDING,  
*Chairman.*

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 House concurrent resolution, in which the concurrence of the Senate was asked.

Concurrent Resolution relative to furnishing supplement of code to Thirtieth General Assembly.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Concurrent resolution relative to the furnishing Session Laws.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

Concurrent Resolution relative to printing additional copies of the Official Register.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Mr. McNie of Benton, the House adjourned until Thursday, January 14, at 1:30 P. M.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 14, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer by the Rev. T. F. Bowen, of Des Moines, Iowa.

The Speaker appointed as his page Wayne Pugh, who took and signed the oath.

Chassell of Plymouth submitted the following committee report and moved its adoption:

MR. SPEAKER—Your committee appointed to group the standing committees of the House\* and to grant and assign clerks therefor, herewith report the following arrangement of committees and clerks:

Ways and Means, one clerk.

Judiciary, one clerk.

Appropriations, one clerk.

Railroads and Commerce, one clerk.

Banks and Banking, one clerk.

Insurance, one clerk.

Agriculture, one clerk.

Mines and Mining, one clerk.

Municipal Corporations, one clerk.

Telephone, Telegraph and Express, one clerk.

Pardons, one clerk.

Labor, one clerk.

Elections, one clerk.

Roads and Highways, one clerk.

Compensation of Public Officers, one clerk.

Schools and Text-Books, one clerk.

Enrolled Bills, one clerk.

Claims, one clerk.

State University, one clerk.

Soldiers' and Orphans' Home, one clerk.

Building and Loan, one clerk.

Public Health, one clerk.

Public Lands and Buildings, one clerk.

Agricultural College, one clerk.

Normal Schools, one clerk.

Private Corporations, one clerk.

Suppression of Intemperance, one clerk.

Military, one clerk.

Industrial Schools, one clerk.

Institute for Deaf, one clerk.

Fish and Game, one clerk.

Engrossed bills, one clerk who shall also act for committee on Printing.

Public Libraries, one clerk who shall also act for committee on Rules.

Federal Relations, one clerk who shall also act for committee on Domestic Manufactures.

Congressional Districts, one clerk who shall also act for committee on Board of Public Charities.

Horticulture, one clerk who shall also act for the committee on Pharmacy.

Police Regulations, one clerk who shall also act for committee on Penitentiaries.

Judicial Districts, one clerk who shall also act for committee on Constitutional Amendments.

Woman Suffrage, one clerk who shall also act for committee on County and Township Organization.

Senatorial Districts, one clerk who shall also act for committee on Institute for the Feeble-Minded.

Representative Districts, one clerk who shall also act for the committee on the College for the Blind.

Animal Industry, one clerk who shall also act for the committee on Hospitals for the Insane.

It is recommended that the chairman of each committee to which a clerk is assigned, select the clerk, and where several committees are grouped, the clerk shall attend all of the committees in said group without additional compensation for acting for more than one committee.

Your committee further recommends that said clerks be placed on the pay roll as soon as sworn in after the reconvening of the legislature, January 26, 1904.

All of which is respectfully submitted.

E. D. CHASELL,  
JOSEPH MATTES,  
O. P. WYLAND,  
*Committee.*

Adopted:

Wright of Webster moved that a committee of three be appointed to notify Senate that the House was in session and ready to receive them.

The Speaker appointed Messrs. Wright of Webster, Robinson of Emmet and Colclo of Carroll as such committee.

Kendall of Monroe asked unanimous consent to Sergeant-at-Arms, Colonel Moore, being permitted to ride in carriage No. 32 in inaugural procession.

Granted.

The Sergeant-at-Arms announced the arrival of the honorable body of the Senate.

The Senate entered and took seats on the east side of the House chamber.

#### JOINT CONVENTION.

The joint convention was called to order by Lieutenant Governor Herriott at 1:40 P. M., Thursday, January 14, 1904.

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

Messrs. Bailey, Bealer, Bixby, Bleakly, Boland, Brooks, Bruce, Buckingham, Calderwood, Carstensen, Cassel, Chassell, Cheney, Christianson, Clarke, Clary, Cobb, Coburn, Colclo, Conn, Court-right, Crawford, Crose, Crossley, Cummings, Dashiell, Davie, DeLano, Doran, Dow, Dowell, Dunham, Eckles, Elerick, Ericson, English, Flenniken, Freeman, Frudden, Gale, Garst, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harper, Harris, Hart, Hartshorn, Hayward, Head, Heles, Hogue, Hollembeak, Hopkins, Hughes, Hume, Jackson, Jacobson, Jamison, Jepson, Jones of Mahaska, Jones of Montgomery, Kendall, Kennedy, Kimmel, Kinne, Kling, Koontz, Laird, Lambert, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCulloch

McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Maytag, Morris, Mott, Newberry, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Smith of Des Moines, Smith of Mitchell, Spaulding of Howard, Stanbery, Stirton, Stoltenberg, Stookey, Summers, Taylor, Teachout, Teter, Temple, Turner, Warren, Washburn, Welden, Whipple, Whiting, Whitmer, Willson of Washington, Wilson of Fayette, Wilson of Clinton, Winne, Wise, Wright, Wyland, Young of Calhoun, Young of Washington.—134.

Absent or not responding:

Messrs. Buchanan, Carden, Gilliland, Hasselquist, Langan, Lyons, McCreary, Weeks, Molsberry, Saunders, Spaulding, of Floyd, Springer, Stuckslager, Wade, Young of Lee, Lewis—16.

Lieutenant Governor Herriott declared a majority of both houses present at the Joint Convention.

The Joint Convention then repaired to Foster's Opera House in the manner and method recommended by the inaugural committee, where the following program was carried out:

Music by Adair's Orchestra.

Calling to order by Lieutenant Governor Herriott.

Invocation by Dr. A. L. Frisbie of Des Moines, Iowa.

Music by Adair's Orchestra.

Administering the oath of office to Lieutenant Governor Herriott and Governor A. B. Cummins, by Chief Justice H. E. Deemer of the Supreme Court.

Inaugural address by Governor Albert B. Cummins.

Music by Adair's Orchestra.

At the conclusion of the ceremonies the House and Senate reformed and returned to the Capitol.

Called to order by President Herriott at 4:35 P. M.

Minutes of joint convention read and approved.

On motion of Senator Smith of Mitchell, the Joint Convention was dissolved.

House reconvened. Speaker Clarke in the chair.

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

## WAYS AND MEANS.

Temple of Clarke,  
 Head of Greene,  
 English of Polk,  
 Cummings of Marshall,  
 Buchanan of Wapello,  
 Kendall of Monroe,  
 Carden of Henry,  
 Bealer of Linn,  
 Greene of Madison,  
 Freeman of Pottawattamie,  
 McClurkin of Louisa,  
 Flenniken of Clayton,  
 Cheney of Clay,  
 Kling of Harrison,  
 Pritchard of Wright,  
 Powers of Floyd,  
 Bailey of Ringgold,

Robinson of Emmet,  
 Crose of Page,  
 Stoltenberg of Scott,  
 Harris of Poweshiek,  
 Buckingham of Buena Vista,  
 Lamkin of Lyon,  
 Shaffer of Fayette,  
 Summers of Van Buren,  
 Mott of Audubon,  
 Carstensen of Clinton,  
 Cobb of Taylor,  
 Whiting of Monona,  
 Ritter of Des Moines,  
 Hakes of Pocahontas,  
 Geneva of Keokuk,  
 Laird of Fremont.

## JUDICIARY.

Kendall of Monroe,  
 Temple of Clarke,  
 Cummings of Marshall,  
 Wright of Webster,  
 Jepson of Woodbury,  
 Hart of Allamakee,  
 Spaulding of Howard,  
 Teter of Marion,  
 Weeks of Guthrie,  
 Stanbery of Cerro Gordo,  
 Dow of Franklin,  
 Springer of Buchanan,

Langan of Clinton,  
 DeLano of Cass,  
 Clary of Chickasaw,  
 Teachout of Polk,  
 Greeley of Story,  
 Wise of Black Hawk,  
 Kling of Harrison,  
 Robinson of Emmet,  
 Chassell of Plymouth,  
 Hambleton of Mahaska,  
 Koontz of Johnson.

## APPROPRIATIONS.

Mattes of Sac,  
 Robinson of Emmet,  
 Flenniken of Clayton,  
 Head of Greene,  
 Bealer of Linn,  
 Buchanan of Wapello,  
 Christianson of Hamilton,  
 Leech of Cedar,  
 Powers of Floyd,  
 Chassell of Plymouth,  
 Wright of Webster,  
 Jones of Montgomery,  
 Weeks of Guthrie,  
 Manning of Lucas,  
 McElrath of Woodbury,  
 Bixby of Delaware,

Hanna of Kossuth,  
 Maben of Hancock,  
 Boland of Iowa,  
 Stanbery of Cerro Gordo,  
 Hume of Mitchell,  
 Dashiell of Warren,  
 Mott of Audubon,  
 Hollembek of Adair,  
 McCulloch of Wayne,  
 Gregory of Adams,  
 Morris of Sioux,  
 Jacobson of Winneshiek,  
 Frudden of Dubuque,  
 Colclo of Carroll,  
 DeLano of Cass,  
 Whitmer of O'Brien.

## RAILROADS AND COMMERCE.

Wise of Black Hawk,  
 Cummings of Marshall,  
 Bealer of Linn,  
 English of Polk,  
 Calderwood of Scott,  
 Christianson of Hamilton,  
 Nichols of Muscatine,  
 Greeley of Story,  
 Pritchard of Wright,

Martin of Pottawattamie,  
 Conn of Butler,  
 Lister of Grundy,  
 Jones of Montgomery,  
 Doran of Boone,  
 Skinner of Union,  
 Hambleton of Mahaska,  
 McCulloch of Wayne,  
 McDole of Jackson,

Coburn of Cherokee,  
 McNie of Benton,  
 Cassel of Jefferson,  
 Welden of Hardin,  
 Weeks of Guthrie,  
 Hart of Allamakee,  
 Lowrey of Calhoun,

Kennedy of Lee,  
 Washburn of Mills,  
 Wyland of Shelby,  
 Willson of Washington,  
 Prevo of Davis,  
 Lundt of Tama.

## BANKS AND BANKING.

Head of Greene,  
 Greeley of Story,  
 Wise of Black Hawk,  
 Teachout of Polk,  
 McClurkin of Louisa,  
 Calderwood of Scott,  
 Robinson of Emmet,  
 Freeman of Pottawattamie,  
 Christianson of Hamilton,  
 McNie of Benton,  
 Greene of Madison,  
 Cheney of Clay,  
 Jones of Montgomery,  
 Hanna of Kossuth,  
 Jepson of Woodbury,

Lowrey of Calhoun,  
 Crose of Page,  
 Martin of Pottawattamie,  
 Manning of Lucas,  
 Harris of Poweshiek,  
 Saylor of Bremer,  
 Koontz of Johnson,  
 Whiting of Monona,  
 McCreary of Appanoose,  
 Clary of Chickasaw,  
 Whitmer of O'Brien,  
 Sankey of Decatur,  
 Hakes of Pocahontas,  
 Prevo of Davis.

## INSURANCE.

English of Polk,  
 Temple of Clarke,  
 Kendall of Monroe,  
 Flenniken of Clayton,  
 Bailey of Ringgold,  
 Carden of Henry,  
 Chassell of Plymouth,  
 Robinson of Emmet,  
 Lowrey of Calhoun,  
 Stoltenberg of Scott,  
 Welden of Hardin,  
 McElrath of Woodbury,  
 Teter of Marion,

Lister of Grundy,  
 Skinner of Union,  
 Morris of Sioux,  
 Hollembeak of Adair,  
 Boland of Iowa,  
 McCulloch of Wayne,  
 Springer of Buchanan,  
 Whiting of Monona,  
 Clary of Chickasaw,  
 Geneva of Keokuk,  
 Ritter of Des Moines,  
 Heles of Dubuque.

## AGRICULTURE.

Pritchard of Wright,  
 Nichols of Muscatine,  
 Bailey of Ringgold,  
 Cassel of Jefferson,  
 Robinson of Emmet,  
 Buckingham of Buena Vista,  
 Bixby of Delaware,  
 Hollembeak of Adair,  
 McAllister of Linn,  
 McElrath of Woodbury,  
 Stoltenberg of Scott,  
 Lowrey of Calhoun,  
 Lister of Grundy,  
 Morris of Sioux,  
 Shaffer of Fayette,  
 Boland of Iowa,

Maben of Hancock,  
 Doran of Boone,  
 Cobb of Taylor,  
 Conn of Butler,  
 Offill of Jasper,  
 Washburn of Mills,  
 McDole of Jackson,  
 Jacobson of Winneshiek,  
 Olson of Worth,  
 Spaulding of Howard,  
 Peet of Jones,  
 Davie of Crawford,  
 Heles of Dubuque,  
 Willson of Washington,  
 Laird of Fremont,  
 Lundt of Tama.

## SCHOOLS AND TEXT-BOOKS.

Jepson of Woodbury,  
 Leech of Cedar,  
 Powers of Floyd,  
 Stanbery of Cerro Gordo,  
 McAllister of Linn,  
 Bixby of Delaware,  
 Hambleton of Mahaska,  
 Lamkin of Lyon,  
 Teter of Marion,  
 Dashiell of Warren,  
 Gregory of Adams,

Croose of Page,  
 Harris of Poweshiek,  
 Lister of Grundy,  
 Kennedy of Lee,  
 Colclo of Carroll,  
 Langan of Clinton  
 Sankey of Decatur,  
 Heles of Dubuque,  
 Davie of Crawford,  
 Lundt of Tama.

## MINES AND MINING.

Teachout of Polk,  
 Kendall of Monroe,  
 Buchanan of Wapello,  
 Offill of Jasper,  
 Hambleton of Mahaska,  
 McElrath of Woodbury,  
 Spaulding of Howard,  
 Buckingham of Buena Vista,

Carstensen of Clinton,  
 Lamkin of Lyon,  
 McCreary of Appanoose,  
 Peet of Jones,  
 Ritter of Des Moines,  
 Laird of Fremont,  
 Davie of Crawford.

## MUNICIPAL CORPORATIONS.

Buchanan of Wapello,  
 Teachout of Polk,  
 Bealer of Linn,  
 Carden of Henry,  
 Leech of Cedar,  
 Nichols of Muscatine,  
 McClurkin of Louisa,  
 Kling of Harrison,  
 Skinner of Union,  
 Wright of Webster,  
 Manning of Lucas,  
 McAllister of Linn,  
 Martin of Pottawattamie,  
 Jepson of Woodbury,  
 Saylor of Bremer,

Dow of Franklin,  
 Buckingham of Buena Vista,  
 Lister of Grundy,  
 McDole of Jackson,  
 Koontz of Johnson,  
 Langan of Clinton,  
 Frudden of Dubuque,  
 Springer of Buchanan,  
 Colclo of Carroll,  
 DeLano of Cass,  
 McCreary of Appanoose,  
 Peet of Jones,  
 Ritter of Des Moines,  
 Wyland of Shelby,  
 Laird of Fremont.

## TELEGRAPH, TELEPHONE AND EXPRESS.

Coburn of Cherokee,  
 Mattes of Sac,  
 Greene of Madison,  
 Kendall of Monroe,  
 Christianson of Hamilton,  
 Pritchard of Wright,  
 Weeks of Guthrie,  
 Hart of Allamakee,  
 Stoltenberg of Scott,  
 Chassell of Plymouth,  
 McAllister of Linn,

Teter of Marion,  
 Welden of Hardin,  
 Martin of Pottawattamie,  
 Lowrey of Calhoun,  
 Buckingham of Buena Vista,  
 Maben of Hancock,  
 Morris of Sioux,  
 Boland of Iowa,  
 Whiting of Monona,  
 Clary of Chickasaw.

## PARDONS.

Cummings of Marshall,  
 Teachout of Polk,  
 Nichols of Muscatine,  
 Kling of Harrison,  
 Jepson of Woodbury,  
 Weeks of Guthrie,

Skinner of Union,  
 Hume of Mitchell,  
 Harris of Poweshiek,  
 Dow of Franklin,  
 Springer of Buchanan,  
 Frudden of Dubuque,



Hanna of Kossuth,  
Maben of Hancock,  
McCulloch of Wayne,  
Morris of Sioux,

Koontz of Johnson,  
DeLano of Cass,  
Ritter of Des Moines,  
Wyland of Shelby.

## LABOR.

Calderwood of Scott,  
Buchanan of Wapello,  
Cheney of Clay,  
Cummings of Marshall,  
Kendall of Monroe,  
Freeman of Pottawattamie,  
Bailey of Ringgold,  
Carstensen of Clinton,  
Spaulding of Howard,  
Stoltenberg of Scott,

Doran of Boone,  
Maben of Hancock,  
Ofill of Jasper,  
Washburn of Mills,  
Saylor of Bremer,  
Olson of Worth,  
Whiting of Monona,  
McCreary of Appanoose,  
Ritter of Des Moines,  
Davie of Crawford.

## ELECTIONS.

Flenniken of Clayton,  
Head of Greene,  
Greene of Madison,  
English of Polk,  
Kling of Harrison,  
Cummings of Marshall,  
Greeley of Story,  
Pritchard of Wright,

Freeman of Pottawattamie,  
Christianson of Hamilton,  
Leech of Cedar,  
Nichols of Muscatine,  
Mott of Audubon,  
Langan of Clinton,  
Clary of Chickasaw,  
Wyland of Shelby.

## PUBLIC HEALTH.

Leech of Cedar,  
Dashiell of Warren,  
Gregory of Adams,  
McCulloch of Wayne,  
Summers of Van Buren,  
Kling of Harrison,  
Flenniken of Clayton,  
Spaulding of Howard,

Crose of Page,  
Bixby of Delaware,  
Mott of Audubon,  
McDole of Jackson,  
Lamkin of Lyon,  
Clary of Chickasaw,  
Heles of Dubuque,  
Peet of Jones.

## ROADS AND HIGHWAYS.

Bailey of Ringgold,  
Coburn of Cherokee,  
Cassel of Jefferson,  
Powers of Floyd,  
Cheney of Clay,  
Head of Jefferson,  
Christianson of Hamilton,  
Weeks of Guthrie,  
Hart of Allamakee,  
Carstensen of Clinton,  
McAllister of Linn,  
Morris of Sioux,  
Cobb of Taylor,  
Kennedy of Lee,

Doran of Boone,  
Conn of Butler,  
Shaffer of Fayette,  
Lister of Grundy,  
Jacobson of Winneshiek,  
Colclo of Carroll,  
Whitmer of O'Brien,  
Peet of Jones,  
Geneva of Keokuk,  
Laird of Fremont,  
Davie of Crawford,  
Lundt of Tama,  
Hakes of Pocahontas,  
Heles of Dubuque.

## PUBLIC LANDS AND BUILDINGS.

Greeley of Story,  
Calderwood of Scott,  
Wise of Black Hawk,  
Crose of Page,  
Dashiell of Warren,  
Boland of Iowa,  
Conn of Butler,

Carstensen of Clinton,  
Shaffer of Fayette,  
Saylor of Bremer,  
Willson of Washington,  
Sankey of Decatur,  
Whitmer of O'Brien.

## SUPPRESSION OF INTEMPERANCE.

Harris of Poweshiek,  
 Buchanan of Wapello,  
 Greeley of Story,  
 Leech of Cedar,  
 McClurkin of Louisa,  
 Pritchard of Wright,  
 Wright of Webster,  
 Chassell of Plymouth,  
 Jones of Montgomery,  
 Stanbery of Cerro Gordo,

Conn of Butler,  
 Shaffer of Fayette,  
 Cobb of Taylor,  
 Jacobson of Wnneshiek  
 McAllister of Linn,  
 Koontz of Johnson,  
 Prevo of Davis,  
 Hakes of Pocahontas,  
 Lundt of Tama.

## CONSTITUTIONAL AMENDMENTS.

Wright of Webster,  
 Temple of Clarke,  
 Mattes of Sac,  
 English of Polk,  
 Head of Greene,  
 Flenniken of Clayton,  
 Kling of Harrison,  
 Bealer of Linn,  
 Cassel of Jefferson,

Dashiell of Warren,  
 Hambleton of Mahaska,  
 Manning of Lucas,  
 Lowrey of Calhoun,  
 Maben of Hancock,  
 Colclo of Carroll,  
 Whiting of Monona,  
 Springer of Buchanan,  
 Langan of Clinton.

## PUBLIC LIBRARIES.

Koontz of Johnson,  
 Wise of Black Hawk,  
 Temple of Clarke,  
 Summers of Van Buren,  
 Jepson of Woodbury,  
 Hollembek of Adair,  
 Spaulding of Howard,

Boland of Iowa,  
 Saylor of Bremer,  
 McDole of Jackson,  
 McCreary of Appanoose,  
 Ritter of Des Moines,  
 Sankey of Decatur.

## PRINTING.

Chassell of Plymouth,  
 English of Polk,  
 Kling of Harrison,  
 McNie of Benton,  
 Pritchard of Wright,  
 Carden of Henry,  
 Leech of Cedar,  
 Teachout of Polk,  
 Coburn of Cherokee,

McClurkin of Louisa,  
 Mott of Audubon,  
 Crose of Page,  
 Summers of Van Buren,  
 Dow of Franklin,  
 Gregory of Adams,  
 Skinner of Union,  
 Colclo of Carroll,  
 Springer of Buchanan,

## STATE UNIVERSITY.

Carden of Henry,  
 Koontz of Johnson,  
 Greene of Madison,  
 Christianson of Hamilton,  
 Spaulding of Howard,  
 Gregory of Adams,  
 Hanna of Kossuth,

Boland of Iowa,  
 Saylor of Bremer,  
 Bixby of Delaware,  
 Hume of Mitchell,  
 Whiting of Monona,  
 Whitmer of O'Brien,

## AGRICULTURAL COLLEGE.

McClurkin of Louisa,  
 Greeley of Story,  
 Bailey of Ringgold,  
 Hart of Allamakee,  
 Welden of Hardin,  
 Manning of Lucas,  
 Martin of Pottawattamie,

Offill of Jasper,  
 Lamkin of Lyon,  
 McCulloch of Wayne,  
 Olson of Worth,  
 Frudden of Dubuque,  
 Hakes of Pocahontas.

## COMPENSATION OF PUBLIC OFFICERS.

Bealer of Linn,  
Calderwood of Scott,  
Freeman of Pottawattamie,  
Manning of Lucas,  
McDole of Jackson,  
Hume of Mitchell,  
Skinner of Union,  
Hanna of Kossuth,

Carstensen of Clinton,  
Washburn of Mills,  
Summers of Van Buren,  
Frudden of Dubuque,  
DeLano of Cass,  
Prevo of Davis,  
Laird of Fremont.

## CLAIMS.

McNie of Benton,  
Buchanan of Wapello,  
Cheney of Clay,  
Teter of Marion,  
Washburn of Mills,  
Maben of Hancock,  
Lister of Grundy,

Morris of Sioux,  
Olson of Worth,  
Hakes of Pocahontas,  
Davie of Crawford,  
Willson of Washington,  
Whitmer of O'Brien.

## NORMAL SCHOOLS.

Robinson of Emmet,  
Wise of Black Hawk,  
Mattes of Sac,  
Harris of Poweshiek,  
Dow of Franklin,  
Hollembek of Adair,  
Skinner of Union,

Shaffer of Fayette,  
Hambleton of Mahaska,  
Conn of Butler,  
Jacobson of Winneshiek,  
Geneva of Keokuk,  
McCreary of Appanoose.

## PRIVATE CORPORATIONS.

Christianson of Hamilton,  
Mattes of Sac,  
Bailey of Ringgold,  
Greene of Madison,  
McAllister of Linn,  
Stanbery of Cerro Gordo,

Harris of Poweshiek,  
Stoltenberg of Scott,  
Dashiell of Warren,  
Summers of Van Buren,  
Clary of Chickasaw,  
Geneva of Keokuk.

## DOMESTIC MANUFACTURES.

Powers of Floyd,  
Cheney of Clay,  
Stoltenberg of Scott,  
Welden of Hardin,  
Stanbery of Cerro Gorda,  
Carstensen of Clinton,  
McElrath of Woodbury,

Lister of Grundy,  
Kennedy of Lee,  
Washburn of Mills,  
Prevo of D. vis,  
Sankey of Decatur,  
Heles of Dubuque.

## HOLTICULTURE.

Hollembek of Adair,  
Calderwood of Scott,  
Cassell of Jefferson,  
Shaffer of Fayette,  
Conn of Butler,

Kennedy of Lee,  
Washburn of Mills,  
Willson of Washington,  
Geneva of Keokuk,  
Peet of Jones.

## PHARMACY.

Dashiell of Warren,  
Gregory of Adams,  
Nichols of Muscatine,  
Kendall of Monroe,  
Coburn of Cherokee,  
Leech of Cedar,  
Flenniken of Clayton,  
Robinson of Emmet,

McClurkin of Louisa,  
Lowrey of Calhoun,  
Doran of Boone,  
Maben of Hancock,  
Buckingham of Buena Vista,  
Morris of Sioux,  
McDole of Jackson,  
Wyland of Shelby.

## BUILDING AND LOAN.

Kling of Harrison,  
Powers of Floyd,  
Cassel of Jefferson,  
Teter of Marion,  
Stoltenberg of Scott,

Manning of Lucas,  
Lowrey of Calhoun,  
Whiting of Monona,  
Wyland of Shelby.

## FEDERAL RELATIONS.

Weeks of Guthrie,  
Temple of Clarke,  
Wise of Black Hawk,  
Wright of Webster,  
Crose of Page,

Jones of Montgomery,  
Mott of Audubon,  
Frudden of Dubuque,  
Sankey of Decatur.

## WOMAN SUFFRAGE.

Cheney of Clay,  
Coburn of Cherokee,  
Greene of Madison,  
Powers of Floyd,  
Nichols of Muscatine,  
Morris of Souix,

Weeks of Guthrie,  
Boland of Iowa,  
Cobb of Taylor,  
Wyland of Shelby,  
Laird of Fremont,  
Heles of Dubuque.

## HOSPITAL FOR INSANE.

Springer of Buchanan,  
Carden of Henry,  
Coburn of Cherokee,  
Crose of Page,  
Christianson of Hamilton,

Gregory of Adams,  
Doran of Boone,  
Hume of Mitchell,  
Frudden of Dubuque,  
DeLano of Cass.

## INSTITUTE FOR FEEBLE-MINDED.

Washburn of Mills,  
Bailey of Ringgold,  
Teter of Marion,  
Summers of Van Buren,

McCulloch of Wayne,  
Lamkin of Lyon,  
Sankey of Decatur,  
Wyland of Shelby.

## INSTITUTE FOR DRAF.

Martin of Pottawattamie,  
Powers of Floyd,  
Bealer of Linn,  
Wright of Webster,  
McAllister of Linn,

Geneva of Keokuk,  
DeLano of Cass,  
Whitmer of O'Brien,  
Prevo of Davis.

## COLLEGE FOR THE BLIND.

Shaffer of Fayette,  
McNie of Benton,  
Dow of Franklin,  
Hanna of Kossuth,

Carstensen of Clinton,  
Whiting of Monona,  
Willson of Washington,  
Laird of Fremont.

## INDUSTRIAL SCHOOLS.

Mott of Audubon,  
Teachout of Polk,  
Freeman of Pottawattamie,  
Welden of Hardin,

Jones of Montgomery,  
Cobb of Taylor,  
Langan of Clinton,  
Lundt of Tama.

## SOLDIERS' AND ORPHANS' HOME.

Nichols of Muscatine,  
Cummings of Marshall,  
Calderwood of Scott,  
Cobb of Taylor,

Offill of Jasper,  
Olson of Worth,  
Clary of Chickasaw,  
Davie of Crawford.

## PENITENTIARIES.

Jones of Montgomery,	Offill of Jasper,
Temple of Clarke,	Olson of Worth,
Teter of Marion,	Jacobson of Winneshiek,
Bixby of Delaware,	Prevo of Davis,
Kennedy of Lee,	Peet of Jones.

## ANIMAL INDUSTRY.

Doran of Boone,	Bixby of Delaware,
Cassel of Jefferson,	Offill of Jasper,
Buckingham of Buena Vista,	Peet of Jones,
McElrath of Woodbury,	Davie of Crawford,
Lamkin of Lyon,	Lundt of Tama.

## MILITARY.

Hart of Allamakee,	Dow of Franklin,
Head of Greene,	Welden of Hardin,
Cheney of Clay,	Offill of Jasper,
Greeley of Story,	Olson of Worth,
Leech of Cedar,	Cobb of Taylor,
Bealer of Linn,	Sankey of Decatur,
Pritchard of Wright,	McCreary of Appanoose.
McAllister of Linn,	

## POLICE REGULATIONS.

Skinner of Union,	McElrath of Woodbury,
Teachout of Polk,	McCulloch of Wayne,
Buchanan of Wapello,	Carstensen of Clinton,
Freeman of Pottawattamie,	Koontz of Johnson,
Stanbery of Cerro Gordo,	Prevo, of Davis.

## FISH AND GAME.

Hanna of Kossuth,	Jacobson of Winneshiek,
Cummings of Marshall,	Kennedy of Lee,
Mattes of Sac,	Bixby of Delaware,
Coburn of Cherokee,	Buckingham of Buena Vista,
Hart of Allamakee,	Springer of Buchanan,
McDole of Jackson,	Colclo of Carroll.

## ENROLLED BILLS.

Spaulding of Howard,	Bixby of Delaware,
Flennikin of Clayton,	Martin of Pottawattamie,
Calderwood of Scott,	Frudden of Dubuque,
Carden of Henry,	Willson of Washington.
Jepson of Woodbury,	

## COUNTY AND TOWNSHIP ORGANIZATION.

Cassel of Jefferson,	Shaffer of Fayette,
McNie of Benton,	Conn of Butler,
Hollembek of of Adair,	Olson of Worth,
Hanna of Kossuth,	Davie of Crawford,
Kennedy of Lee,	Heles of Dubuque.

## BOARD OF PUBLIC CHARITIES.

Freeman of Pottawattamie,	Hanna of Kossuth,
McNie of Benton,	Hume of Mitchell,
Stoltenberg of Scott,	Summers of Van Buren,
Saylor of Bremer,	Hambleton of Mahaska,
Jones of Montgomery,	Whitmer of O'Brien.

## SENATORIAL DISTRICTS.

Teter of Marion,  
 Nichols of Muscatine,  
 Buchanan of Wapello,  
 Mattes of Sac,  
 McElrath of Woodbury,  
 Doran of Boone,  
 Jacobson of Winneshiek,

Harris of Poweshiek,  
 McCulloch of Wayne,  
 Summers of Van Buren,  
 Colclo of Carroll,  
 Geneva of Keokuk,  
 Hakes of Pocahontas.

## REPRESENTATIVE DISTRICTS.

Maben of Hancock,  
 English of Polk,  
 Flenniken of Clayton,  
 Stanbery of Cerro Gordo,  
 Mott of Audubon,  
 Martin of Pottawattamie,  
 Jepson of Woodbury,  
 Manning of Lucas,

Lamkin of Lyon,  
 Hollembeak of Adair,  
 Whiting of Monona,  
 Ritter of Des Moines,  
 Lundt of Tama,  
 Wyland of Shelby,  
 Peet of Jones.

## CONGRESSIONAL DISTRICTS.

Greene of Madison,  
 McClurkin of Louisa,  
 Greeley of Story,  
 Welden of Hardin,  
 Wright of Webster,  
 Dashiell of Warren,  
 Chassell of Plymouth,  
 Hart of Allamakee,

Hume of Mitchell,  
 Hanna of Koskuth,  
 Dow of Franklin,  
 Olson of Worth,  
 Jones of Montgomery,  
 McDole of Jackson,  
 McCreary of Appanoose.

## JUDICIAL DISTRICTS.

Kennedy of Lee,  
 Temple of Clarke,  
 Bealer of Linn,  
 Cummings of Marshall,  
 Carden of Henry,  
 Freeman of Pottawattamie,  
 Head of Green,

McNie of Benton,  
 Gregory of Adams,  
 Offill of Jasper,  
 Laird of Fremont,  
 DeLano of Cass,  
 Willson of Washington

## ENGROSSED BILLS.

Lamkin of Lyon,  
 English of Polk,  
 Robinson of Emmet,  
 Wise of Black Hawk,

Saylor of Bremer,  
 Langan of Clinton,  
 Prevo of Davis.

## RULES.

Langan of Clinton,  
 Temple of Clarke,  
 Kendall of Monroe,  
 English of Polk,

Chassell of Plymouth,  
 Koontz of Johnson,  
 Springer of Buchanan  
 Mr. Speaker.

## RETRENCHMENT AND REFORM.

In accordance with the provisions of section 181, of the Code, Temple of Clarke, Kendall of Monroe and Mattes of Sac, are named on the part of the House as members of the committee on Retrenchment and Reform.

Hart of Allamakee moved that the Chief Clerk be directed to arrange the list of standing committees in convenient vest pocket form for the convenience of the members of the House.

Carried.

Manning of Lucas moved that the Governor's inaugural address be printed in the House Journal.

Carried.

## GOVERNOR'S INAUGURAL ADDRESS.

*Senators, Representatives and Fellow Citizens:*

With the profoundest gratitude for the confidence again reposed in me, and the most solemn appreciation of the duties which I have again undertaken, I enter upon my second term as Chief Executive of the State of Iowa.

I am conscious of some mistakes; you undoubtedly have perceived others. It would be idle to say that no more will be made; but I repeat the promise that I will faithfully try to do what is right, and say what is true, as God gives me to see the right and discern the truth.

Since the Thirtieth General Assembly convened, I have, in compliance with the Constitution, laid before its members my views respecting many subjects of purely local concern. Permit me, however, a further word especially directed to the interests of our State.

As I look backward, pride kindles into a growing flame, and as I look forward, hope paints a delightful picture. Two years have intervened since I stood before the Twenty-ninth General Assembly and my fellowmen on a like occasion, and I am glad to be able to say that during this period the people of the State have been prosperous, peaceful, and content. Honest labor has had its reward, and sagacious enterprise its profit. While the swift pace, so marked in business and commerce a short while ago, has somewhat slackened, we are making sure progress in a saner and safer way; and it is not to be regretted that we have paused a little to get our breath and take our bearings. Activity in Iowa, or elsewhere, may not be so intense, but it is reasonably

certain that the year immediately before us has much of good and little of evil in it. There is nothing foreboding or menacing in the signs of the time. The two years over which my retrospect goes have witnessed, in some parts of our country, a shrinkage in fictitious values which no other nation could have endured without marked disaster; but with us the process has gone on, attended rather with relief than with regret. We are nearing normal conditions through a storm which, though severe, has left few honest wrecks behind it. Least of all has Iowa suffered, and least of all will it suffer. Our people are steady, our business men conservative, and our chief industries are planted upon the firmest rock which sustains industrial structures.

The more I study the relation which this commonwealth holds to the rest of the world, the more serene I feel. There are communities whose energies are mainly employed in making and selling things which, for a period at least, men and women can cease to buy, or buy sparingly; but so long as mortals eat, the business of this State can neither perish nor seriously languish.

I have frequently heard it said that we must develop manufacturing to be great. I agree that we would be greater with mills and factories, but I would not exchange the fertile fields of Iowa for all the manufacturing enterprises that could be crowded within our borders. We do not sufficiently appreciate our distinction. We can produce more of the things essential to life upon the fifty-five thousand square miles which comprise our territory than can be produced upon any other like contiguous area in the world. Not only so, but I believe we now surpass, in such productions, any other like extent of land. Remembering these things, and remembering too, that we are barely tickling our generous soil, and that what it will do in response to a full demand passes the most fervid imagination, we ought to mutually congratulate ourselves upon the advantage ground we occupy. We have the fairest opportunity ever offered to mankind for high civilization, exalted morals, good government intelligent citizenship, honorable riches and that hopeful poverty from which faithful effort swings wide the door into comfortable competence.

At this point permit me to take you into my full confidence and confess that I found it difficult to determine just what phase of our public life to consider during the short time I am to detain you. I meet this difficulty frequently, and you shall know what



it is and why the question which always arises is not an easy one to answer. Assuming that I am to speak upon some subject which concerns the growth of evolution of mankind as organized into government, an address falls naturally into one of two veins. We either inquire into what has been done and what is being done—what we have been and are, as a prelude to a eulogy upon things already accomplished and victories already won, leaving it to be implied that we have done enough and are good enough; or, we use the same premises as an introduction to the conclusion that there are many things that ought to have been done which are still undone, and that, although a progress has made which cheers the heart and inspires the mind, there is still vast room for expansion and a beckoning opportunity for improvement. In the moment of decision there are two voices of which we are always conscious. The one whispers, stand still and look upon what has been done, and, looking upon it, be content to cover it with the glory it deserves. The other thunders into our ears the imperative command, move on, discover what is to be done, and without fear and trembling lift up the flag of reform and change, if reform and change are needed.

In these days of extraordinary prosperity in wealth getting, of unparalleled activity in the production of material things, and of mighty national pride, it is not strange that the vein of public speech first suggested, is the more alluring, for its brilliant climaxes easily find the most enthusiastic responses in the popular heart. It is the well considered judgment of many men, eminent in success, and potent in affairs, that it is a species of treason to even breathe a doubt of the completeness of life, or to suggest that there are better conditions possible for mankind and higher altitudes in which the Government may move. They have no toleration for the opinion that if we would create these conditions and attain these altitudes, or even preserve what we have, it is essential to employ the keenest faculties of the mind and the noblest virtues of the heart in creating new policies for new conditions, in strengthening the civilization in which we live, and in bettering the laws, customs, and habits which prescribe our relations to our fellowmen, and which direct the course of organized society. There are so many honorable pages in the history of our country attesting deeds we love to praise and recording words we love to repeat, that I was much tempted, in preparing for this occasion, to pursue the easy path, and thus commend myself to the much feared, greatly beloved, and distinguished

personages who honestly believe that he who advocates a change in anything is unsafe, a disturber of the public tranquility, and an enemy of business stability and social permanence. It may happen that these same men already have all they want and more than they deserve, but as to that I shall not pause to enquire.

I have deliberately chosen the other vein, impelled, I hope, by a sense of duty—drawn into it I know, by a conscious inclination. I have never been a disciple of the doctrine expressed in a phrase that has now become famous—"let well enough alone." Abstractly viewed, the maxim is beyond criticism, but its fatal weakness lies in the fact that there never was, nor will be, a day in which it was, or will be, well enough with any community, with any state, or with any nation. When any society ceases to grow better, it has begun to grow worse. There is no such thing as rest in the economy of the universe, and no such thing as "stand pat" in the order of the living world. The dead may heed the injunction, no others can.

I belong to a class, humble, but numerous, earnest and faithful, who believe that what we have today is good, but what we will have tomorrow is to be better: and we propose an honest, persistent effort for the realization of our hopes.

I have said that Iowa leads all her sister states in the products of agriculture, and in the very nature of things she must always maintain the leadership which providence bestowed upon her. In the years to come there will be one transformation, for in obedience to the natural law which directs the factory to the raw material, our products will be converted into their ultimate form upon our own soil; but this revolution will only serve to make more distinctive our commanding relation to the world of trade. With this understanding of our real place in the commerce, not only of our own, but of other nations, I want a word, first, with the farmers of the State; and second, with the men engaged in other kinds of business, but whose success and prosperity depend absolutely upon the welfare of the farmers.

With the incoming of the century, the United States put on a new and brilliant garb, It has become a power, interested and potential in the affairs of the whole earth. It is not my purpose to dwell upon the added dignity and importance of American citizenship, or the added luster which shines from our mantle of sovereignty. I leave these fascinating aspects of our national life, upon this occasion, for more practical things.

Contemporaneously with our advent into the wider sphere of influence, the commercial nations seemed to awaken to a consciousness of what we were doing in the way of trade, and they were amazed to find that we had taken the first place in the business of the world. They perceived for the first time, apparently, that while we were making mighty inroads on their markets, they were practically shut out of ours. Day by day the appreciation of the situation grew more complete, and the consequence has been an intelligent and continuous effort on the part of each nation to so adjust its laws and treaties as to give the maximum amount of work to its own people. Free trade, or any semblance of it, both in laws and in the minds of men, disappeared, and there is now but one nation of importance upon the face of the earth that harbors the delusion, and mark my word that the moment Joseph Chamberlain is able to take the sense of the English people, it will disappear there also. So long as we were able to exclude competitive commodities from our markets and enter other lands practically without hinderence, we occupied an ideal position, one which, if it could continue, would make us the absolute masters of the commercial world. But it could not continue, it has not continued; and henceforth we must fight for even a fair chance abroad.

Keeping this meager outline of what is going on across the seas in mind, let us view the situation at home. I trust it will not offend the proprieties of this hour if I say that under the influence of a wise and efficient system of protection, coupled with the enterprise and genius of the men of the United States, working upon most varied and inexhaustible accumulation of raw material that the providence of the Almighty ever bestowed upon a country, we have accomplished a development which for its diversification and capacity of production has no parallel in the history of nations. We have reached a point where a billion dollars substantially measures the value of our annual exports of agricultural products, and a half a billion the value of our exports in manufactures. So far as our own capacity goes, we can increase both indefinitely; but if we do so, it must be through the medium of international trade arrangements—trade bargains that in the language of diplomacy and politics are known as "Reciprocity."

Reciprocity is the generic name given to any trade treaty or trade law which prescribes the terms under which exports from the United States shall enter a foreign country, and the terms

under which the exports from any such foreign country shall enter the United States. In one sense it may be said to be a partisan policy, for it cannot be separated from the system of protection. In another, and broader sense, it presents purely a business question, which ought to be answered without a tinge of party color and without a breath of party spirit. View it as it pleases you, while I pursue, for a few moments this inquiry : Ought the farmers of Iowa, and those who depend upon them, to be for or against the general policy of reciprocity? Allow me to go a little further into definitions. There are two opinions upon the subject, which have now crystalized, and which make a clear, sharp, issue. There are those who assert that they believe in reciprocity, but insist that no trade arrangement shall be made which will permit any article or commodity which we can produce, to enter our ports upon more favorable terms than is prescribed in the existing tariff schedules, or, in other words, that it shall include only such things as we do not and cannot produce in this country. It is hard to believe that any thoughtful person holds this opinion, coupled with an expectation that such a trade arrangement can be made, or that it would be of any value to the people of the United States, if made. No one can teach such a conclusion who at the same time believes in protection, for one of the fundamental principles of the system is the free admission, or the admission with a revenue duty only, of things we cannot produce. More than that, no one will assert with seriousness that we can secure in any foreign country any substantial advantage upon the consideration of the free admission of noncompetitive commodities. This view hardly rises to the dignity of a delusion, and my observation is, that it is a mere cloak to conceal opposition to any trade arrangement whatever, and to any disturbance of existing laws.

The other opinion of reciprocity, which, as I read history, has been held and advocated by every statesman who really wanted to accomplish something in that direction, is that if we can make an international bargain that will, upon the whole, increase the volume of our production, and therefore put more men at work with our standard of compensation, we ought to do it, even though some particular manufacturer might suffer in the transaction.

As so interpreted, the doctrine is a mere extension of the policy of protection, and is consistent with the ends we have always sought to accomplish. Upon past occasions I have, and upon

future occasions I may, enter upon a broader discussion of the whole topic than is at the present moment possible. I confine it now to the people of my own State, recognizing that insofar as it comports with the public good they ought to stand for the course which will most benefit agriculture.

It is obvious that the farmers' principal desire and paramount interest is to feed as many people as possible. They sell bread-stuffs and meats in their various forms, both at home and abroad, and therefore they ought to be in favor of the policy which will maintain and multiply their markets in their own country, and protect and increase their markets in other countries. To put it in another form: It is plain that they should advocate the proposition which will add to the number of men at work in fields of industry other than agriculture at home, and which will remove burdensome restrictions and impositions which prevent a fair entry into markets abroad. Let us not be content with mere abstractions. It has been possible to make, and in my judgment it is still possible to make, a treaty with Canada which would, for years to come, make us practically masters of the imports into that dominion. In the last ten years American manufacturers have expended one hundred millions of dollars in the establishment of plants in Canada, which would have been kept at home, with all the labor which that implies, if there had been a fair and permanent relation existing between the two countries. Not only so, but every student of affairs knows that the chance we now have across the border will be completely destroyed unless we treat with our neighbors upon a fair reciprocal basis. The farmers of Iowa have lost something in the foreclosure of the opportunity to feed the men who are operating the plants to which I have referred, and they will lose more when Canada raises the barrier so that England, France and Germany will supply the material for the wonderful development upon which she is just entering, and which we are so well prepared to supply. It has been said that in order to obtain these changes it will be necessary for us to let into our markets Canada's agricultural products or some of them. I believe this to be partially true, but let me ask the farmers of Iowa whether they think they would lose in the exchange? Which would you rather do, lose the market which would be created by our vast imports into Canada or meet Canada in competition in the things which you produce? I assert confidently that in the sharp struggle with Illinois, Wisconsin, Minnesota, the Dakotas, Nebraska, Kansas and Missouri

you would never be able to discern the influence of Canada in corn, oats, barley, hay, cattle, horses, hogs, butter and eggs.

I go further. We can make treaties with Central and South America, with France, Germany, Spain and Italy, that will immensely increase our exports of manufacturies to those countries so that for every man deprived of employment here, we can put to work ten. You ought to have a chance to feed these added nine men, and why is it not given you? Simply because of the inertia which seems to prohibit the profane foot from planting itself within the sacred precincts of the tariff schedules.

And how is it with your markets abroad? In England there is still the open door; but you know that a mighty force is now swinging it in your faces, and it may not be long before on those islands there will not even be the "Gates ajar." Do you not think you ought to be alert and make some provision, if you can, for a pass key as the bolt slips into its socket?

In France you are under sore discrimination—discrimination which could be removed immediately without any substantial injury to a manufacturer in the United States.

Germany is making it harder for you all the while, and yet we rest supinely, watching with apparent satisfaction the gradual exclusion of the Iowa farmer from the markets of the German Empire.

I might continue this journey around the world, but it would serve us no useful purpose. If what I have said will not arouse the men who till the soil, who raise the cattle, horses, hogs, and hens, and produce the cheese, butter and eggs of Iowa, I am mistaken in their intelligence and have overrated their loyalty.

Amidst the cries of the commercial conflict raging throughout the world, I hear the voice of destiny saying to the men of agriculture as Roderick D'hu said to James Fitz James:

"For this is Coilantogle ford  
And thou must keep thee with thy word."

Iowa has been faithful to the policy of protection, and she is still as true as the needle to the pole. The benefits she has derived have been very great, but largely incidental. The time has come for her to raise high into the political heavens the twin flag—Reciprocity. Let us, for a season, take the direct advantages and allow the incidental blessings to fall upon others. Let us have the reciprocity demanded in the republican platform of 1903.

I pass to another topic; one without a shade of controversy; but which nevertheless needs constant discussion, and everlasting agitation. It is universally agreed that every man and woman, rich or poor, white or black, learned or unlearned, and every corporation and association, great or small, ought to obey the law; not part of the law and part of the time, but all the law and all the time; not merely that meager portion of the law for the violation of which a penalty is prescribed, but every mandate of organized society from those of Congress to those of the Township Trustees. I put away, for the moment, the moral obligation to do right, and present the matter from the utilitarian point of view alone. For you men of property, there is no safety except in the habit firmly fixed in humanity to respect the compact which binds the people of the country together. For you men whose only resource is your labor, there is no permanent security save in the sheltering arm of sovereignty.

If law-breaking be confined to a few, and the lowest members of the community, the law will enforce the law, and will vindicate itself. If, however, a great number, and the highest and most respectable members of the community are law-breakers, or wink at law-breaking, the law will not be executed, and such a community simply lights the fires of general disorder and chaos.

I venture upon some prominent illustrations. Everybody knows that it is unlawful and fraudulent to put upon the market and sell stocks and bonds which have no real value, and which represent nothing but the audacity of promoters; yet very eminent and very pious people engage in this pastime, who are horrified when some idle, passion-smitten mob destroys property and endangers life. I know not which is the more to be condemned, but I do know the unlawfulness of the one begets the criminality of the other, and that the conspirator to defraud might well reason that the rabble will be no more careful of the law than he. We all understand that it is in violation of the law to enter into an association, the purpose of which is to suppress competition, and yet men who are held in the highest regard, and who occupy the most exalted stations, defiantly and contemptuously violate the letter of the statute and the spirit of our civilization. They are men, however, who, when labor unions attempt, wrongfully if you please, to strike down the vital force of competition through strikes, boycotts and other well known methods, lift up their hands toward the law they have desecrated, and declare that we are drifting into ruin and anarchy.

It would be easy to pursue this disagreeable train of thought through all the reign of dishonesty, artifice, intrigue, graft, boodling and riots, but I forbear. What I have said is as an introduction to this suggestion: The remedy for the indifference, disobedience, and laxity to which I have referred is plainly not in the direction of legislation—it is in the conversion of the men and women to right ideals, and the training of the boys and girls, as they gather their conceptions of life, its duties and responsibilities. It is not for me to prescribe what the church and the home should do. I leave this duty to others. I have a word to say, however, with respect to what the schools should do, and I mean all the schools, from the kindergarten to the university.

What has been, and what is, the dominant note of American schools? In the magnificent symphony of the educational process you can hear it clear and high above every other. It is individual efficiency. It may be granted that until now the score has been well written, but the time has come to re-write it, and to give another note a higher or equal place. Hereafter, the schools must teach good citizenship, not inferentially, not as a part of religion, not as political economy, not even as morality, but as a distinct and independent science of duty—a science of duty not founded alone upon the commands of the Creator, but upon the utility or free institutions and of peace and progress among men—a science of duty whose precepts are not more necessary to attain safety and happiness in the next world, than they are to secure safety and happiness in this world.

In the beginning we needed, more than any other thing, individual efficiency, for we had a country in which nature had stored untold treasures to develop; we had a nation to create; it was essential that our professions should be filled with men of the best equipment, for we had to establish a position in the world of professional labor; it was imperative that our artisans should surpass the artisans of other countries in their skill and industry, because the inexorable laws of competition were to be met and fulfilled; it was required of us to produce the best farmers, because we had to transform a virgin continent into a garden of the nations of the earth. And so our schools undertook their mission, to train men and women so that in every avocation of life the sons and daughters of the Republic could not only keep pace with, but outstrip their adversaries of every region, of every country, and of every race.



There was a time when we could safely rely upon the training of the moral character that followed naturally and inevitably the culture of the mind and the skill of the hand. There was a time when the ordinary moral maxims, always accompanying intellectual preparation, could be depended upon to arm the student for the duties of citizenship. There was a time when religious teaching could be relied upon to develop the mental power. By common consent, however, these things have been accepted as the side-lights of an early career, and the strength of the individual in his chosen avocation, has been the chief concern of the schools. We have been completely absorbed in teaching the young man how to take care of himself; but it is obvious to anyone who patiently surveys and reflectively considers the state of society, that the schools must not only teach the young man how to care for himself, but how to care for others.

What is it we most need now? To answer the question, it is only necessary to look about us, and discover what it is that perplexes the patriotic thinkers of the present time. We have good lawyers, doctors, priests and preachers. In their several callings they meet no difficulties which they do not easily surmount; and if schools maintain their present high standard in the training of such men and women, we may assume that the work which they have to do will be well done. We have good farmers, to whom nature every year yields her richest rewards. The schools are accomplishing everything for them that the most exacting could require. We have good mechanics, whose surpassing skill and increasing power to produce, are the marvels of the whole world, and put us easily in the forefront of industrial affairs. We have merchants and agents of commerce in multiplied variety, who answer the highest criticisms of business. We have a vast body of laborers who have been lifted up above the level upon which dwell their associates in other countries of the world. We have more wealth than has been gathered in any other one country now existing or that ever existed.

But, notwithstanding all these superiorities, we are in constant turmoil. The sense of injustice was never more acute, the duties of man toward his fellows were never more imperfectly understood or inadequately discharged, than in the moment in which I am speaking. The several factors which, united, create wealth, were never in more acrimonious dispute than now, and selfishness, with all its hideous deformities, never seemed more aggressive. Capital has found it necessary to associate, partly for

good, and partly for ill, until its power is immeasurable and its corrupting tendencies more to be feared than the invasion of hostile armies. Labor has found it necessary to associate, until the authority of union organization competes with the Government itself. The former is already dreaming of commercial tyranny and the latter in its struggle for emancipation and defense, threatens the peace and order of the Republic. It is, I fear, beyond controversy, that year after year there are more people able and willing to buy power who cannot earn it, and year after year the glitter of gold becomes more fascinating to the voter, whether in his original or representative capacity.

I beg that you will not be alarmed as you confront the conditions I have attempted to describe. They are perfectly natural, and present the outcome that is inevitable in the evolution of every society unless conscious, persistent, intelligent and altruistic effort is applied against the development. We will not be overcome by these tendencies, because you will check them, and you will prevent these evil practices. But to do so, it will be necessary that you concern yourselves in something more than individual success and personal triumph. What we need, and what we must have, if the honor and glory of our country are to be preserved, is enlightened consciences with enlightened minds as an incident, rather than enlightened minds with enlightened consciences as an incident. Morals are more needed than mathematics; right living will do more for us than right spelling; graciousness is more essential than grammar; equity is a nobler attribute than eloquence. What we need, above all things, is that our boys and girls, when they pass into the period of responsible existence, whether it be at twelve years or twenty, shall understand their relation to their fellow members of society; that they shall have clear perception of the ties which bind them to their fellow mortals; that they shall know that this government of ours can only be perpetuated through honesty and justice; that altruism is not only an embellishment of human character, but it has become a fundamental maxim in social government and industrial economy; that selfishness and dishonor will lead us all to common ruin; that the divinest maxim of life is, "I am my brother's keeper,"

What we need is a citizen who, however narrow his field of vision, understands what he sees, and measures his conduct by the golden rule, a citizen who gives to his country the upright performance of every [public duty, a citizen who repudiates that

barbaric sentiment that he may take who has the power, and he may keep who can, a citizen who has a Christian regard for the rights of others, a loving sympathy for the weak and unfortunate, a bold voice for truth, and a strong arm for justice.

This very imperfect outline will suggest the course of my thought. Broadly speaking, it is the moral side of human nature that needs most to be nurtured and strengthened. We have learned that it is not sufficient to teach young people how to read and write and then trust them to the vicious currents which flow around every life. They must have some other steadying influence; and it must be supplied in the formative stage.

I do not stand for any revolution in our schools or school system. I plead only for the evolution which will fit them to meet the requirements which new, complex and intricate conditions demand. I would not restrict the breadth nor lessen the depth of purely intellectual teaching, but I would intensify and emphasize the lessons of life, drawn from the experience of mankind. I would teach the boys and girls, with the alphabet, that learning is of little moment, unless accompanied with a desire to obey, not only the laws which the hand of man have written, in constitutions and statutes, but to obey as well the vast repository of regulations and ordinances which the Ruler of the universe has inscribed on the consciences of the people; and the last injunction to every departing pupil or student should be, so live that when the end comes it can be said of you that the world was better because you lived in it. I am not preaching a mere abstraction. I am dealing with the most practical and pregnant phase of modern existence. This country is not governed, nor will it ever be, by selected spirits, drawn from the circle of culture, morality and refinement. It is governed, and will be governed by the votes and the sentiments of millions of men to whom the doors of higher learning will never be opened. These men have awakened to their power, and they will exercise it. They will make out laws, and will determine what our civilization shall be. Their desires will turn into realities, and their will is to be written into the annals of society. These desires, therefore, must be upright just and fair, and this power must be wielded for the welfare of the country, else there is before us the most complete disaster that ever overwhelmed the hopes of the lover of liberty and the progress of the race. If passion usurps the seat of reason and vice drives virtue from her throne, if avarice prevails against justice, these common people, who have been

the pride of the Republic, will write their uneducated, untrained, unjust, revenge all over the institutions of our country in characters so plain and terrific, that not only "He who runs may read," but whoever reads will run.

The schools must take up the work with renewed energy, and they must be more conscious than ever before that the most sacred mission committed to them is to make good men and good women, scholars, if possible, but at all hazards, good men and good women.

Senators and Representatives, the welfare of the State is safe in your hands, and I doubt not that whatever you can do to perfect our laws and institutions, will be done; but I remind you, together with all these good people that our highest, most important duties are not official; they are personal. They are not imposed by the votes of men, but by the decrees of fate. They begin with cradle and end with the grave.

The Journal of Tuesday, January 12, 1904, was corrected and approved.

The Journal of Wednesday, January 13, 1904, was corrected and approved.

McAllister of Linn offered the following concurrent resolution and moved that the rules be suspended and the resolution be adopted :

*Resolved by the House, the Senate concurring,* That fifteen thousand (15,000) copies of the Governor's inaugural address be published in pamphlet form for distribution.

The motion prevailed and the resolution was adopted.

The following additional employes were sworn in and signed the oath : Harry Breeding and Wayne Pugh.

On motion of Mr. Kendall of Monroe the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 26, 1904. }

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

Prayer was offered by the Reverend Dr. Breeden of Des Moines.

Journal of Thursday, January 14, was corrected and approved.

PETITIONS AND MEMORIALS.

McAllister of Linn presented petition of citizens of Linn county relative to the drainage law.

Referred to committee on Agriculture.

Temple of Clarke presented petition of citizens of Clarke county relative to the road law.

Referred to committee on Roads and Highways.

Hambleton of Mahaska presented petition of citizens of Mahaska county relative to the road law.

Referred to committee on Roads and Highways.

Jones of Montgomery presented petition of the citizens of Montgomery county relative to the road law.

Referred to committee on Roads and Highways.

Geneva of Keokuk presented petition of citizens of Keokuk county relative to the road law.

Referred to committee on Roads and Highways.

Weeks of Guthrie offered the following resolution and moved that the rule be suspended and the resolution adopted:

*Resolved*, That all members of the House who have heretofore served as members hereof for two or more terms, be and they are granted the privilege

of selecting the seats they occupied while such members, including the gentleman from Linn and any members of defective sight or hearing.

Adopted.

Buchanan of Wapello offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*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 bearing 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 Chief 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 announce 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.

Adopted.

Speaker appointed as tellers for the drawing of seats Calderwood of Scott, Whiting of Monona.

Lowrey of Calhoun offered the following resolution and moved its adoption under suspension of the rule:

*Resolved*, That a committee of three be appointed to assign the time and place for the meetings of the standing committees of the House.

Adopted.

Speaker appointed as such committee, Lowrey of Calhoun, English of Polk and DeLano of Cass.

The drawing for seats resulted as follows:

No.	Name.	No.	Name.
27	Bailey	11	Lamkin
64	Bealer	00	Langan
95	Bixby	75	Leech
41	Boland	68	Lister
60	Buchanan	82	Lowrey
92	Buckingham	13	Lundt
73	Calderwood	4	McAllister
91	Carden	77	McClurkin
42	Carstensen	19	McCreary
32	Cassel	89	McCulloch
50	Chassell	87	McDole
10	Cheney	96	McElrath
62	Christianson	5	McNie
61	Clary	44	Maben
31	Cobb	00	Manning
43	Coburn	90	Martin
69	Colclo	70	Mattes
52	Conn	40	Morris
45	Croze	71	Mott
48	Cummings	39	Nichols
33	Dashiell	24	Ofill
49	Davie	12	Olson
23	DeLano	55	Peet
76	Doran	3	Powers
34	Dow	17	Prevo
54	English	28	Pritchard
100	Flenniken	67	Ritter
2	Freeman	38	Robinson
47	Frudden	63	Sankey
57	Geneva	84	Saylor
6	Greeley	18	Shaffer
46	Greene	93	Skinner
72	Gregory	9	Spaulding
51	Hakes	59	Springer
30	Hambleton	37	Stanbery
1	Hanna	36	Stoltenberg
29	Harris	83	Summers
16	Hart	66	Teachout
26	Head	79	Temple
21	Heles	98	Teter
80	Hollemeak	74	Washburn
7	Hume	8	Weeks
14	Jacobson	94	Welden
56	Jepson	99	Whiting
20	Jones	97	Whitmer
58	Kendall	53	Willson
81	Kennedy	35	Wise
22	Kling	78	Wright
65	Koontz	25	Wyland
15	Laird	00	Mr. Speaker

#### INTRODUCTION OF BILLS.

By English of Polk, House file No. 1, a bill for an act to provide for primary elections for the purpose of ascertaining the choice of members of political parties for the nomination of

candidates for elective offices and the selection and instruction of delegates to convention.

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

By Geneva of Keokuk, House file No. 2, a bill for an act to amend section 2103 of the code relating to transfer tracks on railroads.

Read first and second time and referred to committee of Railroads.

By Greene of Madison, House file No. 3, a bill for an act providing for the nomination of officers and the election of delegates to convention of political parties or organizations by a primary election.

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

By McClurkin of Louisa, House file No. 4, a bill for an act to amend chapter 14 of title 13 of the code of Iowa relating to common schools.

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

By Temple of Clarke, Joint Resolution No. 2, joint resolution proposing to amend the Constitution of the State of Iowa, relating to the apportionment of senators and representatives in the General Assembly.

Read first and second time and referred to committee on Constitutional Amendments.

#### JOINT RESOLUTION, NO. 2

Joint resolution proposing to amend the Constitution of the State of Iowa, relating to the apportionment of senators and representatives in the General Assembly.

*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.

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 herein before required.

*Be it further Resolved*, That this resolution and the foregoing amendment to the Constitution to the State of Iowa, having been adopted by the Twenty-ninth General Assembly in manner and form, and by the majority required by the Constitution of the State of Iowa, and the statutes thereof, shall be submitted for ratification or rejection by the electors of the State of Iowa, at the general election for state officers to be held in November, 1904.

By Wright of Webster, House file No. 5, a bill for an act to repeal section 4136 and section 4137 relating to assignments of error in appeals to the Supreme Court and to enact a substitute therefor.

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

Kendall of Monroe offered the following resolution and moved its adoption under suspension of the rule:

WHEREAS, Mr. Nate Middleton, a faithful and competent employe of the House, departed this life since the adjournment of the Twenty-ninth General Assembly; Therefore:

*Resolved*, That a committee of three be appointed to present appropriate resolutions respecting his life character.

Adopted.

Speaker appointed as such committee Kendall of Monroe, Temple of Clarke and Langan of Clinton.

Koontz of Johnson offered the following resolution and moved its adoption under a suspension of the rule:

WHEREAS, The Honorable L. R. Wolfe, one of the pioneers of eastern Iowa, a gallant soldier of the war of the Rebellion, and an honored member of this House in the Eighteenth and Nineteenth General Assemblies, passed

away at his home in Selden, Kansas, on the — day of September, 1903, Therefore be it

*Resolved*, That a committee of three be appointed to present resolutions commemorating his life and services to his state and the nation.

Adopted.

Speaker appointed as such committee Koontz of Johnson, Bealer of Linn and Wise of Black Hawk.

Flenniken of Clayton asked unanimous consent to have the name of Miss Inez Black placed on the pay roll of committee clerks, as she is ill and unable to be present.

Granted.

McAllister of Linn moved that the thanks of those members who were permitted to choose their seats be extended to the other members of the House for their courtesy.

Carried.

Geneva of Keokuk offered the following concurrent resolution:

WHEREAS, Governor Cummins in his message pointed out several irregularities in the official career of Frank F. Merriam, while he was auditor of State, and

WHEREAS, He stated that said Frank F. Merriam has had no hearing, and that he considered it our duty to give him an opportunity to explain; therefore, be it

*Resolved*, By the House, the Senate concurring, that we meet in joint session, Thursday, February 11th, at ten o'clock A. M., for the purpose of hearing any explanation he may offer on said irregularities: and be it further

*Resolved*, That a committee of two be appointed, consisting of the Clerk of the House, and Secretary of the Senate to see that said Frank F. Merriam receive official notice of same.

Coburn of Cherokee asked unanimous consent to insert the name of Willie Stryker instead of Vernie Snyder on the list of pages of the House.

Granted.

The following committee clerks were sworn in and signed the oath:

STATE OF IOWA }  
POLK COUNTY } SS

January 26, 1904.

I do solemnly swear that I will support the constitution of the United States and 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.

Ray A. Smith, Engrossed Bills.  
T. L. Smith, State University.  
Elva Gruwell, Public Health.  
Elsie Colton, Agricultural College.  
Maude Licklider, Mines and Mining.  
Estelle Martin, Extra.  
Marie Stegeman, Senatorial Districts.  
Kathryn Davis, Public Libraries.  
Ora Williams, Pardons.  
Frank Nichol, Judiciary.  
Helen Dickerson, Suppression of Intemperance.  
H. C. Byers, Representative Districts.  
Claude S. Beebe, Normal Schools.  
A. C. Creger, Congressional Districts.  
Elizabeth A. Olson, Extra.  
P. J. Huber, Military.  
J. G. Cook, Woman Suffrage.  
Lulu Gilliam, Insurance.  
Minnie E. Hess, Appropriations.  
Vina Elliott, Compensation of Public Officers.  
Ira W. Jones, Public Lands.  
D. A. Kent, Private Corporations.  
Margaret E. Wing, Extra.  
C. L. Laueb, Ways and Means.  
A. W. Lewis, Police Regulations.  
Homer Thompson, Horticulture.  
Grace Loucks, Schools and Text-Books.  
Besse Conger, Soldiers' and Orphans' Home.  
Mabel Elwood, Enrolled Bills.  
Laura Pritchard, Agriculture.  
Ray H. Rankin, Judicial Districts.  
Robert W. McNie, Claims.  
Amy Byram, Labor.  
Frank Clinite, Federal Relations.

Elizabeth Rodgers, Municipal Corporations.

Neil C. Bardsley, Institute for Deaf.

Julian S. Geneva, Page.

Mrs. H. M. Denny, Industrial Schools.

On request, McAllister of Linn was excused until Thursday morning.

On motion of McClurkin of Louisa the House adjourned until tomorrow, Wednesday, January 27, at 10 o'clock, A. M.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, January 27, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Reverend E. J. Beyer of Maynard, Iowa.

Journal of Tuesday, January 26, was corrected and approved.

PETITIONS AND MEMORIALS.

Skinner of Union presented petition of 600 citizens of Union county relative to the pardoning of G. A. Williams now confined in the penitentiary at Ft. Madison.

Referred to committee on Pardons.

Chassell of Plymouth presented petition of 2176 citizens of Plymouth county relative to the repeal of the road law.

Referred to committee on Roads and Highways.

Leech of Cedar presented petition of citizens of Cedar county relative to Benedict Home.

Referred to committee on Public Charities.

Buckingham of Buena Vista presented petition of citizens of Buena Vista relative to the repealing of the Road Law.

Referred to committee on Roads and Highways.

On request of Jepson of Woodbury leave of absence was granted Saylor of Bremer until next week.

INTRODUCTION OF BILLS.

By DeLano of Cass, House file No. 6, a bill for an act to establish the rights and define the duties of express companies.

Read first and second time and referred to committee on Telegraph, Telephone and Express.

By DeLano of Cass, House file No. 7, a bill for an act defining the duties of railroad companies in the shipment of live stock.

Read first and second time and referred to committee on Railroads and Commerce.

By Frudden of Dubuque, House file No. 8, a bill for an act legalizing the resolutions, acts and proceedings of the city council and city officers in the city of Dubuque, relating to the improvement of the streets and alleys in said city.

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

By Frudden of Dubuque, House file No. 9, a bill for an act to amend section 3688 of the code of 1897 and relating to jurors in suits and proceedings where counties, cities and towns are parties, or interested.

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

By Hanna of Kossuth, House file No. 10, a bill for an act to regulate and require common carriers to issue free transportation to persons shipping live stock, amendatory of chapter 7, title X, of the code, relating to the regulation of common carriers.

Read first and second time and referred to committee on Railroads and Commerce.

By Hart of Allamakee, House file No. 11, a bill for an act to amend section 700 of the code of Iowa.

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

By Jepson of Woodbury, House file No. 12, a bill for an act to amend section 1641 of chapter 1 of title IX of Code of 1897, relating to ownership of real property by corporations organized in this or any other state for pecuniary profit.

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

By Jepson of Woodbury, House file No. 13, a bill for an act to amend section 2942 F, of supplement to the code, relating to conveyances of real estate by husband or wife.

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

By Powers of Floyd, House file No. 14, a bill for an act to amend section 1272, relating to the filling of vacancies in office.

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

By Stoltenberg of Scott, House file No. 15, 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 Appropriations.

The Speaker announced that he had added the name of Harris of Poweshiek to the committee on Agricultural College.

English of Polk moved that 500 copies of House file No. 1 and 500 copies of House file No. 3 be printed.

Carried.

Lowrey of Calhoun submitted the following report and moved its adoption:

REPORT OF COMMITTEE.

MR. SPEAKER—Your committee on 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.....	2 p. m.		2 p. m.		3 p. m.	
Agriculture.....			4 p. m.			2 p. m.
Railroads and Commerce.....		3 p. m.		3 p. m.		
Printing.....		4 p. m.				4 p. m.
<b>ROOM 6—</b>						
Roads and Highways.....		4 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.		
Hospital for Insane.....			2 p. m.		4 p. m.	
Public Charities.....			4 p. m.		2 p. m.	
<b>ROOM 27—</b>						
Elections.....				4 p. m.		2 p. m.
Schools and Text-books.....		2 p. m.		2 p. m.		
Suppression of Intemperance.....		4 p. m.			4 p. m.	
Insurance.....	3 p. m.		3 p. m.			
<b>ROOM 10—</b>						
Congressional Districts.....		2 p. m.		2 p. m.		
Penitentiaries.....			2 p. m.			2 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.		
Institute for Feeble-Minded.....			4 p. m.			4 p. m.
<b>ROOM 11—</b>						
Pharmacy.....		2 p. m.			4 p. m.	
Appropriations.....			2 p. m.	2 p. m.	2 p. m.	
Normal Schools.....	4 p. m.			4 p. m.		
College for the Blind.....			4 p. m.			2 p. m.
Institute for Deaf.....	2 p. m.					4 p. m.
<b>ROOM 2—</b>						
Constitutional Amendments.....		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 12—</b>						
Representative Districts.....	2 p. m.				2 p. m.	
Domestic Manufactures.....	3 p. m.				3 p. m.	
County and Twp. Organization.....		4 p. m.		4 p. m.		
Telegraph, Telephone and Ex.....			3 p. m.	3 p. m.		
<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. m.		
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.		
Claims.....			2 p. m.			2 p. m.
<b>SPEAKER'S ROOM—</b>						
Committee on Rules.....						
<b>ROOM 7—</b>						
Labor.....		4 p. m.			4 p. m.	
Public Lands and Buildings.....	2 p. m.			2 p. m.		
Public Libraries.....			2 p. m.			
Building and Loan.....			4 p. m.		2 p. m.	
<b>ROOM 15—</b>						
Public Health.....			2 p. m.			2 p. m.
Banks and Banking.....		2 p. m.		2 p. m.		
Municipal Corporations.....		4 p. m.		4 p. m.		
Compensation of Pub. Officers.....	4 p. m.				4 p. m.	
Private Corporations.....			4 p. m.			4 p. m.

Room 5—Chief Clerk.

Room 4—Journal Clerk.

Room 3—File Clerk.



We further recommend that the report be printed and each member be supplied with a copy.

J. H. LOWREY,  
EMORY H. ENGLISH,  
L. L. DE LANO,  
*Committee.*

Adopted.

Calderwood of Scott offered the following concurrent resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved by the House, the Senate concurring,* That the Secretary of State be authorized to publish ten thousand copies of the Iowa Official Register of 1904 in addition to the amount authorized in the code and the amount authorized by the concurrent Resolution adopted by the House and Senate, January 13, 1904. That one thousand copies of the Iowa Official Register of 1904 be bound in cloth with gilt letters, and that the state binder be paid fifteen cents per volume, in full, for folding, sewing and binding said one thousand copies in cloth.

Adopted.

On motion of Kendall of Monroe the House adjourned until this afternoon at 2 P. M.

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#### AFTERNOON SESSION.

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

Chief Clerk made assignment of desks to the accredited representatives of the press as follows: Julian Richards, Chicago Tribune, No: 115; George Authier, Register and Leader, No. 113; Leon Brown, Register and Leader, No. 101; Ora Williams, News, 103; Fred H. Gaston, Capital, No. 105.

#### PETITIONS AND MEMORIALS.

Cummings of Marshall presented petition of citizens of Dallas county relative to the road law.

Referred to committee on Roads and Highways.

Stoltenberg of Scott presented petition of citizens of Scott county relative to the road law.

Referred to committee on Roads and Highways.

Powers of Floyd presented petition of citizens of Floyd county relative to child labor.

Referred to committee on Labor.

Lowrey of Calhoun presented petition of citizens of Calhoun county relative to child labor.

Referred to committee on Labor.

#### INTRODUCTION OF BILLS

By Crose of Page, House file No. 16, a bill for an act in relation to the County levy for bridge purposes.

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

By Hambleton of Mahaska, House file No. 17, a bill for an act to amend section 4808 of the code, relative to obstructing and defacing of roads.

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

#### REPORT OF COMMITTEE.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 5, a bill for an act to repeal sections 4136 and 4137 of the code of 1897, relating to assignments of error in appeals to the supreme court, 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

On motion of Kendall of Monroe, unanimous consent being granted, House file No. 5, a bill for an act to repeal sections 4136 and 4137 of the code of 1897, relating to assignments of error in appeals to the supreme court, and to enact a substitute therefor, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Kendall moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carstensen, Cassel, Cheney, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Wise, Wright, Mr. Speaker—86.

The nays were:

None.

Absent or not voting:

Messrs. Chassell, Christianson, Greeley, Koontz, Carden, McAllister, McClurkin, Manning, Pritchard, Saylor, Springer, Willson, Wyland, Langan—14.

So the bill passed and the title was agreed to.

The following committee clerks were sworn in and signed the oath:

STATE OF IOWA, }  
POLK COUNTY, } ss.

January 27, 1904.

I do solemnly swear that I will support the constitution of the United States and 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.

J. C. Bennett, Roads and Highways.

J. M. Watcher, Fish and Game.

Emma Swartzendruber, Banks and Banking.

Geo. F. Shannon, Telegraph, Telephone and Express.

Georgia Herring, Railroads and Commerce.

Inez Canfield, Building and Loan.

On request Chassell of Plymouth and Carden of Henry, were excused until Monday.

On motion of Mattes of Sac the House adjourned until Thursday morning, January 28, 1904, at 10 o'clock A. M.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 28, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by Rev. L. F. Troutman of Garner, Iowa.

The Journal of Wednesday, January 27, was corrected and approved.

PETITIONS AND MEMORIALS.

Koontz of Johnson presented petition of citizens of Johnson county asking the repeal of the road law.

Referred to committee on Roads and Highways.

Offill of Jasper presented petition of citizens of Jasper county relative to the repeal of the road law.

Referred to committee on Roads and Highways.

Conn of Butler presented petition of citizens of Butler county relative to the road law.

Referred to committee on Roads and Highways.

Skinner of Union presented petition of the board of supervisors of Union county relative to the pardoning of G. A. Williams.

Referred to committee on Pardons.

Jones of Montgomery presented three petitions of citizens of Montgomery county relative to the road law.

Referred to committee on Roads and Highways.

Hakes of Pocahontas presented petition of citizens of Pocahontas county relative to the repeal of the road law.

Referred to committee on Roads and Highways.

Teter of Marion presented petition of citizens of Marion county relative to the repeal of the road law.

Referred to committee on Roads and Highways.

Geneva of Keokuk asked unanimous consent to have concurrent resolution offered by him relative to ex-Auditor Merriam referred to committee on Retrenchment and Reform.

Granted.

Wyland of Shelby offered the following resolution and moved that the rule be suspended and the resolution adopted:

WHEREAS, The Hon. J. R. Boyd of Defiance, Iowa, an honored member of this House in the Twenty-seventh General Assembly, and a gallant soldier of the war of the rebellion, passed away at Cleveland, Ohio, January, 1904, therefore, be it

*Resolved*, That a committee of three be appointed to present resolutions commemorating his service to the state and nation.

Adopted.

The Speaker announced as such committee, Wyland of Shelby, Weeks of Guthrie and DeLano of Cass.

Buchanan of Wapello offered the following resolution and moved that the rule be suspended and the resolution adopted:

WHEREAS, The Hon. James R. Burgess, a member of the Twenty-first and Twenty-second General Assemblies, departed this life at Ottumwa, Iowa,

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

Adopted.

The Speaker announced as such committee, Buchanan of Wapello, Cassel of Jefferson and Whitmer of O'Brien.

McNie of Benton offered the following resolution and moved that the rule be suspended and the resolution be adopted:

WHEREAS, The Honorable Alexander Runyon, Sr., of Benton county, an honored member of the House from 1864 to 1866 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.

Adopted.

Speaker appointed as such committee, McNie of Benton, Carden of Henry and Willson of Washington.

McCreary of Appanoose offered the following concurrent resolution and moved that the rules be suspended and the resolution be adopted:

*Be it resolved, by the House, the Senate concurring,* That a committee of three be appointed by the Speaker of the House to co-operate with a similar committee to be appointed by the President of the Senate, to prepare and report appropriate resolutions respecting the life, character and public services of Governor F. M. Drake, lately deceased.

Adopted.

Speaker appoints as committee on part of House, Kendall of Monroe, Teachout of Polk, Frudden of Dubuque.

#### INTRODUCTION OF BILLS.

By Bailey of Ringgold, House file No. 18, a bill for an act to close rural schools and for the transportation of children.

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

By Buchanan of Wapello, House file No. 19, a bill for an act repealing part of section 2540 of the code supplement relating to fishing in the waters of the state.

Read first and second time and referred to committee on Fish and Game.

By Cobb of Taylor, House file No. 20, a bill for an act to amend section 1306-B of the supplement to the code of Iowa, section 2, chapter 41 of the acts of the Twenty-eighth General Assembly, relating to the limit of indebtedness of political and municipal corporations.

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

By Cobb of Taylor, House file No. 21, a bill for an act to provide for the compiling and publishing of a roster of all Iowa soldiers and sailors.

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

By Doran of Boone, House file No. 22, a bill for an act to establish a uniform primary and caucus system for the nomination of candidates for state office and the various officers in the towns, cities, townships, counties, and representative, senatorial and judicial districts of Iowa.

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

By Greeley of Story, House file No. 23, a bill for an act to provide for the levy of a special tax of one-tenth of a mill on the dollar of assessed valuation of the taxable property of the state for the support of experiment station work.

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

By Hart of Allamakee, House file No. 24, a bill for an act requiring the licensing of honorably discharged soldiers, sailors and marines to vend, hawk or peddle goods, wares or merchandise in cities and towns without cost, and providing penalties for violation of same.

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

By Head of Greene, House file No. 25, a bill for an act to amend section 1889 of chapter 12 of the code in relation to savings and state banks and loan and trust companies, and the capital and examination thereof.

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

By Jones of Montgomery, House file No. 26, a bill for an act relating to the construction of permanent sidewalks, and providing for the assessment and collection of the cost thereof.

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

By Laird of Fremont, House file No. 27, a bill for an act to amend section 1418 of the code, relating to the time for which real estate may be sold for taxes.

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

By Lowrey of Calhoun, House file No. 28, a bill for an act legalizing the organization of the independent school district of Somers, located in Calhoun County, Iowa.

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

By Lundt of Tama, House file No. 29, a bill for an act to prevent epidemics of contagious and infectious diseases.

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

By Lundt of Tama, House file No. 30, a bill for an act to place the ballot on a higher and more moral level.

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

By McElrath of Woodbury, House file No. 31, a bill for an act requiring boards of Supervisors to make yearly estimates of the revenue and income in county funds and limiting county expenditures to such estimates.

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

Offill of Jasper, House file No. 32, a bill for an act to amend section 2022 of the code, relating to private crossings or passways under the railways, for horses and cattle.

Read first and second time and referred to committee on Railroads and Commerce.

By Powers of Floyd, House file No. 33, a bill for an act providing for the closing of schools and for the transportation of children to adjoining rural schools.

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

By Powers of Floyd, House file No. 34, a bill for an act providing for state aid to rural schools.

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

By Pritchard of Wright, House file No. 35, a bill for an act to amend section 1946 of the code relating to the apportionment and assessment of the costs of levees, drains, ditches and water courses.

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

By Pritchard of Wright, House file No. 36, a bill for an act to promote the public health, convenience and welfare, by providing for the location, establishment and construction of ditches, drains or water courses and prescribing a method for so doing.

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



By Sankey of Decatur, House file No. 38, a bill for an act to amend section 2022 of the code of 1897, relating to private crossings.

Read first and second time and referred to committee on Railroads and Commerce.

By Stanbery of Cerro Gordo, House file No. 39, a bill for an act providing for the erection of grain warehouses and grain elevators, on or near the right-of-way of railways, and providing for condemnation proceedings in connection therewith.

Read first and second time and referred to committee on Railroads and Commerce.

By Weeks of Guthrie, House file No. 40, a bill for an act relating to highways and providing for the establishment of a state highway department, by the appointment of a state highway commissioner and assistant, and defining the powers and duties thereof.

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

By Wise of Black Hawk, House file No. 41, a bill for an act making appropriations for the support and development of the Iowa State Normal School.

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

By Wright of Webster, House file No. 42, a bill for an act relating to dower, and additional to section 3366 of the code of 1897.

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

By Cummings of Marshall, House file No. 43, a bill for an act to regulate the employment of child labor and to provide for the enforcement thereof, additional to chapter 8, title XXI of the code.

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 passed the following concurrent resolution in which the concurrence of the Senate was asked:

Concurrent resolution relative to printing Governor's inaugural address.

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 printing of 10,000 additional copies of the Iowa Official Register, and that 1,000 copies be bound in cloth, and that the State Binder be paid fifteen cents per volume in full for folding, sewing and binding said 1,000 copies.

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 appointment of a joint committee of three members from the Senate, to be appointed by the President, and three members from the House, to be appointed by the Speaker, together with the Capitol Commission, to investigate the needed repairs caused by the fire in the Capitol building.

And named on the part of the Senate, Senators Smith of Mitchell, Stuckslager and Stirton.

GEO. A. NEWMAN,  
*Secretary.*

Buchanan of Wapello moved that the Sergeant-at-Arms be requested to furnish the chairs necessary to seat the visitors to this House

Carried.

On request Hanna of Kossuth was excused until Monday.

Kendall of Monroe offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved*, That all memorial resolutions, together with such remarks thereon as the House may order printed, be incorporated in the concluding pages of the bound volume of the Journal.

Adopted.

Willie Stryker, page, was sworn in and signed the oath.

On motion of Temple of Clarke the House adjourned until tomorrow, Friday, January 29, at 10 o'clock A. M.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, FRIDAY, January 29, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Reverend James Patterson of Des Moines.

Journal of Thursday, January 28, was corrected and approved.

Lowrey of Calhoun asked unanimous consent to recall House file No. 28 from the Judiciary committee.

Granted.

Buckingham of Buena Vista and Manning of Lucas announced that they had exchanged seats, the former taking seat No. 85 and the latter seat No. 92.

Pritchard of Wright asked unanimous consent to recall House file No. 35 from the committee on Agriculture and have it referred to the Judiciary committee.

Granted.

PETITIONS AND MEMORIALS.

DeLano of Cass presented six petitions of citizens of Cass county relative to the repeal of the road law.

Referred to committee on Roads and Highways.

Wyland of Shelby presented petition of the Farmers' Institute of Shelby county, to compel telephone companies, when two or more enter the same town, to make connections.

Referred to committee on Telegraph, Telephone and Express.

Coburn, of Cherokee presented petition of citizens of Cherokee county, asking repeal of present road law.

Referred to committee on Roads and Highways

McNie of Benton presented petition of Belle Plaine citizens regarding the child labor law.

Referred to committee on Labor.

REPORT OF COMMITTEE.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 13, a bill for an act to amend section twenty-nine hundred forty-two-F (2942-F) of the supplement to 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 adopting the substitute submitted herewith, and that when so amended the same do pass.

SUBSTITUTE AS AMENDMENT FOR HOUSE FILE NO. 13.

A bill for an act to amend section twenty-nine hundred forty-two-F (2942-F) of the supplement to the code of Iowa, relating to the conveyance of real estate by husband or wife.

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

Section 1. That section twenty-nine hundred forty-two-F (2942-F), chapter six (6), title fifteen (15) of the supplement to the code be, and the same is, hereby amended by striking out the word "each" in the fourth line thereof, and substituting the word "such" in lieu thereof.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS.

By Buckingham of Buena Vista, House file No. 44, a bill for an act to amend section 2340 of the code, relating to damage done by dogs.

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

By Cassel of Jefferson, House file No. 45, 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 Coburn of Cherokee, House file No. 46, a bill for an act appropriating money for the benefit of the Cherokee State Hospital.

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

By Colclo of Carroll, House file No. 47, a bill for an act to amend section 2775 of the code of 1897 of the state of Iowa relating to the course of study in public schools so as hereafter to read as follows.

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

By Cummings of Marshall, House file No. 48, a bill for an act to amend sections 648 and section 651, of the code, relating to election and appointment of city officers in cities of the second class.

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

By Davie of Crawford (by request), House file No. 49, a bill for an act to amend section 686 of the code, relating to the publication of ordinances.

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

By English of Polk, House file No. 50, a bill for an act to amend section 5256 of the code, relating to clerks of grand juries, and providing for the appointment and the compensation thereof.

Read first and second time and referred to the committee on Compensation of Public Officers.

By Freeman of Pottawattamie, House file No. 51, a bill for an act amending section 4011 of the code, relating to the exemption of the personal earnings of non-resident debtors who are the heads of families.

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

By Hambleton of Mahaska, House file No. 52, a bill for an act against docking horses.

Read first and second time and referred to committee on Animal Industry.

By Harris of Poweshiek, House file No. 53, a bill for an act to amend sections 1106, 1109 and 1119 of the code of 1897 and to repeal section 1120 of the code of 1897, and to enact a substitute.

therefor, relating to the form of the official ballot, to the printing thereof and to the manner of marking the same, by the voter.

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

By Hart of Allamakee, House file No. 54, a bill for an act prohibiting insurance companies, other than life, from taking notes in payment of the premiums or assessments, payable at a place other than in the county of the residence of the insured or where the property insured is located, and providing penalties for the violation thereof.

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

By Head of Greene, House file No. 55, a bill for an act to require administrators, executors and guardians to file certificate of the 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, amendatory of chapter 2, title XVII of the code, relating to wills and letters of administration.

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

By Head of Greene, House file No. 56, a bill for an act providing for the filing of certified copies of the will of any deceased resident of this state, and of the original record of probate thereof in any other county in which property affected by such will is situated, amendatory of chapter 2, title XVII of the code, relating to wills and letters of administration.

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

By Lowrey of Calhoun, House file No. 57, a bill for an act making an appropriation for the payment of certain costs which were incurred by reason of the intervention of the State of Iowa in certain suits originally commenced in the district court of Humboldt county, Iowa.

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

By Lundt of Tama, House file No. 58, a bill for an act to repeal all of chapter 53 of the Twenty-ninth General Assembly and

to amend sections 1535, 1553 and 1554 of the code, in relation to the working of roads and highways.

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

By Mattes of Sac, House file No. 59, a bill for an act to prohibit shooting live birds from traps, and providing a penalty for the violation thereof.

Read first and second time and referred to committee on Fish and Game.

By Mattes of Sac, House file No. 60, a bill for an act to appropriate money in aid of the quarterly conferences of the chief executive officers of the institutions under the management of the Board of Control of the state institutions.

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

By Mattes of Sac, House file No. 61, a bill for an act to appropriate money for the inspection of county and private institutions wherein insane persons are kept.

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

By Morris of Sioux, House file No. 62, a bill for an act to amend section 2159 of the code, relating to the placing of telegraph and telephone poles.

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

By Stanbery of Cerro Gordo, House file No. 63, a bill for an act to amend section 2406 of the code, relating to sale of intoxicating liquors, to actions and withdrawal of same without leave of court.

Read first and second time and referred to committee on Suppression of Intemperance.

Powers of Floyd offered the following concurrent resolution:

*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 like committee of three to be appointed by the President of the Senate, to investigate the advisability of manufacturing binding twine at the State prisons in the State of Iowa to be sold to the farmers of Iowa at cost, and the probable cost of



equipping plants for that purpose, and make a report of their findings to the House and Senate on or before the first day of March.

Cassel of Jefferson offered the following resolution:

*Resolved by the House, the Senate concurring,* That this, the Thirtieth General Assembly, adjourn *sine die*, Thursday, March 24, 1904, at 12 o'clock noon.

Spaulding of Howard offered the following resolution and moved that the rules be suspended and the resolution be adopted:

WHEREAS, The Hon. W. K. Barker, an honored member of the Twentieth General Assembly from Howard county, and a soldier in the War of the Rebellion, departed this life at his home in Cresco, Iowa, on the 11th day of November, 1902, therefore, be it

*Resolved,* That a committee of three be appointed to present resolutions commemorative of his life and services to the state and nation.

Speaker appointed as such committee, Spaulding of Howard, Temple of Clarke, Clary of Chickasaw.

Frudden of Dubuque offered the following resolution and moved that the rule be suspended and the resolution be adopted:

WHEREAS, The Hon. John B. Longueville of Dubuque county, an honored member of this House in the Twelfth General Assembly, departed this life on the 7th day of September, 1903; therefore, be it

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

Speaker appointed as such committee, Frudden of Dubuque, Carstensen of Clinton, Powers of Floyd.

Ritter of Des Moines offered the following resolution and moved that the rule be suspended and the resolution be adopted:

WHEREAS, The Honorable A. H. Kuhlmeier of Des Moines county, an honored member of the House in the Nineteenth General Assembly, departed this life at Burlington, Iowa, on the.....day of November, 1903.

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

Speaker appointed as such committee Ritter of Des Moines, Koontz of Johnson, Stoltenberg of Scott.

#### 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:

A Bill for an act for an appropriation to defray the expenses of the inaugural 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:

Relative to making an appropriation for the purchase of land for the use of the Iowa Soldiers' Orphans' Home.

GEO. A. NEWMAN,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate file No. 6, a bill for an act making an appropriation for the purchase of land for the use of the Iowa Soldiers' Orphans' Home.

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

Senate file No. 28, a bill for an act making an appropriation to defray the expenses of the Inaugural ceremonies.

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

On motion of Lowrey of Calhoun House file No. 28, a bill for an act legalizing the organization of the independent school district of Somer, located in Calhoun county, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Kendall of Monroe moved to amend House file twenty-eight (28), by striking out the last three lines of section one (1) and inserting in lieu thereof the following: "are hereby legalized and declared in force and effect as fully and completely as if all the provisions of the law had been complied with in respect to the organization of said independent school district. Provided, that nothing herein shall affect pending litigation."

Adopted.

Lowrey of Calhoun moved that the rule 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:

Bailey, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carstensen, Cassel, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—93.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Carden, Chassell, Hanna, Langan, Pritchard, Saylor—7.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, Senate concurrent resolution relative to repairs in the Capitol, was taken up and considered, and the House concurred in the resolution.

On request, Welden of Hardin was excused until Monday.

On Motion of McNie of Benton, the House adjourned until tomorrow morning, January 30, 1904, at 10:00 o'clock A. M.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Saturday, January 30, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by Rev. D. G. Bruce of Des Moines.

Journal of Friday, January 29, was corrected and approved.

The Journal of Thursday, January 14, was corrected to show that the name of Mattes of Sac should appear on the committee on Railroads and Commerce.

On request of Offill of Jasper he was excused until Monday, owing to sickness in his family.

On request Cummings of Marshall was excused until Monday.

On request Greeley of Story was excused until Monday.

Kendall of Monroe presented remonstrance of 1,000 citizens of Monroe county against the pardon of John Steele.

Referred to committee on Pardons.

McClurkin of Louisa presented petition of citizens of Louisa county relative to repeal of the road law.

Referred to committee on Roads and Highways.

McClurkin of Louisa presented remonstrance of citizens of Louisa county relative to the pardon of Orman McPherson.

Referred to committee on Pardons.

McNie of Benton presented petition of the St. Cecelia club of Belle Plaine regarding child labor law.

Referred to committee on Labor.

Lamkin of Lyon presented petition of citizens of Osceola county relative to road law.

Referred to committee on Roads and Highways.

Hakes of Pocahontas presented petition of citizens of Pocahontas county relative to road law.

Referred to committee on Roads and Highways.

Powers of Floyd presented petition of citizens of Floyd county relative to an act providing for the erection of grain elevators on or near the right of way of railways, and providing for condemnation proceedings in connection therewith.

Referred to committee on Railroads and Commerce.

Harris of Poweshiek presented petition of citizens of Poweshiek county relative to the Benedict Home of Des Moines.

Referred to committee on Public Charities.

#### REPORTS OF COMMITTEES.

Mattes of Sac, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 6, a bill for an act making an appropriation for the purchase of land for the use 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 do pass.

JOSEPH MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 28, a bill for an act making an appropriation to defray the expenses of the inaugural 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 do pass.

JOSEPH MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations to whom was referred, House file No. 61, a bill for an act to appropriate money for the inspection

of county and private institutions wherein 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.

JOSEPH MATTES,  
*Chairman.*

Ordered passed on file.

Mr. Wright, from the committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER—Your committee on Constitutional Amendments, to whom was referred joint resolution No. two (2), proposing to amend the constitution of the State of Iowa relating to the apportionment of Senators and Representatives in the 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 said resolution do pass.

R. M. WRIGHT,  
*Chairman.*

Ordered passed on file.

Powers of Floyd called up the concurrent resolution relative to the appointment of a joint committee to investigate the advisability of manufacturing binding twine in the state penitentiaries.

Weeks of Guthrie moved to amend same by inserting after the word "purpose" in the sixth line thereof, the following: "and practicability of using all male prisoners physically able, and whose sentence is for one year or more, in performing labor upon the highways of the state."

Amendment adopted.

Resolution as amended adopted.

#### INTRODUCTION OF BILLS.

By Buckingham of Buena Vista, House file No. 64, a bill for an act to amend section 431 of the code of Iowa, 1897, relative to the Soldiers' Relief Commission.

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

By DeLano of Cass, House file No. 65, a bill for an act to amend section 3505 of the code of 1897, relating to the grounds

for changing the place of trial in civil actions and to add subdivision 6 thereto.

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

By Doran of Boone, House file No. 66, a bill for an act relating to contracts limiting the liability of railway companies in the transportation of property and additional to section 2074 of the code of 1897.

Read first and second time and referred to committee on Railroads and Commerce.

By Dow of Franklin, House file No. 67, a bill for an act to limitate the time for foreclosure of mortgages and to prevent said mortgages being a lien on real estate described therein, after the expiration of fifteen years after maturity of the whole debt secured by said mortgage.

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

By Dow of Franklin, House file No. 68, a bill for an act to amend section No. 1376 of the code, relative to the assessment of taxes.

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

By Dow of Franklin, House file No. 69, a bill for an act to amend section 881 of the code, relative to condemnation and purchase of land for sewer outlets and for sewer and garbage disposal plants.

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

By Hambleton of Mahaska, House file No. 70, a bill for an act authorizing cities and towns to levy a tax for the purpose of erecting public buildings and purchasing grounds for the same.

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

By Jacobson of Winneshiek, House file No. 71, a bill for an act providing for the payment of claims due persons who, during the War of the Rebellion, performed services in the organization of state militia.

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

By Laird of Fremont, House file No. 72, a bill for an act to repeal section 1 of chapter 128 of the acts of the Twenty-ninth General Assembly, and to enact a substitute therefor relating to compulsory education.

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

By McAllister of Linn, House file No. 73, a bill for an act to amend chapter 6 of title III of the code, relating to superior courts, their jurisdiction, the number of jurors in said courts and the times and manner of drawing the same, repealing section 273 of the code, relating to judgments of said courts and enacting a substitute in lieu thereof; and repealing chapter 10 of the acts of the Twenty-eighth General Assembly relating to changes of venue from said courts.

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

By Prevo of Davis, House file No. 74, a bill for an act to require common carriers of persons to provide bulletin boards in all passenger depots, and to keep posted thereon the belated trains and the approximate time of their arrival.

Read first and second time and referred to committee on Railroads and Commerce.

By Sankey of Decatur, House file No. 75, a bill for an act in relation to insurance.

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

By Sankey of Decatur, House file No. 76, a bill for an act in relation to private banks.

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

By Sankey of Decatur, House file No. 77, a bill for an act to legalize the election for the incorporation of the town of Le Roy, Decatur county, Iowa.

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



By Sankey of Decatur, House file No. 78, a bill for an act in relation to text-books in the public schools of the State of Iowa.

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

By Stanbery of Cerro Gordo, House file No. 79, a bill for an act authorizing cities and towns to purchase, establish maintain and operate sewage and garbage disposal plants.

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

By Stanbery of Cerro Gordo, House file No. 80, a bill for an act for the better protection of birds and their nests and eggs.

Read first and second time and referred to committee on Fish and Game.

By Stanbery of Cerro Gordo, House file No. 81, a bill for an act repealing section 738 of the code.

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

By Stanbery of Cerro Gordo, House file No 82, a bill for an act to amend section 716 of the code, relative to the levy for fire fund.

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

By Stanbery of Cerro Gordo, House file No. 83, a bill for an act providing for the placing and maintenance of switch lights on main track switches of steam railroads, providing for the colors to be used therein, and imposing penalties for the violation thereof.

Read first and second time and referred to committee on Railroads and Commerce.

By Teter of Marion, House file No. 84, a bill for an act to repeal section 4914 of the code and for the enactment of a substitute therefor; and for the amendment of chapter 8 of title XXIV of the code, relative to offenses against the rights of suffrage.

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

By Wise of Black Hawk, House file No. 85, a bill for an act to amend chapter 5, title V of the code, relative to the purchase and construction of water works.

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

By Wise of Black Hawk, House file No. 86, a bill for an act to provide for the construction of sewers by incorporated towns.

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

Temple of Clarke offered the following joint resolution:

HOUSE JOINT RESOLUTION NO. 3.

*Be it enacted by the General Assembly of the State of Iowa;* That the joint committee on Retrenchment and Reform be empowered to employ a competent expert accountant or accountants, to investigate the accounts of the Board of Control of State Institutions and the accounts of such other departments as may seem expedient.

Read first and second time.

Temple of Clarke asked unanimous consent to take up House Joint Resolution No. 3 at this time.

Objection being made by Robinson of Emmet the joint resolution went over.

Nichols of Muscatine offered the following resolution:

*Resolved,* That no measure carrying an appropriation of public money shall be considered unless introduced in the House prior to March 1, 1904.

Buckingham of Buena Vista asked unanimous consent to recall House file No. 44 from the Judiciary committee and refer same to committee on Animal Industry.

Granted, and the bill was so referred.

De Lano of Cass offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved,* That the State Printer be and is hereby directed to print two hundred additional copies each of House files Nos. 6 and 7, for the use of the members of the House.

Adopted.

Bealer of Linn offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved*, That the Mutual Telephone company be and is hereby directed to place a telephone in the cloak room during the session.

Adopted.

Teachout of Polk offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved*, That George Cliggett be and is hereby permitted to place a barber chair in the cloak room.

Adopted.

Whiting of Monona offered the following resolution for Cummings of Marshall, and moved that the rule be suspended and the resolution be adopted:

WHEREAS, through the generosity of the Senate of the Thirtieth General Assembly, the House of Representatives was provided with a home during the opening week of the session; and

WHEREAS, It would be fitting to show in a substantial manner, the appreciation of this body for such generosity, therefore be it

*Resolved*, That a committee of three be appointed by the Speaker to provide, arrange and conduct a session Tuesday evening, February 2d, to be held under the House canvas, to which the members of the Senate and their friends shall be invited.

Speaker appointed as such committee, Cummings of Marshall, Whiting of Monona, McElrath of Woodbury.

Hambleton of Mahaska offered the following concurrent resolution and moved that the rule be suspended and the resolution be adopted:

Adopted.

WHEREAS, We recognize that through the recent death of a noble Christian mother, our chief executive, Gov. Albert B. Cummins, has sustained one of the greatest losses that can come to man during life; therefore be it

*Resolved, by the House, the Senate concurring*, That the Thirtieth General Assembly hereby tender to him in the midst of his executive duties our heartfelt condolence and sympathy, trusting that as have been evidenced in the past life and character of the son, we may see even in greater degree in his future life, certain fruitage of the highest and best elements of character which come to us as the priceless heritage of a saintly Christian motherhood.

Adopted.

Hart of Allamakee offered the following concurrent resolution and moved that the rule be suspended and the resolution be adopted:

*Be it Resolved, by the House, the Senate concurring,* That the Board of Control of State Institutions be requested to investigate or have investigated the property located at Knoxville, belonging to the state, formerly used as an Industrial Home for the Blind, to determine its availability as a place of detention for inebriates and estimate the probable cost of making such changes, additions and improvements as may be necessary to adapt said property to such use and to report the result of such investigations and estimate to this Legislature by the 20th day of February, A. D. 1904, or the earliest practicable day thereafter.

Adopted.

On motion of Mattes of Sac, unanimous consent being granted, Senate file No. 6, a bill for an act making an appropriation for the purchase of land for the use of the Iowa Soldiers' Orphans' Home, 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, 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, Bealer, Bixby, Boland, Buckingham, Calderwood, Carstensen, Cassel, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Frudden, Geneva, Hakes, Hambleton, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—88.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Carden, Chassell, Cummings, Freeman, Greeley, Greene, Gregory, Hanna, Offill, Saylor, Welden—12.

So the bill passed and the title was agreed to.

On motion of Mattes of Sac, unanimous consent being granted Senate file No. 28, a bill for an act making an appropriation to defray the expenses of the inaugural ceremonies, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mattes of Sac moved that the rule 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. Bealer, Bixby, Boland, Buckingham, Calderwood, Carstensen, Cassel, Cheney, Christianson, Clary, Cobb, Colclo, Conn, Crose, Dashiell, Davie, Delanc, Doran, Dow, English, Flenniken, Frudden, Geneva, Hakes, Hambleton, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Mattes, Morris, Mott, Nichols, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Whiting, Willson, Wise, Wright, Wyland and Mr. Speaker—79.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Buchanan, Carden, Chassell, Coburn, Cummings, Freeman, Greeley, Gregory, Hanna, Harris, Hart, Koontz, Martin, Offill, Saylor, Temple, Weeks, Welden, Whitmer—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 passed the following bill in which the concurrence of the Senate was asked:

House file No. 5, relative to the repeal of sections 4136 and 4137 of the code, relating to assignments of error in appeals to the supreme court, and to enact a substitute therefor.

GEO. A. NEWMAN,  
*Secretary.*

Speaker appointed on the part of the House as members of the joint committee to investigate the matter of repairs of the capitol, Wise of Black Hawk, Flenniken of Clayton, Clary of Chickasaw.

On motion of Mattes of Sac, the House adjourned until Monday, February 1, 1904, at 2 o'clock P. M.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 1, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. Andrew Hancox of Ogden, Iowa.

Journal of Saturday, January 30, was corrected and approved.

Geneva of Keokuk presented petition of citizens of Keokuk county, relative to the repeal of the road law.

Referred to committee on Roads and Highways.

Frudden of Dubuque presented petition of citizens of Dubuque county relative to the repeal of the road law.

Referred to committee on Roads and Highways.

Leech of Cedar presented petition of citizens of Cedar county relative to child labor.

Referred to committee on Labor.

English of Polk presented petition of citizens of Polk county relative to an appropriation for the Benedict Home.

Referred to committee on Public Charities.

Heles of Dubuque presented remonstrance of Board of Supervisors of Dubuque county relative to the pardoning of Hugh Robbard and L. W. Haley.

Referred to committee on Pardons.

Cassel of Jefferson called up the resolution offered by him relative to adjourning sine die March 24, 1904, and moved its adoption.

Lost.

Davie of Crawford offered the following resolution and moved that the rule be suspended and the resolution adopted:

WHEREAS, Hugh Langan, an honored member of the Twenty-ninth General Assembly from Crawford county, departed this life June 10th, 1902, at Clinton, Iowa; therefore, be it

*Resolved*, That a committee of three be appointed to present resolutions commemorative of his life and services to the state.

Adopted.

Speaker appointed as such committee, Davie of Crawford, Greene of Madison and Greeley of Story.

#### INTRODUCTION OF BILLS.

By Cassel of Jefferson, House file No. 87, a bill for an act to amend the laws of Iowa concerning insurance other than life by repealing section 1742 and substituting therefor the following.

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

By Frudden of Dubuque, House file No. 88, a bill for an act to amend title XVII, chapter 9 of the code of Iowa with reference to procedure in courts of original jurisdiction.

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

By Frudden of Dubuque, House file No. 89, a bill for an act to amend sections 3705 and 3708 of the code of Iowa with reference to instructions to juries.

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

By Frudden of Dubuque, House file No. 90, a bill for an act to amend section 3704 of the code, relating to arguments of attorneys.

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



By Frudden of Dubuque, House file No. 91, a bill for an act to amend section 3301 of the code of Iowa, in relation to costs of bonds of administrators or executors.

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

By Greene of Madison, House file No. 92, a bill for an act to amend section 4011, chapter 3, title XIX, of the code of 1897, State of Iowa, relating to personal earnings.

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

By Hollembeak of Adair, House file No. 93, a bill for an act to amend subdivision 1 of section 1528, and section 1530, chapter 2, title VIII, supplement of 1902 to the code.

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

By Jepson of Woodbury, House file No. 94, a bill for an act to amend section 2297, title XII, chapter 2 of the code, relating to the liability of estates of insane persons and certain relatives of insane persons for certain fees, costs and expenses.

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

By Jepson of Woodbury, House file No. 95, a bill for an act to amend section 1538, title VIII, chapter 2 of the code, relating to the compensation of township trustees.

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

By Lamkin of Lyon, House file No. 96, a bill for an act providing for the re-recording of instruments in which errors have been made in recording.

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

By McAllister of Linn, House file No. 97, a bill for an act to regulate the right of suffrage, and punishment of refusal or neglect to exercise same.

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

On request of Mattes of Sac leave of absence was granted Bealer of Linn until Tuesday, February 2d.

On request of Mattes of Sac leave of absence was granted Chassell of Plymouth until tomorrow morning.

On request of Leech of Cedar leave of absence was granted Buchanan of Wapello until tomorrow morning.

On request of Morris of Sioux, leave of absence was granted Buckingham of Buena Vista until tomorrow morning.

On request leave of absence was granted Koontz of Johnson, and Wright of Webster until tomorrow morning.

The name of Manning of Lucas is added to the committee of Ways and Means and the committee of Railroads and Commerce.

On motion of Jepson of Woodbury, House adjourned until tomorrow morning, Tuesday, February 2d, at 10 o'clock A.M.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, February 2, 1904. }

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

Prayer was offered by the Reverend H. J. Everly of Bloomfield, Iowa.

Journal of Monday, February 1st, was corrected and approved.

Hollembek of Adair asked unanimous consent that House file No. 93 be recalled from the Judiciary committee and referred to the committee on Roads and Highways.

Granted, and the bill was so referred.

On request, leave of absence was granted Geneva of Keokuk until tomorrow morning.

PETITIONS AND MEMORIALS.

McAllister of Linn presented memorial of Linn County Farmers' Institute, asking that the present road law be not repealed.

Referred to committee on Roads and Highways.

Bailey of Ringgold presented memorial of board of supervisors and trustees of Dallas county, relative to road law.

Referred to committee on Roads and Highways.

Cummings of Marshall submitted the following report of special committee :

MR. SPEAKER—Your committee to whom was referred the arrangements for a special joint session to be held Tuesday evening, February 2d, under the House canvas, to which the Senate and its friends be invited, beg leave to report that the preliminary arrangements have been completed.

The program for such session provides as follows :

First. The House will convene at 7:45 P. M., this Tuesday evening, occupying seats with their friends on the east side of the House Chamber.

Second. The members of the Senate, with their friends, escorted by the Sergeant-at-arms, Secretary and President pro tem, will be received at 7:55 P. M. by the House and occupy seats on the west side of the House Chamber.

Third. The Governor, Lieutenant-Governor, Speaker of the House and State officers and their friends, escorted by the Adjutant General, will be received at eight o'clock and occupy seats in the parquet, the space between the members' and clerks' desks.

Fourth. A program suitable for the occasion, to consist of addresses of an historical nature concerning Thomas Jefferson, the Louisiana Purchase and the celebration of the same with stereopticon views showing the progress of the world during the past one hundred years and up to the time of the visit of the joint legislative committee to St. Louis, the program being interspersed with appropriate music for congregational singing will be carried out.

Respectfully submitted,

CUMMINGS,  
WHITING,  
MCEL RATH,  
*Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Mr. Greeley of Story, House file No. 98, a bill for an act to repeal section 2674, chapter 4, title XIII of the code of Iowa; also such portion of section one, chapter 152 of the acts of the Twenty-eighth General Assembly as provides an annual appropriation of \$25,000 for repairs, general improvements, current expenses, and additional support for the college; and such portion of section 1, chapter 183 of the acts of the Twenty-ninth General Assembly as provides an annual appropriation of \$35,000 for additional support fund for the college; and to enact a substitute therefor providing for a levy of a special tax of three-tenths of a mill on the dollar upon the assessed valuation of the taxable property of the state, for repairs, general improvements, current expenses, and support, of the Iowa State College of Agriculture and Mechanics Arts.

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

By Mr. McNie of Benton, House file No. 99, a bill for an act making appropriations for the College for the Blind at Vinton, Iowa.

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

By Cummings of Marshall, House file No. 100, a bill for an act appropriating money for the benefit of the Iowa Soldiers' Home at Marshalltown.

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

By Head of Green, House file No. 101, a bill for an act to empower boards of supervisors, township trustees, city and town councils to buy or condemn land for gravel and other material to improve roads, public highways, streets and alleys.

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

By Wright of Webster, House file No. 102, a bill for an act to protect employes in garnishment cases.

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

By Hambleton of Mahaska, House file No. 103, a bill for an act authorizing the establishment and maintenance of hospitals by boards of supervisors, in their respective counties, either with or without the aid of hospital associations, and authorizing such boards to receive and accept aid and donations from them and providing for the management and control thereof and the manner of raising funds to pay the expense of same.

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

By Hambleton of Mahaska, House file No. 104, a bill for an act to amend section 2247 of the code, relating to the expense of supporting the poor.

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

By Calderwood of Scott, House file No. 105, a bill for an act to prohibit the keeping of children in poor houses, and to provide for their removal therefrom to and support in state institutions.

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

By Langan of Clinton, House file No. 106, a bill for an act to legalize the incorporation of the town of Lost Nation, Clinton county, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town.

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

By Kennedy of Lee, House file No. 107, a bill for an act to amend section 227 of the supplement to the code relating to judicial districts.

Read first and second time and referred to committee on Judicial Districts.

By Kennedy of Lee, House file No. 108, a bill for an act to amend section 5716 of the code relating to the compensation of officers and employes of the state penitentiaries.

Read first and second time and referred to committee on Compensation of Public Officers.

Speaker pro tem Cummings in the chair.

By Carstensen of Clinton, House file No. 109, a bill for an act to amend section 2474 of the code of Iowa of 1897, relating to the reporting of accidents to employes.

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

By Maben of Hancock, House file No. 110, a bill for an act to amend section 3496 of the code, relating to the place of bringing action on written contracts.

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

By Leech of Cedar, House file No. 111, a bill for an act to amend section 2564, chapter 16, title XII of the code, relating to the meetings of the state board of health.

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

By committee on Military, House file No. 112, a bill for an act making an appropriation for relief of the Iowa National Guard.

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

By Peet of Jones, House file No. 113, a bill for an act appropriating money for the benefit of the penitentiary at Anamosa.

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

By Jones of Montgomery, House file No. 114, a bill for an act providing for the registration of births and deaths, the compilation of vital statistics, and the supervision of local boards of health.

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

By Whiting of Monona, House file No. 115, a bill for an act to legalize the organization of the independent school district of Soldier, Monona, Iowa, and the acts of its board of directors.

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

Heles of Dubuque offered the following resolution and moved that the rules be suspended and the resolution be adopted:

WHEREAS, The Honorable F. M. Knoll of Dubuque county, an honored member of the House in the Ninth, Seventeenth and Twenty-third General Assemblies, departed this life on the 11th day of June, 1903, at Dubuque, Iowa; therefore be it

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

Adopted.

Speaker appointed as such committee, Heles of Dubuque, Clary of Chickasaw, Flenniken of Clayton.

Buchanan of Wapello offered the following resolution and moved that the rule be suspended and the resolution be adopted:

WHEREAS, The Honorable William McCormick, an honored member of the Seventh General Assembly from Wapello county, died at Highland Center, Iowa, September 28, 1902; therefore, be it

*Resolved*, That a committee of three be appointed to draft suitable resolutions in regard to the life and character of the deceased.

Speaker appointed as such committee, Buchanan of Wapello, Dashiell of Warren, Willson of Washington.

Weeks of Guthrie offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved*, That the State Printer be and he is hereby directed to print and deliver to the House, 200 copies of House file No. 40, in addition to the number provided for in first instance under rules of the House.

Adopted.

Buchanan of Wapello offered the following communication from the Secretary of State :

STATE OF IOWA. }  
OFFICE OF SECRETARY OF STATE. }

I, W. B. Martin, Secretary of State of the State of Iowa, do hereby certify that I selected the papers below named, being two (2) in each Congressional District in the State of Iowa, to publish Joint Resolution No. 5, as passed by the regular session of the Twenty-ninth General Assembly, proposing to amend the constitution of the State of Iowa so as to provide for biennial elections.

First Congressional District.....	{ Burlington Hawkeye; Washington Gazette.
Second Congressional District .....	{ Davenport Republican; Clinton Herald.
Third Congressional District.....	{ Waterloo Reporter; Hampton Chronicle.
Fourth Congressional District. ....	{ Globe Gazette; West Union Gazette.
Fifth Congressional District.....	{ Vinton Eagle; Cedar Rapids Republican.



Sixth Congressional District.....	{ Oskaloosa Herald; Grinnell Herald.
Seventh Congressional District.....	{ Iowa State Register; Winterset Madisonian.
Eighth Congressional District..	{ Centerville Iowegian; Creston Advertiser.
Ninth Congressional District.....	{ Greenfield Transcript; Nonpareil, Council Bluffs.
Tenth Congressional District.....	{ Forest City Summit; Scranton Journal.
Eleventh Congressional District.....	{ Pilot-Tribune; Sioux City Journal.

And I further certify that said Joint Resolution No. 5 was published in said papers for the period of three months previous to the general election for members of the Thirtieth General Assembly, as provided by law.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the Secretary of State of the State of Iowa, this 7th day of January, A. D. 1904.

(Signed)

W. B. MARTIN,  
*Secretary of State.*

[SEAL]

Ordered passed on file.

On motion of Mattes of Sac, unanimous consent being given, House file No. 61, a bill for an act to appropriate money for the inspection of county and private institutions wherein insane persons are kept, 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, 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, Bealer, Bixby, Boland, Buchanan, Calderwood, Carstensen, Cassel, Cheney, Christianson, Clary, Cobb, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kennedy, Kling, Koontz,

Laird, Lamkin, Langan, Leech, Lister, Lowrey, McAllister, McClurkin, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Weeks, Welden, Whitmer, Willson, Wise, Wright, Wyland.—88.

The nays were :

None.

Absent or not voting :

Messrs. Buckingham, Carden, Chassell, Coburn, Geneva, Kendall, Lundt, McCreary, Saylor, Washburn, Whiting, Mr. Speaker—12.

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 following concurrent resolution, in which the concurrence of the Senate was asked:

Concurrent resolution relative to investigating the property located at Knoxville, formerly used as an industrial home for the blind; to determine its availability for inebriates and estimate the probable cost of making such change, additions and improvements.

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 death of the mother of Governor A. B. Cummins.

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 in regard to preparing appropriate resolutions regarding the life, character and public service of Governor F. M. Drake.

Committee on the part of the Senate are, Senators Taylor, Saunders and Wilson of Clinton.

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:

A bill for an act to appropriate \$4,000 for the fish and game warden, to cover a deficit and provide for the expenses of the warden to July 1, 1904.

GEO. A. NEWMAN,  
*Secretary.*

SENATE MESSAGE CONSIDERED.

Senate file No. 25, a bill for an act making an appropriation for the Fish and Game warden of the State of Iowa, to cover a deficit and provide for the expenses of the warden to July 1, 1904.

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

A committee from the Senate here appeared and notified the House that the Senate had accepted the invitation to meet the House this evening.

On motion of Dow of Franklin, the House adjourned until tomorrow morning, Wednesday, February 3, at 10 o'clock A. M.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 3, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. D. McMasters of Grundy Center.

The Journal of Tuesday, February 2d, was corrected and approved.

PETITIONS AND MEMORIALS.

Kling of Harrison presented remonstrance of 197 residents of Harrison county against the repeal of the law relative to spring shooting.

Referred to committee on Fish and Game.

DeLano of Cass presented petition of citizens of Cass county asking repeal of road law.

Referred to committee on Roads and Highways.

DeLano of Cass presented six petitions of citizens of Cass county asking that House file No. 6 be enacted.

Referred to committee on Telegraph, Telephone and Express.

Cheney of Clay presented petition of Friday club of Denison, Iowa, relative to child labor law.

Referred to committee on Labor.

Cummings of Marshall presented petition of citizens of Marshall county relative to establishment of a woman's reformatory in state building at Knoxville.

Referred to committee on Public Charities.

Lundt of Tama presented petition of citizens of Tama relative to Benedict Home.

Referred to committee on Public Charities.

McAllister of Linn presented petition of citizens of Linn county relative to the killing of sheep by worthless dogs.

Referred to committee on Animal Industries.

Temple of Clarke presented petition of citizens of Clarke county asking repeal of the road law.

Referred to committee on Roads and Highways.

Cheney of Clay presented petition of citizens of Clay county relative to changing the present wage and salary exemption laws of the state.

Referred to committee on Labor.

Flenniken of Clayton presented petition of citizens of McGregor relative to child labor.

Referred to committee on Labor.

Shaffer of Fayette offered the following concurrent resolution:

WHEREAS, Rural free delivery is rapidly becoming self-sustaining; and

WHEREAS, The best class of citizens should be employed as carriers in order to obtain the best results; and

WHEREAS, It appears from the Postmaster General's report that two thousand, eight hundred and seventy-nine carriers resigned during the fiscal year ending June 30, 1903, or nearly 25 per cent of the average number of carriers; and

WHEREAS, The resignations will likely increase more than 50 per cent should Congress fail to provide adequate compensation for the services required; and

WHEREAS, The National Association of Rural Letter Carriers has requested that their salary be based upon a graded scale of six hundred dollars for the first year, seven hundred and twenty dollars for the second and eight hundred and fifty dollars for the third and each subsequent year thereafter; and

WHEREAS, The salary of employes in similar branches of the postal department is based upon a graded scale which has some special points of merit; and

WHEREAS, The graded scale of salary proposed by the rural letter carriers seems equitable and just; be it

*Resolved, by the House, the Senate concurring,* That our Senators and Representatives in Congress are requested to exert their influence to secure the passage of an act in compliance with the request of the National Association of Rural Letter Carriers.

McCulloch of Wayne offered the following resolution and moved that the rule be suspended and the resolution be adopted:

WHEREAS, the Hon. T. P. Walden, an honored member of the Twenty-ninth General Assembly from Wayne county, departed this life September 16, 1902, at Allerton, Iowa; therefore be it

*Resolved,* That a committee of three be appointed to present resolutions commemorative of his life and services to his fellow men.

Adopted.

Speaker appointed as committee provided for in above resolution, McCulloch of Wayne, McNie of Benton and McCreary of Appanoose.

#### INTRODUCTION OF BILLS.

By Hart of Allamakee, House file No. 116, a bill for an act providing for the compiling of a roster, of the Iowa soldiers, sailors and marines of the war of the rebellion and the Spanish-American war.

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

By Summers of Van Buren, House file No. 117, a bill for an act to establish and maintain a sanitarium for the treatment and cure of persons afflicted with tuberculosis.

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

By Crose of Page, House File No. 118, a bill for an act appropriating money for the benefit of the Clarinda State Hospital and permitting the use of a sum appropriated by the Twenty-ninth General Assembly for a shop building and for equipping the same.

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

By Wright of Webster, House file No. 119, a bill for an act to appropriate money for the use of the trustees of the charity fund of Boulder Lodge Sanitarium for Consumptives, at Ft. Dodge, Iowa.

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

By Wright of Webster, House file No. 120, a bill for an act to provide for the location and construction of levees, ditches, drains, the changing of water courses, and the organization of drainage districts, providing for the assessment and collection of the costs and expenses of the same, and issuing bonds therefor, and the legalizing and validating of proceedings heretofore had under the drainage laws of this state, and for the repeal of sections 1939-1966, inclusive, of chapter 2, title X, of the code of Iowa, and amendments thereto.

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

By Stoltenberg of Scott, House file No. 121, 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 Kennedy of Lee, House file No. 122, a bill for an act appropriating money for the benefit of the penitentiary at Ft. Madison.

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

By Conn of Butler, House file No. 123, a bill for an act to repeal chapter 139 of the laws of the Twenty-eighth General Assembly, relative to the cutting of weeds on the public roads, and to enact a substitute therefor.

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

By Welden of Hardin, House file No. 124, a bill for an act appropriating money for the benefit of the Industrial School for Boys and authorizing the use of the sum appropriated by the Twenty-eighth General Assembly for changing the old heating station, for a new store house and cold storage.

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

By Cheney of Clay, House file No. 125, 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.

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

By Flenniken of Clayton, House file No. 126, a bill for an act to amend section 2515 of the code, relating to the appointment by the Dairy Commissioner of a deputy and assistants, and fixing their compensation.

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

By Mattes of Sac, House file No. 127, a bill for an act appropriating money to pay express, freight and cartage.

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

By Calderwood of Scott, House file No. 128, a bill for an act applying to sections 1872, 1873, 1874, 1876, 1877, 1881 of the code, to persons, firms and associations doing a banking business.

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

By Coburn of Cherokee, House file No. 129, a bill for an act relating to the use of streets and highways by automobiles or similar motor vehicles.

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

By Buchanan of Wapello, House file No. 130, a bill for an act defining the crime of larceny in the night time from building or farms, lots and other enclosures and providing punishment therefor.

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



By Buckingham of Buena Vista, House file No. 131, a bill for an act to amend sections 2503, 2505, 2506, 2507, 2508 and 2509 of the code of Iowa, relating to the inspection of petroleum products.

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

By Willson of Washington, House file No. 132, a bill for an act making an appropriation for the erection of a monument in Elm Grove Cemetery, Washington, Iowa, in remembrance of Timothy Brown, a revolutionary soldier, and providing the method of such erection.

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

By Teachout of Polk, House file No. 133, a bill for an act appropriating money for the benefit of the Industrial School for Girls at Mitchellville.

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

By Teachout of Polk, House file No. 134, a bill for an act to amend section 2823-a and 2823-e of the code, in relation to compulsory education.

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

By Teachout of Polk, House file No. 135, a bill for an act making provision for the support of the Industrial School for Girls at Mitchellville.

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

By Spaulding of Howard, House file No. 136, a bill for an act relating to the examination of party or officers, directors, superintendent or managing agents of corporations, at instance of adverse party.

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

By Temple of Clarke, House file No. 137, 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 Chassell of Plymouth, House file No. 138, a bill for an act to amend chapter 64 acts of the Twenty-seventh General Assembly, relating to the protection of game fish.

Read first and second time and referred to committee on Fish and Game.

Kendall of Monroe asked unanimous consent that House file No. 14, and House file No 81, be recalled from Judiciary committee and referred to committee on Municipal Corporations.

Granted and the bills were so referred.

On request, Wright of Webster was excused until next Friday morning.

On motion of Kendall of Monroe, the House adjourned until tomorrow morning, Thursday, February 4, at 10 o'clock A.M.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 4, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. L. F. McCray of Valley Junction, Iowa.

Journal of Wednesday, February 3, was corrected and approved.

Pritchard of Wright moved that 1000 extra copies of House file No. 36 be printed.

Motion prevailed.

Lowrey of Calhoun, moved that 1000 extra copies of House file No. 120 be printed.

Motion prevailed.

PETITIONS AND MEMORIALS.

McCreary of Appanoose presented petition of citizens of Appanoose county relative to the repeal of the road law.

Referred to committee on Roads and Highways.

Wise of Black Hawk presented petition of citizens of Black Hawk county relative to a later fishing season.

Referred to committee on Fish and Game.

Cheney of Clay presented petition of citizens of Clay county, relative to establishing a woman's reformatory at Knoxville, Iowa.

Referred to committee on Public Charities.

## REPORTS OF COMMITTEES.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 55, a bill for an act to require administrators, executors and guardians to file certificate of the 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 (amendatory of chapter two (2), title XVII (17) of the code, relating to wills and letters of administration), beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 56, a bill for an act providing for the filing of certified copies of the will of any deceased resident of this state, and of the original record of probate thereof in any other county in which property affected by such will is situated (amendatory of chapter two (2) title XVII (17) of the code, relating to wills and letters of administration), beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 115, a bill for an act to legalize the organization of the independent school district of Soldier, Monona county, Iowa, and the acts of its board of directors, beg leave to report that they 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.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 77, a bill for an act to legalize the election for the incorporation of the town of Leroy, Decatur 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 11, a bill for an act to amend section seven hundred (700) of the 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 the same be amended by striking out the title thereof and inserting in lieu thereof the following: "A bill for an act to amend section seven hundred (700) of the code, relating to the power of cities and towns to regulate, license and tax transients," and by inserting after the word "hundred" in the first line of section one (1) the figures "700" enclosed in parentheses, and that when so amended the same do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 110, a bill for an act to amend section three thousand four hundred ninety-six (3496) of the code, relating to the place of bringing action on written contracts, beg leave to report that they have 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.

N. E. KENDALL,  
*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 limitate the time for foreclosure of mortgages and to prevent said mortgages being a lien on real estate described therein after the expiration of fifteen (15) years after the maturity of the whole debt secured by said mortgage, beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also :

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 106, a bill for an act to legalize the incorporation of the town of Lost Nation, Iowa, the election of its officers, and all acts done and ordinances passed by the town 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Mattes of Sac, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations to whom was referred Senate file No. 25, a bill for an act making an appropriation for the fish and game warden of the State of Iowa to cover a deficit and provide for the expenses of the warden to July 1, 1904, beg leave to report that they 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.

JOSEPH MATTES,  
*Chairman.*

Ordered passed on file.

McNie of Benton, from the committee on Claims, submitted the following report:

MR. SPEAKER—Your committee on Claims to whom was referred House file No. 57, a bill for an act making an appropriation for the payment of certain costs which were incurred by reason of the intervention of the State of Iowa in certain suits originally commenced in the district court of Humboldt 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.

We farther recommend that the bill be referred to the committee on Appropriations.

M. F. McNIE,  
*Chairman.*

Ordered passed on file.

Langan of Clinton, from the committee on Rules, submitted 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 "question," in the last line of Rule twenty-six (26), the following words: "If the previous question is decided in the negative, the House shall proceed

with the matter before it, the same as though the previous question had not been moved."

That after the words "shall be" in the first line of Rule forty-nine (49), the words "executed in a fair round hand" shall be stricken out and the following words inserted: "written with typewriter with black record ribbon."

That the following rules be inserted after Rule forty-two (42) and re-numbered:

All bills and joint resolutions introduced in the House shall be typewritten accompanied by a carbon duplicate; one copy shall be marked and known as the "original" and one copy marked and designated as "printer's copy." The "original" shall, after engrossment, be subject to delivery to the chairman of the committee to which reference is made, and the "printer's copy" shall be delivered to the State Printer.

No bill carrying an appropriation shall be introduced after March 1, 1904, except by the committee on Appropriations.

The committee further recommends that Rule four (4) of the Joint Rules be amended by inserting after the word "enrolled" in the second line thereof the following words: "by being typewritten."

R. C. LANGAN,  
*Chairman.*

Langan of Clinton, chairman of the committee on Rules, gave notice that, according to Rule 52 of the House, the report would be called up for consideration Saturday morning, February 6.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 6, a bill for an act making an appropriation for the purchase of land for the use of the Iowa Soldiers' Orphans' Home.

Also, Senate file No. 28, a bill for an act making an appropriation to defray expenses of the inaugural ceremonies.

H. L. SPAULDING,  
*Chairman House Committee.*

DAN W. TURNER,  
*Chairman Senate Committee.*

Adopted.

## INTRODUCTION OF BILLS.

By Bealer of Linn, House file No. 139, a bill for an act to amend section 1850, chapter 10, title IX, paragraph 4, relating to investment of funds of savings banks.

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

By Chassell of Plymouth, House file No. 140, a bill for an act to amend chapter 5 of title IV of the laws of Iowa, relating to the compensation of county recorders.

Read first and second time and referred to committee on Compensation of Public Officers.

By Chassell of Plymouth, House file No. 141, a bill for an act making an appropriation for the department of agriculture for the purpose of erecting a permanent fire-proof building for agricultural, horticultural and dairy exhibits.

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

By Christianson of Hamilton, House file No. 142, a bill for an act relating to motor vehicles, regarding their registration, defining and limiting their use of the public highways and prescribing penalties for the violation thereof.

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

By Dashiell of Warren, House file No. 143, a bill for an act to amend section 4791 of the code of 1897.

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

By English of Polk, House file No. 144, a bill for an act to provide for the examination of insurance companies.

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

By English of Polk, House file No. 145, a bill for an act to provide for the consolidation of life insurance companies or the reinsurance of the risks of such companies with or by other com-



panies authorized by the laws of the state to transact such business within the state and providing a plan for such consolidation or re-insurance.

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

By Geneva of Keokuk, House file No. 146, a bill for an act relating to the taxing of mortgages and mortgaged real estate.

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

By Geneva of Keokuk, House file No. 147, a bill for an act to exempt certain property from taxation.

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

By Harris of Poweshiek, House file No. 148, a bill for an act relating to registration of voters.

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

By McAllister of Linn, House file No. 149, a bill for an act to repeal section 1333, or that part of it which relates to the taxation of the premiums of life insurance policies.

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

By McClurkin of Louisa, House file No. 150, a bill for an act to amend section 586 of the code of Iowa as amended by the acts of the Twenty-ninth General Assembly.

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

By McClurkin of Louisa, House file No. 151, a bill for an act to amend section 2773 of the code of Iowa relating to common schools.

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

By Teachout of Polk, House file No. 152, a bill for an act to prevent wrongs to children and dumb animals and to establish a bureau of child and animal protection.

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

By Jepson of Woodbury, House file No. 153, a bill for an act to amend section 1641 of the code, relating to ownership of real property by corporations organized in this or any other state for pecuniary profit.

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

Buckingham of Buena Vista offered the following resolution and moved that the rule be suspended and the resolution adopted:

WHEREAS, The House ordered the Mutual Telephone Company to place a telephone in the cloak room ; therefore be it

*Resolved*, That Arthur Crook be hereby appointed a telephone page.

Adopted.

Robinson of Emmet offered the following resolution and moved that the rule be suspended and the resolution be adopted:

WHEREAS, Many of the members are inconvenienced and humiliated from the fact that they are obliged to do business and conduct their correspondence on blank paper without the usual and customary heading; therefore, be it

*Resolved*, That the Chief Clerk be instructed to most earnestly protest against such seemingly unnecessary delay, and to order the State Printer to forward such work and have the necessary supplies delivered to this House without further delay.

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. 37, relative to available funds appropriated under provision of chapter 179, laws 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 concurrent resolution in which the concurrence of the House is asked:

Concurrent resolution relative to adjournment to visit State 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 House is asked:

Senate file No. 31, relative to amending section 4768 of the code, relating to the punishment for the crime of assault with intent to commit murder.

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. 57, relative to the inheritance of a child born after the making of a will, repealing section 3279 of the code and amending section 3276 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 Senate was asked:

House file No. 28, relative to an act legalizing the organization of the independent school district of Somers, located in Calhoun 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 House is asked:

Senate file No. 65, relative to an appropriation of \$4,500, or so much thereof as shall be necessary, to pay additional employes of the Thirtieth 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. 55, relative to amending section 354 of the code, in relation to compensation of jurors.

GEO. A. NEWMAN,  
*Secretary.*

SENATE MESSAGES CONSIDERED.

Senate file No. 55, a bill for an act to amend section 354 of the code, in relation to compensation of jurors.

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

Senate file No. 65, a bill for an act to appropriate \$4,500, or so much thereof as may be necessary, to pay the additional employes of the Thirtieth General Assembly.

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

Senate file No. 31, a bill for an act to amend section 4768 of the code, relating to punishment for the crime of assault with intent to commit murder.

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

Senate file No. 37, a bill for an act to make immediately available funds appropriated under provision of chapter 179, laws of the Twenty-ninth General Assembly.

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

The following communication was received from the Secretary of State:

STATE OF IOWA. }

OFFICE OF SECRETARY OF STATE. }

I, W. B. Martin, Secretary of State of the State of Iowa, hereby certify that I selected the papers below named, being two in each Congressional District in the State of Iowa, to publish Joint Resolution No. 2, as passed

by the regular session of the Twenty-ninth General Assembly, proposing to repeal sections thirty-four (34), thirty-five (35) and thirty-six (36), of article three (3), of the Constitution, and that said Joint Resolution No. 2 be adopted in lieu thereof:

First Congressional District.....	{ The Fairfield Ledger; Keokuk Gate City.
Second Congressional District.....	{ The Maquoketa Excelsior; Muscatine Journal.
Third Congressional District.....	{ Butler County News; Dubuque Times.
Fourth Congressional District.....	{ Mason City Times-Herald; Marble Rock Journal.
Fifth Congressional District.....	{ Marshalltown Times-Republican; Grundy County Republican.
Sixth Congressional District.....	{ Bloomfield News Republican; Keokuk County News.
Seventh Congressional District.....	{ Dallas County News; Indianola Herald.
Eighth Congressional District.....	{ Van Wert Recorder; Clarinda Herald.
Ninth Congressional District.....	{ Audubon Republican; Red Oak Express.
Tenth Congressional District.....	{ The Webster City Freeman; The Wesley News-World.
Eleventh Congressional District.....	{ Spirit Lake Beacon; Le Mars Sentinel.

And I further certify that said Joint Resolution No. 2 was published in said papers for the period of three months previous to the general election for members of the Thirtieth General Assembly, as provided by law.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the Secretary of State of the State of Iowa, this 7th day of January, A. D., 1904.

[SEAL]

(Signed)

W. B. MARTIN,  
*Secretary of State.*

The following communications were received:

DES MOINES, IOWA, Feb. 3, 1904.

*To the Senate and House of Representatives of the Thirtieth General Assembly:*

GENTLEMEN—I have the honor to submit to you the invitation extended to the state of Iowa to make an exhibit at the Lewis and Clark Centennial Exposition, to be held at Portland, Oregon, in 1905.

I accompany this message with such papers as have been sent to me upon the subject.

(Signed) Respectfully submitted,  
ALBERT B. CUMMINS,  
*Governor.*

JANUARY, 15, 1904.

*Hon. A. B. Cummins, Des Moines, Iowa.*

MY DEAR SIR—I take pleasure in extending a cordial invitation to the Commonwealth of Iowa to make an exhibit at the Lewis and Clark Centennial Exposition to be held at Portland, Oregon, in 1905. This exposition will commemorate the 100th anniversary of the exploration of the Oregon country by two young officers of the United States Army, under a commission issued by Thomas Jefferson, President of the United States. Ten great states of the American Union have arisen along the route followed by Lewis and Clark to the west. The little camp at the mouth of the Columbia river where the explorers spent the winter of 1805-6 gave the United States its first foothold on the Pacific ocean and paved the way to great continental developments.

For your information, I send herewith a statement of preparations for the exposition of 1905.

Yours respectfully,

BENJ. E. REED.

#### BILLS ON THEIR PASSAGE.

On motion of Kendall of Monroe, House file No. 115, a bill for an act to legalize the organization of the independent school district of Soldier, Monona county, Iowa, and the acts of its board of directors, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Kendall moved to amend by striking out the word "of" between the word "conformity" and the word "law" in the fifth line of section one and inserting the word "to" in lieu thereof.

Adopted.

Whiting of Monona moved that the rule be suspended, that the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read the third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton,

Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Teachout, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—96.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Summers, Temple, Wright—4.

So the bill passed and the title was agreed to.

On motion of Sankey of Decatur, House file No. 77, a bill for an act to legalize the election of the incorporation of the town of Leroy, Decatur county, Iowa, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Sankey moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor,

Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—97.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Gregory, Wright—3.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, House file No. 106, a bill for an act to legalize the incorporation of the town of Lost Nation, Clinton county, Iowa, the election of its officers, and all acts done and ordinances passed by the town council of said town, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Langan of Clinton moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, Martin, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker.—97.

The nays were:

None.



Absent or not voting:

Messrs. Colclo, Teachout, Wright—3.

So the bill passed and the title was agreed to.

On motion of Temple of Clarke, House joint resolution No. 2, joint resolution proposing to amend the Constitution of the State of Iowa, relating to the apportionment of senators and representatives in the general assembly, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Temple moved that the rule be suspended, that the joint resolution be considered engrossed, read a third time now and printed in the Journal immediately preceding the record of the call of the yeas and nays upon the question of its passage, which motion prevailed, and the joint resolution was read a third time, as follows:

HOUSE JOINT RESOLUTION NO. 2.

Joint resolution proposing to amend the Constitution of the State of Iowa, relating to the apportionment of senators and representatives in the General Assembly.

*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:

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:

Sec. 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 foregoing amendment to the Constitution to the state of Iowa, having been adopted by the Twenty-ninth General Assembly in manner and form, and by the majority required by the Constitution of the state of Iowa, and the statutes thereof, shall be submitted for ratification or rejection by the electors of the state of Iowa, at the general election of state officers to be held in November, 1904.

On the question, Shall the joint resolution be adopted?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Green, Hakes, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—94.

The nays were:

Messrs. Gregory, Lundt—2

Absent or not voting:

Messrs. Cassel, Doran, Wright, Hambleton—4.

So the joint resolution was adopted and the title was agreed to.

Jepson of Woodbury asked unanimous consent to withdraw House file No. 12 from the committee and from consideration of the House entirely.

Granted.

Kendall of Monroe asked unanimous consent that the following bills be recalled from the Judiciary committee and referred to other committees as follows:

House file 131, to Public Health ; House file 125, to Military ; House file 104, to Ways and Means ; House file 105, to Public Charities ; House file 96, to Compensation of Public Officers.

Granted, and the bills were so referred.

The Speaker announced that he had signed, in the presence of the House, the following bills: Senate file No. 6 and Senate file No. 28.

Arthur Crook, telephone page, was sworn in and signed the oath.

On motion of Head of Greene the House adjourned until tomorrow morning, February 5, 1904, at 10 o'clock A. M.

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, Friday, February 5, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. Dr. E. B. S. Ely of Des Moines.

The Journal of Thursday, February 4th, was corrected and approved.

PETITIONS AND MEMORIALS.

Colclo of Carroll presented petition of 830 citizens of Carroll county, asking repeal of the road law.

Referred to committee on Roads and Highways.

Chassell of Plymouth presented petition of citizens of Plymouth county, relative to the Benedict home.

Referred to committee on Public Charities.

Geneva of Keokuk presented petition of 513 citizens of Washington Township, Keokuk county, asking the pardon of Sarah Kuhn.

Referred to committee on Pardons.

Carden of Henry presented petition of Chas. H. Tribby asking for payment for certain horses killed in Henry county.

Referred to committee on Claims.

REPORTS OF COMMITTEES.

Bailey of Ringgold, 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. 17, a bill for an act to amend section four thousand eight hundred eight (4808) of the code, relating to obstructing and defacing of roads, beg leave to report that they have had the same under consider-

ation, and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

M. Z. BAILEY,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House file No. 16, a bill for an act in relation to the county levy for bridge 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 title to said bill be amended to read, "A bill for an act to amend section one thousand, three hundred three (1303) of the code, in relation to county levy for bridge purposes," and your committee further recommends that when so amended that the bill do pass.

M. Z. BAILEY,  
*Chairman.*

Ordered passed on file.

Shaffer of Fayette called up concurrent resolution relative to rural letters carriers, which had laid over under rule 34, and moved that the resolution be adopted.

Adopted.

#### INTRODUCTION OF BILLS.

By Bealer of Linn, House file No. 154, a bill for an act to amend section 2810 of the code, in reference to paying over school taxes by county treasurer.

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

By Carden of Henry, House file No. 155, a bill for an act appropriating money for the benefit of the Mount Pleasant state hospital.

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

By Dashiell of Warren, House file 156, a bill for an act for the relief of the grantees of Frederick M. Stumbo 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 Dashiell of Warren (by request), House file No. 157, a bill for an act to amend section 3141 of the code of Iowa, relating to the issuance of marriage licenses, and establishing the office of Director of Marriage Reform, and to provide for the maintenance of such office.

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

By Head of Greene, House file No. 158, a bill for an act to amend section 2403 of the code of Iowa, relating to the sale of intoxicating liquors by permit holders.

Read first and second time and referred to committee on Suppression of Intemperance.

By Jepson of Woodbury, House file No. 159, a bill for an act making an appropriation for the Woman's and Baby's home at Sioux City, Iowa.

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

By McNie of Benton, House file No. 160, a bill for an act to amend section 5715 of the code, relating to compensation for non-resident pupils in the College for the Blind.

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

By McNie of Benton, House file No. 161, a bill for an act to amend section 2724 of the code, relating to compensation for non-resident pupils in the School for the Deaf.

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

By Springer of Buchanan (by request), House file No. 162, a bill for an act appropriating money for the benefit of the Independence state hospital.

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

By Washburn of Mills, House file No. 163, a bill for an act making appropriations for buildings, repairs and contingent expenses for the Institution for Feeble-Minded at Glenwood, Iowa.

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

By Weeks of Guthrie, House file No. 164, a bill for an act to amend section 2382 of the code of Iowa, relating to the sale of intoxicating liquors by the permit holders.

Read first and second time and referred to committee on Suppression of Intemperance.

By Chassell of Plymouth, House file No. 165, a bill for an act to repeal section 1 of chapter 32, acts of the Twenty-seventh General Assembly and to enact a substitute therefor, relating to the vocation of peddlers, defining the same and fixing a tax therefor.

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

By Buchanan of Wapello, joint resolution No. 4, relative to the duties of the Commissioner of the Bureau of Labor Statistics.

#### HOUSE JOINT RESOLUTION NO. 4.

Relative to the duties of the Commissioner of the Bureau of Labor Statistics.

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

That, Whereas, the Acts of Congress of the United States approved March 3, 1899, and March 6, 1902, respectively, provide that in the year 1900, and every ten years thereafter, and also in the year 1905 and every ten years thereafter, there shall be a collection of the statistics of manufacturers; and, whereas, the collection of the statistics referred to in said acts extends to and includes the State of Iowa; therefore, the Commissioner of the Bureau of Labor Statistics be and he is hereby authorized and instructed to cooperate with the bureau of the census of the United States in the collection of said statistics and assist in every manner possible, either in his capacity as Commissioner or otherwise, in making said collection a thorough enumeration of the manufacturing industries of this state. And the said Commissioner of the Bureau of Labor Statistics is hereby authorized and directed to make any change or modification of the schedules or methods of tabulation now used by him, or in the periods covered by his biennial reports and the dates of their publication, which this resolution may make necessary.

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

Mattes of Sac called up Senate concurrent resolution relative to appointment of commission to visit state institutions and moved that the House concur therein.

House concurred.

Frudden of Dubuque asked unanimous consent to recall House file No. 9 from the Judiciary committee.

Granted.

Flenniken of Clayton asked unanimous consent to recall House file No. 126 from the committee on Appropriations and requested that the same be referred to committee on Compensation of Public Officers.

Granted, and the bill was so referred.

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 105, relative to legalizing the action of the Independent School District of West Des Moines, Polk county, Iowa, in voting bonds at an election held on the 10th day of March, 1902, and legalizing said bonds.

GEO. A. NEWMAN,  
*Secretary.*

SENATE MESSAGE CONSIDERED.

Senate file No. 57, a bill for an act governing the right of inheritance of a child born after the making of a will, providing manner of payment of claims and amounts necessary to be paid, in disregard of, or opposition to, the terms of a will; repealing section 3279 of the code and amending section 3276 of the code.

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

Kendall of Monroe asked unanimous consent that Senate file No. 31 be recalled from Judiciary Committee.

Granted.

On motion of Mr. Kendall, Senate file No. 31, a bill for an act to amend section 4768 of the code, relating to the punishment of assault with intent to commit murder, was taken up and by unanimous consent was considered without reference to a committee.

Mr. Kendall moved that the rule 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, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Chassell, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McNie, Maben, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Summers, Teachout, Temple, Teter, Washburn, Weeks, Weldon, Willson, Wise, Wright, Wyland, Mr. Speaker—90.

The nays were:

None.

Absent or not voting:

Messrs. Carstensen, Cassel, Cheney, Davie, Greene, McElrath, Manning, Stoltenberg, Whiting, Whitmer—10.

On motion of Kendall of Monroe, House file No. 11, a bill for an act to amend section 700 of the code of Iowa, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Kendall of Monroe moved the adoption of the amendments recommended by the committee.

Adopted.

Hart of Allamakee, moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Christianson, Clary, Cobb, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall,

Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Temple, Teter, Washburn, Weeks, Welden, Willson, Wise, Wright, Wyland and Mr Speaker—91.

The nays were:

None.

Absent or not voting:

Messrs. Buckingham, Cheney, Coburn, Doran, Head, Pritchard, Teachout, Whiting, Whitmer—9.

So the bill passed and the title was agreed to.

On motion of Mattes of Sac, Senate file No. 25, a bill for an act making an appropriation for the fish and game warden of the State of Iowa, to cover a deficit and provide for the expenses of the warden to July 1, 1904, 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, 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, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Chassell, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McCreary, McCulloch, McDole, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stolten-

berg, Summers, Temple, Teter, Washburn, Weeks, Welden, Willson, Wise, Wright, Wyland, Mr. Speaker—90.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Buckingham, Cassel, Cheney, Langan, McClurkin, McElrath, Teachout, Whiting, Whitmer—10.

So the bill was passed and the title agreed to.

House file No. 67, a bill for an act to limitate the time for the foreclosure of mortgages and to prevent said mortgages being a lien on real estate described therein, after the expiration of fifteen years after maturity of the whole debt secured by said mortgage, 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. 55, a bill for an act to require administrators, executors and guardians to file certificate of the 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, amendatory of chapter 2, title XVII of the code, relating to wills and letters of administration, 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. 56, a bill for an act providing for the filing of certified copies of the will of any deceased resident of this state, and of the original record of probate thereof in any other county in which property affected by such will is situated, amendatory of chapter 2, title XVII of the code, relating to wills and letters of administration, 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. 110, a bill for an act to amend section 3496 of the code, relating to the place of bringing action on written contracts, 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 request of Frudden of Dubuque, leave of absence was granted Whitmer of O'Brien and Whiting of Monona, until Monday.

On request of Head of Greene, leave of absence was granted Hambleton of Mahaska until next Monday.

On request leave of absence was granted Cheney of Clay until Monday.

On request of Welden of Hardin, Dow of Franklin, Cummings of Marshall and Maben of Hancock, were excused until Monday.

On motion of Wright of Webster, the House adjourned until tomorrow, Saturday, February 6th, at 10 o'clock A. M.

HALL OF THE HOUSE OF REPRESENTATIVES. }  
DES MOINES, IOWA, February 6, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. B. C. Preston of Osage, Iowa.

Journal of Friday, February 5, was corrected and approved.

PETITIONS AND MEMORIALS.

Wyland of Shelby presented petition of citizens of Shelby county, relative to the repeal of the road law.

Referred to committee on Roads and Highways.

Wyland of Shelby presented petition of Loyal Home Workers club of Shelby, Iowa, signed by sixteen women, relative to child labor.

Referred to committee on Labor.

Morris of Sioux presented petition of citizens of Sioux county, relative to the repeal of the road law.

Referred to committee on Roads and Highways.

Ritter of Des Moines presented petition of the Bar Association of Des Moines county, relative to re-districting the judicial districts.

Referred to committee on Judicial Districts.

Kling of Harrison presented petition of the Art Club of Missouri Valley, Iowa, relative to child labor law.

Referred to committee on Judiciary.

Robinson of Emmet presented resolutions of the Farmers' Institute of Dickinson county, relative to the road law.

Read and referred to committee on Roads and Highways.

Harris of Poweshiek presented petition of citizens of Iowa, relative to the state marshal bill.

Referred to committee on Suppression of Intemperance.

Langan of Clinton called up report of committee on Rules, which was read and upon motion the report of the committee was adopted.

Langan of Clinton moved that the amendments recommended by the committee be adopted.

Adopted.

Jones of Montgomery moved that the rules as amended be adopted.

Carried.

Calderwood of Scott asked unanimous consent that petitions relative to child labor in the hands of the committee on Labor be recalled and referred to the Judiciary committee.

Granted, and the petitions were so referred.

#### REPORTS OF COMMITTEES.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER: Your committee on Judiciary to whom was referred House file No. 153, a bill for an act to amend section sixteen hundred forty-one (1641) of the code, relating to ownership of real property by corporations organized in this or any other state 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred Senate file No. 55, a bill for an act to amend section three hundred and fifty-four of the code in relation to compensation of jurors, beg leave to report that they have 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 "venires" in the last line of section one (1), and inserting in lieu thereof the word "venire," and that when so amended, the same do pass.

N. E. KENDALL,  
*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 amend section 2724 of the code relat-

ing to compensation for non-resident pupils in the School for the Deaf, beg leave to report that they have 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 first line of the title thereof, "twenty-seven hundred twenty-four," and by enclosing the figures "2724" in parentheses, and that when so amended the same do pass.

N. E. KENDALL,  
*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 to amend section 2715 of the code relating to compensation for non-resident pupils in the College for the Blind, beg leave to report that they have 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 thereof, the words "twenty-seven hundred fifteen," and by enclosing the figures "2715" in parentheses, and that when so amended the same do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 143, a bill for an act to amend section four thousand seven hundred and ninety-one (4791), of the code of 1897, beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Order passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 73, a bill for an act to amend chapter six (6) of title III (3) of the code, relating to superior courts, their jurisdiction, the number of jurors in said courts, and the times and manner of drawing the same; repealing section two hundred and seventy-three (273) of the code, relating to judgments of said courts, and enacting a substitute in lieu thereof; and repealing chapter ten (10) of the acts of the Twenty-eighth General Assembly, relating to changes of venue from said 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 be indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Buchanan of Wapello, from the committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations to whom was referred House file No. 49, a bill for an act to amend section six hundred and eighty-six of the code relating to the publication of 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 striking out the word "of" and the figures "eighteen hundred and ninety-seven" (1897) in the second line of section one (1) of said bill and when so amended that the same do pass.

A. W. BUCHANAN,  
*Chairman.*

Ordered passed on file.

Calderwood of Scott, from the committee on Labor, submitted the following report:

MR. SPEAKER—Your committee on Labor to whom was referred Joint Resolution No. 4, relative to the duties of the Commissioner of the Bureau of Labor 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 do pass.

M. H. CALDERWOOD,  
*Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By Buckingham of Buena Vista, House file No. 166, a bill for an act to repeal sections 1940, 1941 and 1946 of the code, and to provide acts in lieu thereof.

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

By Davie of Crawford (by request), House file No. 167, a bill or an act to amend section 1306 of the code as amended and substituted by chapter 41 of laws of the Twenty-eighth General



Assembly, relative to the erection of waterworks in cities and towns.

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

By Greeley of Story, House file No. 168, a bill for an act regulating primary elections.

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

By Hanna of Kossuth, House file No. 169, a bill for an act to amend section 1530, chapter 2, title VIII of the supplement to the code of Iowa in relation to the levy of a county road fund.

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

By Harris of Poweshiek, House file No. 170, a bill for an act to provide for the appointment of State Marshals and their deputies, for the enforcement of the laws pertaining to the sale of intoxicating liquors, and prescribing their duties, fees and compensation.

Read first and second time and referred to committee on Suppression of Intemperance.

By Hart of Allamakee, House file No. 171, a bill for an act to amend section 3447 of the code, in relation to the limitation of actions.

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

By Head of Greene, House file No. 172, a bill for an act to repeal sections 3167-3169 of the code, and to enact substitutes therefor.

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

By Leech of Cedar, House file No. 173, a bill for an act to provide for the establishment and maintenance of a bacteriological laboratory and for the appointment of a director thereof. (Additional to chapter 16, title XII.)

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

By Martin of Pottawattamie, House file No. 174, a bill for an act to amend section 1304, sub-division 7 of the code supplement.

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

By Martin of Pottawattamie, House file No. 175, a bill for an act appropriating money for the benefit of the School for the Deaf at Council Bluffs, Iowa.

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

By Stanbery of Cerro Gordo, House file No. 176, a bill for an act repealing chapter 85, acts of Twenty-seventh General Assembly of the State of Iowa, and amending section 2734 of the code, relating to the qualifications of county superintendents.

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

By Teachout of Polk, House file No. 177, a bill for an act to amend section 770 of the code, relating to viaducts and approaches thereto.

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

Wyland of Shelby moved that when the House adjourn it be until Monday, February 8, 1904, at 2 o'clock P. M.

Motion prevailed.

#### BILLS ON THEIR PASSAGE.

On motion of Kendall of Monroe, Senate file No. 55, a bill for an act to amend section 354 of the Code in relation to the compensation of jurors, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Kendall of Monroe moved the adoption of the amendments recommended by the committee.

Adopted.

Mr. Kendall moved that the rule 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, Bixby, Boland, Buchanan, Calderwood, Carstensen, Cassel, Chassell, Christianson, Cobb, Coburn, Colclo, Crose, Dashiell, Davie, DeLano, Doran, English, Flenniken, Freeman, Geneva, Greeley, Gregory, Hakes, Hanna, Harris, Hart, Head, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Langan, Leech, Lowrey, Lundt, McAllister, McCreary, McCulloch, McNie, Manning, Martin, Morris, Nichols, Olson, Powers, Prevo, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanberv, Stoltenberg, Summers, Temple, Teter, Washburn, Weeks, Willson, Wise, Wright, Wyland, Mr. Speaker—72.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Buckingham, Carden, Cheney, Clarey, Conn, Cummings, Dow, Frudden, Greene, Hambleton, Heles, Hume, Lamkin, Lister, McClurkin, McDole, McElrath, Maben, Mattes, Mott, Offill, Peet, Pritchard, Teachout, Welden, Whiting, Whitmer—28.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, House file No. 160, a bill for an act to amend section 5715 of the code, relating to compensation for non-resident pupils in the College for the Blind, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Kendall of Monroe moved the adoption of the amendments recommended by the committee.

Adopted.

McNie of Benton moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carstensen, Cassel, Chassell, Christianson,

Cobb, Coburn, Colclo, Crose, Dashiell, Davie, DeLano, Doran, English, Flenniken, Freeman, Geneva, Greeley, Gregory, Hakes, Hanna, Harris, Hart, Head, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Langan, Leech, Lowrey, Lundt, McAllister, McCreary, McCulloch, McNie, Manning, Martin, Morris, Mott, Nichols, Olson, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Temple, Teter, Washburn, Weeks, Wise, Wright, Wyland, Mr. Speaker—75.

The nays were:

None.

Absent or not voting:

Messrs. Carden, Cheney, Clary, Conn, Cummings, Dow, Frud-den, Greene, Hambleton, Heles, Hume, Lamkin, Lister, McClur-kin, McDole, McElrath, Maben, Mattes, Offill, Pritchard, Teachout, Welden, Whiting, Whitmer, Willson—25.

Kendall of Monroe, moved to amend title of House file No. 160, by striking out the figures "5715" and inserting in lieu thereof the figures "2715."

Adopted and the title as amended was agreed to.

On motion of Kendall of Monroe, House file No. 161, a bill for an act to amend section 2724 of the code, relating to compen-sation for non-resident pupils in the School for the Deaf, with re-port of committee recommending passage as amended was taken up, considered and the report of the committee adopted.

Kendall of Monroe moved the adoption of the amendments recommended by the committee.

Adopted.

McNie of Benton moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood Carstensen, Cassel, Chassell, Christianson, Cobb, Coburn, Colclo Crose, Dashiell, Davie, DeLano, Doran, English, Flenniken

Freeman, Geneva, Greeley, Gregory, Hakes, Harris, Hart, Head, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Langan, Leech, Lowrey, Lundt, McAllister, McCreary, McCulloch, McNie, Manning, Martin, Morris, Nichols, Olson, Powers, Prevo, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanberry, Summers, Teachout, Temple, Teter, Washburn, Weeks, Willson, Wise, Wright, Wyland  
Mr. Speaker—72.

The nays were:

None.

Absent or not voting:

Messrs. Buckingham, Carden, Cheney, Clary, Conn, Cummings, Dow, Frudden, Greene, Hambleton, Hanna, Heles, Hume, Lamkin, Lister, McClurkin, McDole, McElrath, Maben, Mattes, Mott, Offill, Peet, Pritchard, Stoltenberg, Welden, Whiting, Whitmer—28.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, House file No. 153, a bill for an act to amend section 1641 of the code, relating to ownership of real property by corporations organized in this or any other state for pecuniary profit with report of committee recommending passage was taken up, considered and the report of the committee adopted.

Jepson of Woodbury moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carstensen, Cassel, Chassell, Christianson, Cobb, Coburn, Crose, Dashiell, Davie, DeLano, Doran, English, Flenniken, Freeman, Geneva, Greeley, Gregory, Hakes, Hanna, Harris, Hart, Head, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Leech, Lowrey, Lundt, McAllister, McCreary, McCulloch, McNie, Manning, Martin, Morris, Nichols, Olson, Powers, Prevo, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanberry, Stoltenberg, Summers, Teach-

out, Temple, Washburn, Weeks, Willson, Wise, Wright, Wyland, Mr. Speaker—71.

The nays were:

None.

Absent or not voting:

Messrs. Buckingham, Carden, Cheney, Clary, Colclo, Conn, Dow, Frudden, Greene, Hambleton, Heles, Hume, Lamkin, Langan, Lister, McClurkin, McDole, McElrath, Maben, Mattes, Mott, Offill, Peet, Pritchard, Teter, Welden, Whiting, Whitmer—29.

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. 77, relative to legalizing the election for the incorporation of the town of LeRoy, Decatur 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. 106, relative to legalizing the incorporation of the town of Lost Nation, Iowa, and the election of its officers.

GEO. A. NEWMAN,  
*Secretary.*

Chassell of Plymouth offered the following concurrent resolution, moved that the rule be suspended and that the resolution be adopted:

*Resolved by the House, the Senate concurring,* That the State Printer be directed to print for the use of the House and Senate and the officers thereof, five thousand copies of the Rules of the Thirtieth General Assembly, twenty-five hundred of which shall be of pocket size and of which two hundred copies shall be bound in flexible leather, and that the rules be indexed and printed under the direction of the Clerk of the House and the Secretary of the Senate.

Adopted.

House file No. 17, a bill for an act to amend section 4808 of the code, relative to obstructing and defacing roads, 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. 143, a bill for an act to amend section 4791 of the code of 1897, 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. 73, a bill for an act to amend chapter six (6) of title III (3) of the code, relating to superior courts, their jurisdiction, the number of jurors in said courts and the time and manner of drawing the same; repealing section two hundred and seventy-three (273) of the code, relating to judgments of said courts, and enacting a substitute in lieu thereof; and repealing chapter ten (10) of the acts of the Twenty-eighth General Assembly, relating to changes of venue from said courts, 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.

McAllister of Linn asked unanimous consent to withdraw from the Insurance committee, House file 149 and from the consideration of the House entirely.

Granted.

In compliance with Senate concurrent resolution, relative to the appointment of committees to visit the different state institutions, the Speaker appointed the following committees:

State University, Jones of Montgomery, Weeks of Guthrie.

Agricultural College, Buchanan of Wapello, Gregory of Adams.

State Normal, Robinson of Emmet, Hume of Mitchell.

Hospital for Insane, Mount Pleasant, Leech of Cedar, Morris of Sioux.

Hospital for Insane, Clarinda, Christianson of Hamilton, DeLano of Cass.

Hospital for Insane, Independence, Boland of Iowa, Frudden of Dubuque.

Hospital for Insane, Cherokee, Flenniken of Clayton, McCulloch of Wayne.

Institute for Feeble-Minded, Head of Greene, Maben of Hancock.

Institute for Deaf, Wright of Webster, Whitmer of O'Brien.

College for Blind, Hanna of Kossuth, Jacobson of Winneshiek.

Industrial School, Mitchellville, Dashiell of Warren, Powers of Floyd.

Industrial School, Eldora, Mott of Audubon, Manning of Lucas.

§Soldiers' Home, Chassell of Plymouth, Mattes of Sac.

§Soldiers' Orphans' Home, McElrath of Woodbury, Stanbery of Cerro Gordo.

Penitentiary, Anamosa, Hollembeak of Adair, Bixby of Delaware.

Penitentiary, Fort Madison, Bealer of Linn, Colclo of Carroll.

On request of Robinson of Emmet leave of absence was granted Pritchard of Wright until Monday.

On request of Spaulding of Howard leave of absence was granted Conn of Butler until Monday and Lamkin of Lyon and Heles of Dubuque until Tuesday.

On request of Leech of Cedar leave of absence was granted Mott of Audubon until Tuesday morning.

On request of Buchanan of Wapello leave of absence was granted McElrath of Woodbury until Tuesday.

On request leave of absence was granted Christianson of Hamilton indefinitely.

H. M. Belvel of the Des Moines *Democrat* was assigned §seat No. 109 in the press gallery by the Chief Clerk.

On motion of Temple of Clarke the House adjourned.



HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 8, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. T. J. Dow of Des Moines.

Journal of Saturday, February 6, was corrected and approved.

On request of Crose of Page leave of absence was granted Skinner of Union until tomorrow.

On request of Wright of Webster leave of absence was granted Buckingham of Buena Vista until tomorrow.

On request of English of Polk leave of absence was granted Buchanan of Wapello until tomorrow.

On request of Freeman of Pottawattamie leave of absence was granted Martin of Pottawattamie until tomorrow.

PETITIONS AND MEMORIALS.

Offill of Jasper presented petition of 200 voters of Jasper county relative to the repeal of the road law.

Referred to committee on Roads and Highways.

Frudden of Dubuque presented petition of Dubuque Ladies' club relative to child labor.

Referred to committee on Labor.

Mott of Audubon presented petition of stockshippers of Audubon county relative to the passage of House file No. 7.

Referred to committee on Railroads and Commerce.

Cobb of Taylor presented petition of the retail merchants of Sharpsburg, relative to amending section 4011, chapter 3 of the code.

Referred to committee on Judiciary.

Lowrey of Calhoun presented two petitions of citizens of Calhoun county, relative to the passage of House file No. 7.

Referred to committee on Railroads and Commerce.

Hollemeak of Adair presented two petitions of the citizens of Adair county, relative to the passage of House file No. 7.

Referred to committee on Railroads and Commerce.

#### REPORTS OF COMMITTEES.

Kendall of Monroe, from the committee on Judiciary, submitted the following report :

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 102, a bill for an act to protect employes in garnishment 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 all after the enacting clause and inserting in lieu thereof the following :

Section 1. Wages earned outside of this state by a non-resident of this state, and payable outside of this state, shall in all cases where the garnishing creditor is a non-resident of this state, be exempt from attachment or garnishment where the cause of action arises outside of this state; and it shall be the duty of the garnishee in such cases to plead such exemption, unless the defendant shall be personally served with original notice in this state.

And when so amended that the same do pass.

N. E. KENDALL,  
*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 for the relief of the grantees of Frederick M. Stumbo, 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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 appropriate \$4,000 for the Fish and Game Warden to cover a deficit and provide for the expenses of the Warden to July 1, 1904.

Also, Senate file No. 31, a bill for an act to amend section 4768 of the code, relating to punishment for the crime of assault with intent to commit murder.

H. S. SPAULDING,  
*Chairman House Committee.*  
DAN W. TURNER,  
*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 the following concurrent resolution in which the concurrence of the Senate was asked:

Concurrent resolution relative to the salary of rural letter carriers.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to present to your honorable body the appointments on the part of the Senate to visit the several state institutions.

GEO. A. NEWMAN,  
*Secretary.*

#### INTRODUCTION OF BILLS.

By Harris of Poweshiek, House file No. 178, a bill for an act referring to notice of dissolution of private corporations.

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

By Harris of Poweshiek, House file No. 179, a bill for an act to provide for the erection and maintenance of town clocks by townships.

Read first and second time and referred to committee on County and Township Organization.

By Morris of Sioux House file No. 180, a bill for an act to amend section 441 of the code relating to number of official papers.

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

By Offill of Jasper, House file No. 181, a bill for an act to amend section 2551 of the supplement to the code of Iowa, relating to the protection of game.

Read first and second time and referred to committee on Fish and Game.

By Offill of Jasper, House file No. 182, a bill for an act to amend section 1304 of the supplement to the code of Iowa, relative to exemptions of property from taxation.

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

By Stoltenberg of Scott, House file No. 183, a bill for an act amending section 2287 of the code in relation to the return of patients escaped from hospitals for the insane.

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

By Teachout of Polk, House file No. 184, a bill for an act making an appropriation for the Benedict Home, Des Moines, Iowa.

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

By Wright of Webster, House file No. 185, a bill for an act in relation to common carriers, additional to section 2074 of the code.

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

SENATE MESSAGE CONSIDERED.

Senate file No. 105, a bill for an act to legalize the action of the Independent School District of West Des Moines, Polk county, Iowa, in voting bonds at an election on the 10th day of March, 1902, and legalizing the bonds issued by said school district thereunder

Read first and second time.

On motion of English of Polk (unanimous consent having been given) Senate file No. 105, a bill for an act to legalize the action of the Independent School District of West Des Moines, Polk county, Iowa, in voting bonds at an election on the 10th day of March, 1902, and legalizing the bonds issued by said school district thereunder, was taken up and considered without reference to a committee.

On request of Mr. English, the bill was read for information.

Mr. English moved that the rule be suspended, that the reading just had be considered the third reading, which motion prevailed and the bill was placed upon its passage.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bealer, Bixby, Boland, Calderwood, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Kendall, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McDole, McNie, Maben, Manning, Morris, Mott, Nichols, Offill, Olsen, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—85.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Buchanan, Buckingham, Carden, Gregory, Jones, Kennedy, Langan, McCulloch, McElrath, Martin, Mattes, Saylor, Skinner, Teter—15.

So the bill passed and the title was agreed to.

Kendall of Monroe asked unanimous consent to recall House file No. 35 and House file No. 166 from the Judiciary committee and refer same to the committee on Agriculture.

Granted and the bills were so referred.

Message from the Senate relative to committees to visit State institutions, was taken up, considered and read.

Ordered passed on file.

On motion of McNie of Benton, the House adjourned until 10 o'clock, A. M. tomorrow, Tuesday, February 9, 1904.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, February 9, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Reverend W. B. Davis of West Branch, Iowa.

Journal of Monday, February 8, was read and approved.

Offill of Jasper, asked unanimous consent to recall House file No. 182 from the committee on Ways and Means and that same be referred to committee on Military.

Granted and the bill was so referred.

PETITIONS AND MEMORIALS

McClurkin of Louisa presented petition of citizens of Louisa county asking the repeal of the road law.

Referred to committee on Roads and Highways.

Harris of Poweshiek presented petition of citizens of Poweshiek county relative to House file No. 53.

Referred to committee on Elections.

Cummings of Marshall presented petition of Friends' Church of LeGrand, Iowa, relative to Sunday ball playing.

Referred to committee on Judiciary.

Mott of Audubon presented petition of citizens of Audubon county relative to House file No. 7.

Referred to committee on Railroads and Commerce.

Kling of Harrison presented memorial of Harris Grove Farmers' Club in regard to recording deeds.

Referred to committee on Judiciary.

Wyland of Shelby presented petition of citizens of Shelby county asking the establishment of 'woman's reformatory at Knoxville.

Referred to committee on Public Charities.

Cobb of Taylor presented petition of citizens of Taylor county relative to compulsory education.

Referred to committee on Schools and Text-Books.

Weeks of Guthrie presented petition of citizens of Guthrie relative to the passage of House file No. 7.

Referred to committee on Railroads and Commerce.

Weeks of Guthrie presented petition of citizens of Guthrie county relative to Sunday ball playing.

Referred to committee on Judiciary.

Temple of Clarke presented petition of citizens of Clarke county, asking the establishment of a woman's reformatory at Knoxville.

Referred to committee on Public Charities.

Doran of Boone presented three petitions of citizens of Boone county relative to House file No. 7.

Referred to committee on Railroads and Commerce.

Lowrey of Calhoun presented three petitions of citizens of Calhoun county relative to House file No. 7.

Referred to committee on Railroads and Commerce.

McCulloch of Wayne presented petition of citizens of Wayne county relative to House file No. 7.

Referred to committee on Railroads and Commerce.

Cobb of Taylor presented petition of citizens of Taylor county relative to Sunday ball playing.

Referred to committee on Judiciary.

Cobb of Taylor presented petition of citizens of Taylor county relative to woman suffrage.

Referred to committee on Woman Suffrage.

Whitmer of O'Brien presented petition of citizens of O'Brien county relative to the road law.

Referred to committee on Roads and Highways.

Cobb of Taylor presented petition of citizens of Taylor county asking the establishment of a woman's reformatory at Knoxville.

Referred to committee on Public Charities.

Pritchard of Wright presented petition of citizens of Wright county relative to House file No. 7.

Referred to committee on Railroads and Commerce.

Flenniken of Clayton presented petition of merchants of Elkader relative to House file No. 92.

Referred to committee on Ways and Means.

DeLano of Cass presented petition of 24 citizens of Cass county asking the repeal of the present road law.

Referred to the committee on Roads and Highways.

DeLano of Cass presented petition of 133 citizens of Cass county asking that House file No. 6 be enacted.

Referred to committee on Telegraph, Telephone and Express.

DeLano of Cass presented nine petitions of citizens of Cass county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

DeLano of Cass presented petition of 77 citizens of Story county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

DeLano of Cass presented three petitions of citizens of Audubon county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

DeLano of Cass presented five petitions of citizens of Pottawattamie county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

DeLano of Cass presented petition of 29 citizens of Calhoun county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

DeLano of Cass presented three petitions of citizens of Wayne county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.



DeLano of Cass presented petition of 27 citizens of Linn county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Cummings of Marshall presented petition of citizens of Marshall county relative to child labor.

Referred to committee on Labor.

Lamkin of Lyon presented petition of citizens of Osceola county asking the establishment of a woman's reformatory a Knoxville.

Referred to committee on Public Charities.

Cummings of Marshall presented petition of citizens of Marshall county relative to woman suffrage.

Referred to committee on Woman Suffrage.

#### REPORTS OF COMMITTEES.

Mattes of Sac, from the committee on Appropriations, submitted the following report :

MR. SPEAKER—Your committee on appropriations, to whom was referred House file No. 57, a bill for an act making an appropriation for the payment of certain costs which were incurred by reason of the intervention of the state of Iowa in certain suits originally commenced in the district court of Humboldt 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.

JOSEPH MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations to whom was referred Senate file No. 65, 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 Thirtieth 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.

JOSEPH MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations to whom was referred Senate file No. 37, a bill for an act to make immediately available funds

appropriated under provisions of chapter 179, Laws of the Twenty-ninth 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.

JOSEPH MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on appropriations to whom was referred House file No. 127, a bill for an act appropriating money to pay express, 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 do pass.

JOSEPH MATTES,  
*Chairman.*

Ordered passed on file.

Hart of Allamakee, from the committee on Military, submitted the following report:

MR. SPEAKER—Your committee on Military Affairs to whom was referred House file No. 64, a bill for an act to amend section four hundred thirty-one (431) of the code of Iowa, 1897, relative to the Soldiers' Relief Commission beg leave to report that 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 to the same be amended by striking therefrom the figures 1897, and that when so amended the same do pass.

WILLIAM S. HART,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Military Affairs, to whom was referred House file No. 125, a bill for an act to amend section three thousand and three hundred and 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.

WILLIAM S. HART,  
*Chairman.*

Ordered passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 55, a bill for an act to amend section three hundred and fifty-four (354) of the code in relation to compensation of jurors.

D. W. TURNER,  
*Chairman Senate Committee.*

J. C. FLENNIKEN,  
*Chairman (pro tem) House Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Bealer of Linn, House file No. 186, a bill for an act providing for the erection of suitable monuments to ex-Governor Wm. M. Stone and General George A. Stone.

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

By Bixby of Delaware, House file No. 187, a bill for an act to prevent the adulteration, misbranding and imitation of foods: to change the name of the office "State Dairy Commissioner" to that of "State Food and Dairy Commissioner" and to define his duties.

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

By Buchanan of Wapello, House file No. 188, a bill for an act to regulate civil service of cities.

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

By Calderwood of Scott, House file No. 189, a bill for an act to repeal section 2477 of the code, relating to the expenses of the Bureau of Labor Statistics and to enact in lieu thereof the following:

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

By Chassell of Plymouth, House file No. 190, a bill for an act to amend title VII, chapter 4, of the code, and chapter 37, acts of the Twenty-seventh General Assembly, and chapter 57, acts of the Twenty-eighth General Assembly, and chapter 63, acts of the Twenty-ninth General Assembly, providing that part of the collateral inheritance taxes collected by the state shall be paid to the counties from whence they are collected.

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

By McAllister of Linn, House file No. 191, a bill for an act to amend section 1333 of the code so that certain insurance companies be relieved from the payment of two and one-half per cent tax upon gross premiums derived from insuring the lives of citizens of Iowa.

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

By McElrath of Woodbury, House file No. 192, a bill for an act to amend section 403 of the code, relating to the funding and refunding outstanding county indebtedness.

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

By Maben of Hancock, House file No. 193, a bill for an act to amend section 3656 of the code, relating to the time of trying appeal cases in contested elections.

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

By Martin of Pottawattamie, House file No. 194, a bill for an act to amend section 2573 of the code, relating to the enforcing of the rules and regulations of the Board of Health.

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

By Chassell of Plymouth, House file No. 195, a bill for an act to amend chapter 53, acts of the Twenty-ninth General Assembly, relative to the election of township trustees, the election, duties and compensation of road superintendents, the division and consolidation of road districts, and the collection of property road tax.

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

#### 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. 17, a bill for an act to amend section 2783 of the code, relating to the text-books in the public schools and use of contingent funds.

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. 55.

GEO. A. NEWMAN,  
*Secretary.*

#### BILLS ON THEIR PASSAGE.

On motion of Hart of Allamakee House file No. 64, a bill for an act to amend section 431 of the code of Iowa, 1897, relative to the Soldiers' Relief Commission, with report of committee recommending passage as amended was taken up, considered and the report of the committee adopted.

Mr. Hart moved the adoption of the amendment recommended by the committee.

Adopted.

Buckingham of Buena Vista moved that the rule 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. Bailey, Bixby, Boland, Buckingham, Calderwood, Carstensen, Chassell, Cheney, Christianson, Cobb, Coburn, Conn, Crose, Cummings, Dashiell, Davie, Doran, Dow, Freeman, Geneva, Greene, Hakes, Hanna, Harris, Hart, Head, Hollembeak, Hume, Jepson, Jones, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Nichols, Offill, Olson, Prevo, Pritchard, Robinson, Saylor, Shaffer, Skinner, Summers, Teachout, Temple, Washburn, Weeks, Welden, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—70.

The nays were:

Messrs. Clary, Colclo, Hambleton, Langan, McDole, Powers Ritter, Stanbery, Whitmer—9.

Absent or not voting:

Messrs. Bealer, Buchanan, Carden, Cassel, DeLano, English, Flenniken, Frudden, Greeley, Gregory, Heles, Jacobson, Kendall, McCulloch, Mott, Peet, Sankey, Spaulding, Springer, Stoltenberg, Teter—21.

So the bill passed and the title was agreed to.

On motion of Hart of Allamakee, House file No. 125, 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.

Hart of Allamakee, moved to amend section 1 by inserting the word "section" after the word "that" in the first line of section 1.

Adopted.

Cheney of Clay, moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carstensen, Cassel, Chassell, Cheney, Christianson, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, Doran, Dow, English, Flenniken, Freeman, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Hollembeak, Hume, Jacobson, Jepson, Jones, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Skinner, Stanbery, Stoltenberg, Summers, Teachout, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—89.

The nays were:

None.

Absent or not voting:

Messrs. Carden, Clary, DeLano, Frudden, Gregory, Heles, Kendall, Spaulding, Springer, Temple, Teter—11.

So the bill passed and the title was agreed to.

On motion of Mattes of Sac, House file No. 57, a bill providing for an act making an appropriation for the payment of certain costs which were incurred by reason of the intervention of the state of Iowa in certain suits originally commenced in the district court of Humboldt county, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Wright of Webster moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jepson, Jones, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—93.

The nays were:

Mr. Skinner.

Absent or not voting:

Messrs. Carden, Greene, Jacobson, Kendall, Spaulding, Teter—6.

So the bill passed and the title was agreed to.

On motion of Temple of Clarke, House file No. 156, a bill for an act for the relief of the grantees of Frederick M. Stumbo 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.

Mr. Temple moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Springer, Stanbery, Stoltenberg, Summers, Temple, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—94.

The nays were:

None.

Absent or not voting:

Messrs. Carden, Kendall, McElrath, Spaulding, Teachout, Teter—6.

So the bill passed and the title was agreed to.

On motion of Buchanan of Wapello, House joint resolution No. 4, relating to the duties of the commissioner of labor statistics, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Buchanan moved that the rule be suspended, that 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Harris, Hart, Head, Hollebeak, Hume, Jacobson, Jepson, Jones, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Springer, Stanbery, Stoltenberg, Summers, Washburn, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—88.

The nays were:

None.

Absent or not voting:

Messrs. Carden, Frudden, Hanna, Heles, Kendall, Langan, McElrath, Spaulding, Teachout, Temple, Teter, Weeks—12.

The following motion to reconsider was filed:

I move to reconsider the vote by which House file No. 156 was passed to its third reading and the vote on passage.

M. L. TEMPLE,  
GEO. F. COBURN.

Motion prevailed.

Temple of Clarke moved to amend House file No. 156 by striking out the words "twenty-two" and the figures "22" in the fourth whereas, and inserting the words "twenty-three" and the figures "23" in lieu thereof.

Carried.

Mr. Temple moved that the rule be suspended, that the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed and the bill was placed upon its passage.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Nichols, Offill, Olson, Peet, Prevo, Pritchard Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—91.

The nays were:

None.

Absent or not voting:

Messrs. Carden, Hakes, Kendall, Lowrey, Mott, Powers, Spaulding, Teter, Whiting.—9

So the bill was passed and the title agreed to.

The Speaker announced that he had signed in the presence of the House, Senate files Nos. 25, 31, 55.

On request leave of absence was granted Wright of Webster until next Monday.

On request of Jepson of Woodbury leave of absence was granted Kendall of Monroe and Spaulding of Howard until next Monday.

On motion of Davie of Crawford the House adjourned until tomorrow morning, Wednesday, February 10, at 10 o'clock.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, February 10, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Reverend Geo. H. Kennedy, of Grundy Center, Iowa.

Journal of Tuesday, February 9, was corrected and approved.

PETITIONS AND MEMORIALS.

Jacobson of Winneshiek presented remonstrance of members of the bar of Winneshiek county, relative to a change in the judicial districts of Iowa.

Referred to committee on Judicial Districts.

McAllister of Linn presented petition of eighteen shippers of Linn county, endorsing House file No. 7.

Referred to committee on Railroads and Commerce.

English of Polk presented petition of citizens of Polk county, relative to Sunday ball playing.

Referred to committee on Judiciary.

Lister of Grundy presented petition of citizens of Grundy county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

McCulloch of Wayne presented petition of citizens of Wayne county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

REPORTS OF COMMITTEES.

Bailey of Ringgold, 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. 62, a bill for an act to amend section two thousand one hundred and fifty-nine (2159) of the code relating to the placing of telegraph and telephone poles, beg leave to report that they have 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. Z. BAILEY,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

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. 31, a bill for an act to require boards of supervisors to make yearly estimates of the revenue and income in county funds and limit expenditures to such estimates, beg leave to report that they have 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.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 27, a bill for an act to amend section fourteen hundred and eighteen (1418) of the code, relating to the time for which real estate may be sold for 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.*

Adopted, and the bill was indefinitely postponed.

Buchanan of Wapello, from the committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations to whom was referred House file No. 48, a bill for an act to amend section six hundred forty-eight (648) and section six hundred fifty-one (651) of the code, relating to the election and appointment of city officers in cities of the second 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 indefinitely postponed.

A. W. BUCHANAN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Municipal Corporations to whom was referred House file No. 20, a bill for an act to amend section one thousand three hundred and six-b (1306-b) of the supplement to the code of Iowa, section two (2), chapter forty-one (41) of the acts of the Twenty-eighth (28th) General Assembly relating to the limit of indebtedness of political and municipal 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.

A. W. BUCHANAN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Hanna of Kossuth, 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. 59, a bill for an act to prohibit shooting live birds from traps and providing a penalty 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.

GEO. W. HANNA,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Fish and Game to whom was referred House file No. 138, a bill for an act to amend chapter 64, acts of the Twenty-seventh General Assembly relating to the protection of game fish, beg leave to report that they 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. HANNA,  
*Chairman.*

Adopted.

#### INTRODUCTION OF BILLS.

By Cobb of Taylor, House file No. 196, a bill for an act to legalize the action of the school board of the Independent district of Clearfield, Taylor county, Iowa, relating to the levy of school taxes in 1904.

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

By Cobb of Taylor, House file No. 197, a bill for an act to amend sections 2389 and 2387 of the code, relative to the sale of intoxicating liquors by permit holders.

Read first and second time and referred to committee on Suppression of Intemperance.

By DeLano of Cass, House file No. 198, a bill for an act to require all railroads doing business in the State of Iowa to transport all persons over the age of twelve years at the rate of two cents per mile, and all persons between the ages of two and twelve years at the rate of one cent per mile, from all points within the state to any other point within the state; to prevent every distinction in the passenger rates within the state; to prohibit the issuance or use of free passes, free transportation, rebate contracts, or other devices for making discriminations in passenger rates within the state; and to provide punishment for the violation thereof.

Read first and second time and referred to committee on Railroads and Commerce.

By Doran of Boone, House file No. 199, a bill for an act relating to the safety of the traveling public by requiring corporations operating railroads in the state of Iowa to employ none but adult persons as signalmen or telegraph operators who receive and deliver orders or operate signals for the movement of trains.

Read first and second time and referred to committee on Railroads and Commerce.

By Flenniken of Clayton, House file No. 200, a bill for an act to amend chapter 123 of the acts of Twenty-ninth General Assembly which is included in section 2738 of the supplement to the code in relation to publication of reports.

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

By Geneva of Keokuk, House file No. 201, a bill for an act to repeal part of section 1561, chapter 2 of the code, pertaining to guide boards.

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

By McAllister of Linn, House file No. 202, a bill for an act to amend the present road law of the state of Iowa.

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

By McCreary of Appanoose, House file No. 203, a bill for an act to amend section 2584 of the code, relative to State Pharmacy Commission.

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

By Mattes of Sac, House file No. 204, a bill for an act appropriating money for the inspection of county and private institutions in which insane persons are kept, and associations, societies and homes receiving friendless children.

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

By Mott of Audubon, House file No. 205, a bill for an act to amend section 1530 of the code supplement of 1902 relating to the county road fund.

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

By Stanbery of Cerro Gordo, House file No. 206, a bill for an act granting to cities and towns authority to regulate the construction of buildings.

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

By Stanbery, House file No. 207, a bill for an act authorizing cities and towns to levy a tax for the purpose of erecting public buildings and procuring grounds for the same.

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

By Whiting of Monona, House file No. 208, a bill for an act making an appropriation for the use of the Board of Control in making an exhibit of State Institutions at the Louisiana Purchase Exposition.

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

By Chassell of Plymouth, House file No. 209, a bill for an act to amend section 1692 of the code, relating to premium notes and the commencement of business by mutual fire insurance companies.

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

BILLS ON THEIR PASSAGE.

On motion of Mattes of Sac, House file No. 127, a bill for an act appropriating money to pay express, freight and cartage, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

On request bill was read for information.

Mr. Mattes moved that the rule be suspended, that the bill be considered engrossed, the reading just had be considered the third reading, which motion prevailed and the bill was placed upon its passage.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Springer, Stanbery, Stoltenberg, Summers, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—93.

The nays were:

None.

Absent or not voting:

Messrs. Carden, Christianson, Harris, Kendall, Spaulding, Teachout, Wright—7.



So the bill passed and the title was agreed to.

On motion of Crose of Page, House file No. 16, a bill for an act in relation to the county levy for bridge purposes, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Crose of Page moved the adoption of the following amendment recommended by the committee:

That the title of the bill be amended to read: "A bill for an act to amend section one thousand three hundred three (1303) of the code, in relation to county levy for bridge purposes."

Adopted.

On request, the bill was read for information.

Mr. Crose moved that the rule be suspended, that the bill be considered engrossed, and the reading just had be considered the third reading, which motion prevailed, and the bill was placed upon its passage.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Buckingham, Calderwood, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greene, Gregory, Hakes, Harris, Hart, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kennedy, Kling, Koontz, Laird Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Saylor, Shaffer, Stanbery, Stoltenberg, Summers, Temple, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Mr Speaker—85.

The nays were:

Messrs. Hambleton, Hanna, Pritchard, Skinner, Teter, Wyland—6.

Absent or not voting:

Messrs. Buchanan, Carden, Christianson, Cummings, Kendall, Spaulding, Springer, Teachout, Wright—9.

So the bill passed and the title, as amended, was agreed to.

On motion of Chassell of Plymouth, House file No. 138, a bill for an act to amend chapter 64, acts of the Twenty-seventh General Assembly, relating to the protection of game fish, was taken up and considered.

On request the bill was read for information.

Mr. Chassell moved that the rule be suspended, that the bill be considered engrossed and that the reading just had be considered the third reading, which motion prevailed, and the bill was placed upon its passage.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Springer, Stanbery, Summers, Temple, Teter, Washburn, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—91.

The nays were:

None.

Absent or not voting:

Messrs. Buckingham, Carden, Christianson, Kendall, Spaulding, Stoltenberg, Teachout, Weeks, Wright—9.

So the bill passed and the title was agreed to.

On motion of Hume of Mitchell, Senate file No. 37, a bill for an act to make immediately available funds appropriated under provisions of chapter 179, laws of the Twenty-ninth General Assembly, with report of committee recommending passage, was taken up, considered and the report of the committee adopted

On request, the bill was read for information.

Mr. Hume moved that the rule be suspended, that the reading just had be considered the third reading, which motion prevailed and the bill was placed upon its passage.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Buckingham, Calderwood, Carlsensen, Cassel, Chassell, Cheney, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Springer, Stanbery, Stoltenberg, Summers, Teter, Washburn, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—90.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Carden, Christianson, Kendall, Kennedy Spaulding, Teachout, Temple, Weeks, Wright—10.

So the bill passed and the title was agreed to.

On motion of Hume of Mitchell, Senate file No. 65, a bill for an act appropriating \$4,500, or so much thereof as may be necessary to pay the additional employes of the Thirtieth General Assembly, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted

On request, the bill was read for information.

Mr. Hume moved that the rule be suspended, that the reading just had be considered the third reading, which motion prevailed and the bill was placed upon its passage.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Bixby, Boland, Buchanan, Calderwood, Cars-  
tensen, Cassel, Chassell, Cheney, Clary, Cobb, Coburn, Conn,  
Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, Flen-  
niken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory,  
Hambleton, Hanna, Harris, Hart, Hollebeak, Hume, Jacobson,  
Jepson, Jones, Kling, Koontz, Laird, Lamkin, Langan, Leech,  
Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary,  
McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin,  
Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo,  
Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner,  
Springer, Stanbery, Stoltenberg, Summers, Temple, Washburn,  
Weeks, Welden, Whiting, Wise, Wyland, Mr. Speaker—83.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Buckingham, Carden, Christianson, Colclo,  
English, Hakes, Head, Heles, Kendall, Kennedy, Spaulding,  
Teachout, Tefer, Whitmer, Willson, Wright—17.

So the bill passed and the title was agreed to.

#### SENATE MESSAGE CONSIDERED.

Senate file No. 17, a bill for an act to amend section No. 2783,  
of the code, relating to text-books in public schools and use of  
contingent fund.

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

On request leave of absence was granted Weeks of Guthrie  
until Tuesday.

On motion of Hambleton of Mahaska the House adjourned  
until tomorrow, Thursday morning, February 11, at 10 o'clock  
A. M.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, Iowa, Thursday, Feb. 11, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. I. McGay Knipe of Des Moines, Iowa.

Journal of Wednesday, February 10, was corrected and approved.

On request of Teachout of Polk, leave of absence was granted Kling of Harrison on account of sickness.

On request of Frudden of Dubuque, leave of absence was granted Davie of Crawford until Tuesday.

PETITIONS AND MEMORIALS.

Pritchard of Wright presented petition of citizens of Wright county relative to the road law.

Referred to committee on Roads and Highways.

Cummings of Marshall presented petition of citizens of Marshall county relative to woman suffrage.

Referred to committee on Woman Suffrage.

Cummings of Marshall presented petition of citizens of Marshall county relative to the establishment of a woman's reformatory at Knoxville.

Referred to committee on Public Charities.

Cummings of Marshall presented petition of citizens of Marshall county relative to child labor.

Referred to committee on Labor.

Morris of Sioux presented petition of citizens of Sioux county, relative to the road law.

Referred to committee on Roads and Highways.

Lowrey of Calhoun presented three petitions of citizens of Calhoun county asking that House file No. 7 be enacted.

Referred to committee on Roads and Highways.

Cheney of Clay presented petition of citizens of Clay county relative to shooting of wild fowl in the spring.

Referred to committee on Fish and Game.

Springer of Buchanan presented petition of citizens of Buchanan county relative to fish and game.

Referred to committee on Fish and Game.

Mott of Audubon presented petition of merchants of Audubon county asking for amendment of the present exemption law.

Referred to committee on Judiciary.

Ritter of Des Moines presented petition of citizens of Des Moines county asking that House file No. 59, House file No. 52 and House file No. 47 be enacted.

Referred to committee on Animal Industry.

McNie of Benton presented petition of citizens of Benton county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Whitmer of O'Brien presented petition of citizens of O'Brien county relative to the road law.

Referred to committee on Roads and Highways.

Freeman of Pottawattamie presented petition of citizens of Pottawattamie county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

#### REPORTS OF COMMITTEES.

Temple of Clark, 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 relating to the construction of permanent sidewalks, and providing for the assessment and collection of the cost 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.

M. L. TEMPLE  
Chairman, *pro tem.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 43, a bill for an act to regulate the employment of child labor and to provide for the enforcement thereof (additional to chapter 8, title XXI 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.

M. L. TEMPLE,  
*Chairman, pro tem.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 172, a bill for an act to repeal section three thousand one hundred sixty-seven (3167) and three thousand one hundred sixty-nine (3169) of the code, and to enact substitutes 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.

M. L. TEMPLE,  
*Chairman, pro tem.*

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 section 3301 of the code of Iowa, in relation to costs of bonds of administrators or executors, beg leave to report that they have 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, pro tem.*

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 prevent wrong to children and dumb animals and to establish a bureau of child and animal protection, beg leave to report that they have 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, pro tem.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 121, a bill for an act to protect deserving wives and minor

children against non-support of 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.

M. L. TEMPLE,  
*Chairman, pro tem.*

Ordered passed on file.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 89, a bill for an act to amend sections 3705 and 3708 of the code of Iowa, with reference to instructions to juries, beg leave to report that they have 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.

N. E. KENDALL,  
*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 amend section 3704 of the code, relating to arguments 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 indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 88, a bill for an act to amend title XVII, chapter 9, of the code of Iowa, with reference to procedure in courts of original jurisdiction, beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 8, a bill for an act legalizing the resolutions, acts and proceedings of the city council and city officers in the city of Dubuque, Iowa, relating to the improvement of the streets and alleys in said city, beg leave



to report that they 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.

Mattes of Sac, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations to whom was referred House file No. 204, a bill for an act appropriating money for the inspection of county and private institutions in which insane persons are kept, and associations, societies and homes receiving 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 by striking out the words "four thousand five hundred" in the third line of section one, and inserting the words "three thousand" in lieu thereof, and when so amended that the same do pass.

JOSEPH MATTES,  
*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 providing for the erection of suitable monuments to Ex-Governor William M. Stone and General George A. Stone, beg leave to report that they have 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 and figures "one thousand dollars (\$1000.00)" in the second and third line of section one of the said bill and inserting the words and figures "fifteen hundred dollars (\$1500.00)" in lieu thereof; and further amend said House file by adding after the word "Iowa" in the eighth line of section one the following:

"And the sum of five hundred dollars (\$500) shall be used to defray the expenses of the erection of a suitable monument to General M. M. Crocker at Des Moines, Iowa;" and further amend by adding after the word "Mount Pleasant" in the second line of section two the words "and Des Moines," and when so amended that the same do pass.

JOSEPH MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations to whom was referred House file No. 112, a bill for an act making an appropriation for relief of the Iowa National guard, beg leave to report that they 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.

JOSEPH MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations to whom was referred House file No. 60, a bill for an act to appropriate money in aid of the quarterly conferences of the chief executive officers of the institutions under the management of the Board of Control 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.

JOSEPH MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations to whom was referred House file No. 132, a bill for an act making an appropriation for the erection of a monument in Elm Grove Cemetery, Washington, Iowa, in remembrance of Timothy Brown, a Revolutionary soldier, and providing the method of such erection, beg leave to report that they 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.

JOSEPH MATTES,  
*Chairman.*

Ordered passed on file.

Jepson of Woodbury, 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. 47, a bill for an act to amend section two thousand seven hundred and seventy-five (2775) of the code relating to the course of study in public schools so as to read as follows, beg leave to report that they have 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 one (1) and substituting in lieu thereof the following:

Section 1. That to section two thousand seven hundred and seventy-five (2775) of the code relating to instruction as to stimulants, narcotics and poisons, shall be added the following:

Also a system of humane treatment of animals as embodied in the laws of Iowa.

The principal or teacher in every school shall certify in each of his or her reports that such instruction has been given in the school under his or her control.

And that when so amended the same do pass.

C. N. JEPSON,  
*Chairman.*

Adopted.

Pritchard of Wright, from the committee on Agriculture, submitted the following report :

MR. SPEAKER—Your committee on Agriculture to whom was referred House file No. 141, a bill for an act making an appropriation for the Department of Agriculture for the purpose of erecting a permanent, fire-proof building for agriculture, horticulture, and dairy 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.

J. S. PRITCHARD,  
*Chairman.*

Adopted, and by unanimous consent the bill was referred to committee on Appropriations.

Bealer of Linn, 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. 50, a bill for an act to amend section 3256 of the code relating to clerks of grand juries, and providing for the appointment and compensation 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.

E. J. C. BEALER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers to whom was referred House file No. 140, a bill for an act to amend chapter five (5) of title IV (4) of the laws of Iowa 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 do pass.

E. J. C. BEALER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers to whom was referred House file No 96, a bill for an act to provide for the re-recording of instruments in which errors have been made in recording beg, leave to report that they 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.

E. J. C. BEALER,  
*Chairman.*

Adopted.

Head of Greene, 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. 25, a bill for an act to amend section 1889 of chapter 12 of the code in relation to savings and state banks and loan and trust companies, and the capital and examination 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 striking out the word "state" in the tenth line, and substituting the word "savings" in lieu thereof, and by striking out the figures 1864 and 11 in the eleventh line, and substituting the figures 1843 and 10 in lieu thereof, and when so amended that the same do pass.

MAHLON HEAD,  
*Chairman.*

Ordered passed on file.

Harris of Poweshiek, 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. 63, a bill for an act to amend section twenty-four hundred and six (2406) of the code relating to the sale of intoxicating liquors; to the action and withdrawals of same without leave of 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 do pass.

THOMAS HARRIS,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Flenniken of Clayton, 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. 105, a bill for an act to legalize the action of the Independent School District of West Des Moines, Polk county, Iowa, in voting bonds at an election held on the 10th day of March, 1902, and legalizing the bonds issued by said school district thereunder.

J. C. FLENNIKEN,  
*Chairman, pro tem, House Committee.*

D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Cheney of Clay, House file No. 210, a bill for an act to amend section 4481 of the code in relation to place of bringing actions, and a taxation of costs therein.

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

By English of Polk, House file No. 211, a bill for an act providing for the completion of the historical, memorial and art building, and the acquisition of the real estate hereinafter described, and making an appropriation therefor.

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

By Greeley of Story, House file No. 212, a bill for an act to repeal section 2566 and section 2567 of the code, relating to registration of births and deaths, and to enact in lieu thereof the following.

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

By Greeley of Story, House file No. 213, 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; to create a board of state examiners therefor, and prescribe the powers and duties of such board.

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

By Hambleton of Mahaska, House file No. 214, a bill for an act to amend section 1 of chapter 20 of the acts of the Twenty-seventh General Assembly, relative to the levy on fire fund.

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

By Military committee, House file No. 215, a bill for an act for the erection of a monument at the site of the Confederate military prison at Andersonville, Georgia, in commemoration of the patriotism, suffering and martyrdom of the Iowa soldiers who were imprisoned and died in such military prison, and creating a commission to have charge of the erection thereof and providing an appropriation therefor.

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

By Hart of Allamakee, by request, House file No. 216, a bill for an act to repeal sections 2212, 2213 and 2214 of the code and amendments thereto, and to enact substitutes therefor, and to amend section 2178 of the code, relating to the militia.

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

By Jepson of Woodbury, House file No. 217, 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 McCulloch of Wayne, House file No. 218, a bill for an act to regulate the sale of patent medicines containing narcotic or any alcoholic preparations.

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

By Offill of Jasper, House file No. 219, a bill for an act to repeal section 1075 of the code of Iowa as amended by section 1, of chapter 53 of the acts of the Twenty-ninth General Assembly; section eleven hundred thirty (1130) of the code of Iowa as amended by section 2, of chapter 53 of the acts of the Twenty-ninth General Assembly; section fifteen hundred twenty eight (1528) of the code as amended by section 3, chapter 53 of the acts of the Twenty-ninth General Assembly; section 1533 of the

code as amended by section 5, chapter 57 of the acts of the Twenty-ninth General Assembly; section fifteen hundred forty two (1542) of the code as amended by section 8, chapter 53 of the acts of the Twenty-ninth General Assembly; section fifteen hundred forty-five of the code as amended by section 9, chapter 53 of the acts of the Twenty-ninth General Assembly; section fifteen hundred fifty-one (1551) of the code as amended by section 11, chapter 53 of the acts of the Twenty-ninth General Assembly; section fifteen hundred fifty-four (1554) of the code as amended by section 13, chapter 53 of the acts of the Twenty-ninth General Assembly; section forty-eight hundred and eight (4808) of the code as amended by section 16, chapter 53 of the acts of the Twenty-ninth General Assembly; section fifteen hundred thirty-two (1532) of the code as amended by section 4, chapter 53 of the acts of the Twenty-ninth General Assembly; section fifteen hundred forty (1540) of the code as amended by section 6, chapter 53 of the acts of the Twenty-ninth General Assembly; section fifteen hundred forty-one of the code as amended by section 7, chapter 53 of the acts of the Twenty-ninth General Assembly; section fifteen hundred forty-six (1546) of the code as amended by section 10, chapter 53 of the acts of the Twenty-ninth General Assembly; section fifteen hundred fifty-three (1553) of the code as amended by section 12, chapter 53 of the acts of the Twenty-ninth General Assembly; fifteen hundred sixty-seven (1567) of the code as amended by section 14, chapter 53 of the acts of the Twenty-ninth General Assembly; and section 18 of the acts of the Twenty-ninth General Assembly, and enact substitutes therefor, and to repeal sections 15 and 17 of the acts of the Twenty-ninth General Assembly, relative to the duties of township trustees; the election, qualification, duties, compensation and payment of road supervisors; to the duties of the township clerk and assessor; road districts, and the levy and collection of road tax.

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

By Powers of Floyd, House file No. 220, a bill for an act to provide for the manufacture of binding twine in the state prisons in Iowa.

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

By Skinner of Union, House file No. 221, a bill for an act to appropriate money for the use of the League of Iowa Municipalities, and regulating its expenditure.

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

By Welden of Hardin, House file No. 222, a bill for an act defining the duties of clerks of district courts in cases of suspension or revocation of the license of an attorney or counselor at law to practice.

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

By Whiting of Monona, House file No. 223, a bill for an act legalizing the Iowa State Poultry Association, to define certain duties of said association, to make an annual appropriation therefor, and fixing a penalty for the misappropriation of any of the money hereby granted.

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

By Stanbery of Cerro Gordo, House file No. 224, a bill for an act repealing chapter 85 of the Twenty-seventh General Assembly of the State of Iowa, and section 2734 of the code and enacting a substitute therefor, relating to the qualifications of county superintendents.

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

By Cummings of Marshall, House file No. 225, a bill for an act amending section 1709 and 1710 of the code, relating to insurance other than life.

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

#### 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. 47, relative to amending section 5256 of the code, relating to appointment of clerks of grand juries.

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. 2, a bill for an act to amend section 13 of the code, for securing to the state interest on public funds.

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 a committee being appointed to investigate the advisability of manufacturing binding twine at the state prisons and the cost of equipping plants for that purpose.

GEO. A. NEWMAN,  
*Secretary.*

Speaker appointed as committee on part of House, Powers of Floyd, Jones of Montgomery, DeLano of Cass.

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. 1, providing for biennial elections.

SENATE JOINT RESOLUTION NO. 1.

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:

SEC. 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 31st, 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 offices 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 biennial thereafter.

*Be it further resolved,* That this resolution and the foregoing amendments to the constitution of the State of Iowa, having been adopted by the Twenty-ninth General Assembly, in manner and form, and by the majority required by the constitution of the State of Iowa, and the statutes thereof, shall be submitted for ratification or rejection by the electors of the State of Iowa at the general election for state officers to be held in November, 1904.

GEO. A. NEWMAN,  
*Secretary.*

English of Polk asked unanimous consent to have the following report, submitted by the Board of Control, printed in the House Journal.

Granted.

*To the General Assembly of the State of Iowa:*

GENTLEMEN—In compliance with the provision of the concurrent resolution, viz: "That the Board of Control of State Institutions be requested to investigate or have investigated the property located at Knoxville, belonging to the state, formerly used as an Industrial Home for the Blind, to determine its availability as a place of detention for inebriates and estimate the probable cost of making such changes, additions and improvements as may be necessary to adapt said property to such use, and to report the result of such investigation and estimate to this legislature by the 20th day of February, A. D. 1904, or the earliest practicable day thereafter," we submit the following report:

*First.* The property belonging to the state at Knoxville and formerly used as an Industrial Home for the Blind, when certain changes in and improvements of the present buildings are made, and the needed new buildings are erected, and all buildings are properly furnished and equipped, and the additional land needed is purchased, will be available as a proper place for the detention, cure and treatment of inebriates.

*Second.* The state now owns fifty acres of land at said place and it will be necessary to secure at least two hundred acres in addition thereto. The

experience of the state of Massachusetts for the past ten years in the care of this class of patients is to the effect that work is one of the essentials needed to promote a cure, and that farm and garden work is preferable to inside labor when the season of the year and the weather permit working out of doors.

This land should be situated within a reasonable distance of the institution.

*Third.* The buildings should have a capacity for at least two hundred patients and for the necessary officers and employes to start with.

During the past year at one time there were over three hundred inebriates in our state hospitals, and had we been equipped with proper facilities and had money to employ necessary help to look after patients there is no doubt that the average number so cared for would have been over two hundred.

*Fourth.* The present two-story and basement brick building will, with certain changes and improvements, accommodate from one hundred to one hundred and twenty-five patients. It will also furnish room for the necessary kitchens, dining rooms, storerooms and day rooms, for the patients occupying said building.

It will be necessary to remove certain partitions in whole or in part, to put in additional partitions in certain rooms to divide them into smaller rooms, to plaster, floor and fit up the large room in the basement, under what was the shop room, for a general dining room, to divide the rooms on the first floor formerly used as a workshop and as work-rooms for males and females, and to floor, plaster and finish the old workshop; to make on the second floor a hallway from the present hall through what was the infirmary department to the workshop on said floor, to divide the rooms now constituting said infirmary, and to floor, plaster and finish this second-story workshop for use as a chapel and amusement hall seating two hundred people.

These repairs and changes involve putting in more radiation in the basement and the first and second stories of that part of the building heretofore used as a workshop, also wiring the same for electric lights and some additional wiring and fixtures for other parts of the building. Water must also be carried to some parts of the building and some changes in the sewers and sewer connections may be necessary to accommodate this and the proposed new buildings.

*Fifth.* The kitchen in the old building must be equipped with steamers, kettles, range, tea and coffee urns, and all other necessary utensils.

*Sixth.* The dining rooms will have to be furnished and equipped with tables, chairs, dishes, table linen, etc.

*Seventh.* The building must be furnished with window shades, beds, bedding, chairs, tables, chiffoniers and other needed furniture for from one hundred to one hundred and twenty-five patients and several attendants. At least two hundred chapel chairs will be needed.

*Eighth.* To accommodate at least two hundred patients and the necessary officers and employees the following new buildings must be erected, furnished and equipped:

- A. An administration building.
- B. A building for power house, engine room, coal house, laundry and shop; also a smokestack.
- C. A cottage to accommodate at least 100 patients and several attendants.

#### THE ADMINISTRATION BUILDING.

This building is necessary to provide offices for the institution and proper accommodations for lodging employes and for the superintendent and his family.

#### THE POWER HOUSE ETC.

This building we must have and it must be equipped with boilers, engines, dynamos, pumps and connections, tools for the engineer, a hot water system, including boiler, etc.

#### THE LAUNDRY

Must be equipped with washers, mangle, extractor, dry room and other machines and appliances.

#### THE SHOP BUILDING

Must be equipped with the necessary tools, implements and machinery for the prosecution of work in doors during inclement weather and during the winter season.

#### THE COTTAGE.

This building must be large enough to accomodate at least 100 patients and several attendants. It must have some single rooms, some dormitories, bath and clothes rooms and day rooms. All of them must be equipped and furnished. Sewer, water and light must be carried to this building, also heat.

*Ninth.* There is now no farm equipment whatever. Horses, cows, hogs, farm implements and machinery, wagons, harnesses and other needed articles must be procured. Besides potatoes, oats, corn, etc. must be bought for seed.

#### *Tenth.*

#### ESTIMATED COST.

200 acres of land.....	\$ 25,000
Remodeling and repairs of and changes in existing building.....	5,000
Equipping kitchens.....	1,650
Equipping dining rooms.....	1,000
Furnishing existing building.....	3,700
Electric wiring and fixtures.....	1,000
New administration building.....	15,000
Furnishing and equipping same.....	1,600
New cottage.....	20,000

Furnishing and equipping same.....	3,825
New building for power house, engine room, coal house, laundry, shop and stack. ....	25,000
Equipment for boiler and engine room .....	\$ 9,150
Equipment for laundry .....	2,700
Equipment for shop.....	1,000
Farm equipment .....	3,900
Total.....	\$119,525

The above estimate is based upon our best judgment and that of the state architect as to the changes, etc., which will be necessary. It may appear hereafter that in some respects we can improve upon some of the changes which now appear to us essential. Inasmuch as many unforeseen contingencies always arise in the alteration of an old building, and as we have no doubt overlooked some things which will be needed, it is our opinion that the appropriation should be at least \$125,000.00. In addition to this there should be a contingent and repair fund of \$6,000.00 provided.

It is proper to say that our estimate is based upon the supposition that only inebriates whose character, except for inebriety, is good, will be admitted. If all inebriates including the criminal and the man who has no desire to reform are to be sent to this institution, it will require an appropriation of at least two hundred thousand dollars, as buildings in addition to those estimated for will have to be erected to care for a larger number of patients, and grates put on windows and doors to prevent escapes, all involving a large expense. It has been shown by the experience of the state of Massachusetts that the escapes are largely from this class of patients.

Respectfully submitted,

BOARD OF CONTROL OF STATE INSTITUTIONS,

By JOHN COWNIE,

*Chairman.*

Dated February 8, 1904.

On motion of Chassell of Plymouth, House file No. 140, a bill for an act to amend chapter 5, title IV of the laws of Iowa relating to the compensation of county recorders, with report of committee recommending passage, was taken up, considered and report of committee adopted.

Chassell of Plymouth moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings,

Dashiell, DeLano, Dow, English, Flenniken, Frudden, Geneva, Greeley, Gregory, Hakes, Hambleton, Hanna, Harris, Head Hollembeak, Hume, Jacobson, Jepson, Jones, Kennedy, Koontz Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Springer, Stanbery, Stoltenberg, Summers, Temple, Teter, Washburn, Welden, Whitmer, Willson, Wise, Wyland, Mr. Speaker—86.

The nays were:

Messrs. Doran, Freeman, Greene—3.

Absent or not voting:

Messrs. Cassel, Davie, Hart, Heles, Kendall, Kling, Spaulding, Teachout, Weeks, Whiting, Wright—11.

So the bill passed.

Temple of Clarke moved to amend the title of the bill by substituting as follows:

A bill for an act to amend sections four hundred and ninety-five (495) and four hundred and ninety-six (496) of the code, relating to the compensation of county recorders.

The title, as amended, was agreed to.

On motion of Lamkin of Lyon, House file No. 96, a bill for an act to provide for the re-recording of instruments in which errors have been made in recording, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Temple of Clarke moved to amend by striking out words "section 2 and section 3."

Adopted.

Temple of Clarke moved to amend by striking out the word "that" in the fifth line, and the next word, "in", be commenced with a capital letter.

Adopted.

Temple of Clarke moved to amend the title by striking out the words "providing for" and inserting in lieu thereof the words

“to amend chapter five (5), title IV (4) of the code, relating to.”

Adopted.

Jepson of Woodbury moved that the bill be referred to the committee on Judiciary.

Carried, and the bill was so referred.

Wise of Black Hawk in the chair.

On motion of Mattes of Sac, House file No. 112, a bill for an act making an appropriation for the relief of the Iowa National Guard, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Hart of Allamakee moved that the rule 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. Bealer, Bixby, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kennedy, Koontz, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Nichols, Ofill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Springer, Stanbery, Stoltenberg, Summers, Temple, Teter, Welden, Whiting, Whitmer, Willson, Wise, Wyland—83.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Boland, Buckingham, Cobb, Davie, Head Kendall, Kling, Langan, Lowrey, Mott, Spaulding, Teachout, Washburn, Weeks, Wright, Mr. Speaker—17.

So the bill passed and the title was agreed to.

Speaker Clarke in the chair.

On motion of Mattes of Sac, House file No. 186, a bill for an act providing for the erection of suitable monuments to Ex-Governor Wm. M. Stone and General Geo. A. Stone, with report of committee recommending passage with committee amendments, was taken up, considered and the report of the committee adopted.

Mattes of Sac moved the adoption of the following amendments recommended by the committee:

Amend by striking out the words and figures "one thousand dollars (\$1000)" in the second and third line of section one of the said bill, and inserting the words and figures "fifteen hundred dollars (\$1500)" in lieu thereof.

And further amend said House file by adding after the word "Iowa" in the eighth line of section one the following: "And the sum of five hundred dollars (\$500) shall be used to defray the expenses of the erection of a suitable monument to General M. M. Crocker at Des Moines, Iowa."

And further amend by adding after the word "Mount Pleasant" in the second line of section two the words "and Des Moines," and when so amended that the same do pass.

Adopted.

Bealer of Linn moved that the rule 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. Bealer, Bixby, Buchanan, Calderwood, Carden, Chas-sell, Cheney, Christianson, Clary, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hanna, Harris Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Mattes, Morris, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Springer, Stanbery, Summers, Teachout, Temple, Teter, Washburn, Welden, Whiting, Whitmer Willson, Wise, Wyland, Mr. Speaker—82.

The nays were:

None.



Absent or not voting:

Messrs. Bailey, Boland, Buckingham, Carstensen, Cassel, Cobb, Davie, Hambleton, Kendall, Kennedy, Kling, Martin, Mott, Peet, Spaulding, Stoltenberg, Weeks, Wright—18.

So the bill passed.

Bealer of Linn moved to amend title by striking out the word "and" between the words "Stone" and "General" and adding at the end the words, "Gen. M. M. Crocker."

Title as amended agreed to.

House file No. 88, a bill for an act to amend title XVII, chapter 9 of the code of Iowa with reference to procedure in courts of original jurisdiction, 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. 89, a bill for an act to amend sections 3705 and 3708 of the code of Iowa with reference to instructions to juries, 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. 90, a bill for an act to amend 3704 of the code relating to arguments of attorneys, 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. 91, a bill for an act to amend section 3301 of the code of Iowa, in relation to costs of bonds of administrators or executors, 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. 121, 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.

House file No. 152, a bill for an act to prevent wrongs to children and dumb animals and to establish a bureau of child and animal protection, 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.

SENATE MESSAGE CONSIDERED.

Senate file No. 47, a bill for an act to amend section 5256 of the code relating to the appointment of clerks of grand juries.

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

Stanbery of Cerro Gordo asked unanimous consent to recall House file No. 176 from the committee on Schools and Text-Books and withdraw same from consideration of the House entirely.

Granted.

Skinner of Union moved that House file No. 63 be referred to the Judiciary committee.

Motion prevailed.

On request of Dow of Franklin leave of absence was granted Cassel of Jefferson until Tuesday.

On request of Buchanan of Wapello leave of absence was granted Jacobson of Winneshiek until Tuesday.

On request of Calderwood of Scott leave of absence was granted Mott of Audubon until Tuesday.

On motion of Carden of Henry, the House adjourned until tomorrow, Friday, February 12, at 10 o'clock A. M.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, Friday, February 12, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by Rev. Jas. P. Linn of Ireton, Iowa.

Journal of Thursday, February 11, was corrected and approved.

On request leave of absence was granted Morris of Sioux until Tuesday.

On request leave of absence was granted Hollembeak of Adair until Tuesday.

On request leave of absence was granted Flenniken of Clayton until Tuesday.

On request leave of absence was granted McCulloch of Wayne until Tuesday.

On request leave of absence was granted Leech of Cedar until Tuesday.

On request of Martin of Pottawattamie leave of absence was granted Freeman of Pottawattamie until Tuesday.

On request of Hart of Allamakee leave of absence was granted Olson of Worth and Shaffer of Fayette until Tuesday.

On request of Nichols of Muscatine leave of absence was granted Bailey of Ringgold until Tuesday.

On request of Jones of Montgomery leave of absence was granted Cummings of Marshall until Tuesday.

On request of Jones of Montgomery leave of absence was granted Lamkin until Tuesday.

On request of Wyland of Shelby leave of absence was granted Hakes of Pocahontas and Koontz of Johnson until Tuesday.

On request of Teachout of Polk leave of absence was granted Kling of Harrison until Tuesday.

On request of Mattes of Sac leave of absence was granted Christianson of Hamilton until Tuesday.

On request of Heles of Dubuque leave of absence was granted Sankey of Decatur until Tuesday.

On request of Welden of Hardin leave of absence was granted Stanbery of Cerro Gordo until Tuesday.

On request of Nichols of Muscatine leave of absence was granted Cobb of Taylor until Tuesday.

#### PETITIONS AND MEMORIALS.

Jones of Montgomery presented eight petitions of citizens of Montgomery county, asking the repeal of the road law.

Referred to committee on Roads and Highways.

Teter of Marion presented petition of citizens of Marion county, asking the repeal of the road law.

Referred to committee on Roads and Highways.

Whiting of Monona presented petition of citizens of Ida county, relative to Sunday ball playing.

Referred to committee on Judiciary.

Whiting of Monona presented petition of citizens of Ida county relative to child labor.

Referred to committee on Labor.

Pritchard of Wright presented petition of citizens of Wright county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Buckingham of Buena Vista presented petition of citizens of Buena Vista county relative to spring shooting.

Referred to committee on Fish and Game.

Ritter of Des Moines presented petition of citizens of Des Moines county asking that House file No. 59, House file No. 52 and House file No. 47 be enacted.

Referred to committee on Fish and Game.

Wyland of Shelby presented petition of citizens of Shelby county asking the repeal of the present road law.

Referred to committee on Roads and Highways.

Cheney of Clay presented petition of citizens of Clay county relative to fish and game.

Referred to committee on Fish and Game.

Mattes of Sac presented petition of citizens of Sac county relative to the game laws.

Referred to the committee on Fish and Game.

Harris of Poweshiek presented petition of sixty-five citizens of Poweshiek county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Doran of Boone, presented petition of citizens of Dallas and Boone counties asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

DeLano of Cass presented two petitions of citizens of Hardin county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

DeLano of Cass presented two petitions of citizens of Cass county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

DeLano of Cass presented petition of citizens of Cherokee county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

DeLano of Cass presented petition of twenty-four citizens of Cass county asking the repeal of the road law.

Referred to committee on Roads and Highways.

DeLano of Cass presented two petitions of fifty-four citizens of Jackson county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

DeLano of Cass presented three petitions of citizens of Cass county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

DeLano of Cass presented petition of citizens of Wayne county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

## REPORT OF COMMITTEE.

Jepson of Woodbury, 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. 34, a bill for an act providing for 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 indefinitely postponed.

C. N. JEPSON,  
*Chairman.*

Adopted and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Schools and Text-books to whom was referred House file No. 4, a bill for an act to amend chapter thirteen (13) of the code of Iowa relating to common 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.

C. N. JEPSON,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

## INTRODUCTION OF BILLS.

By Lowrey of Calhoun, House file No. 226, a bill for an act to repeal section 1832 of the code as amended by chapter 47, acts of the Twenty-seventh General Assembly, and providing a substitute therefor.

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

By Bealer of Linn, House file No. 227, a bill for an act regulating appointments, employment and removals in the public departments and upon public works in the state of Iowa, and the counties, cities and towns thereof.

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

By Conn of Butler, House file No. 228, a bill for an act to amend section 1457 of the code, relative to the bonds of county treasurers.

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

By Lundt of Tama, House file No. 229, a bill for an act to amend section 1538 of the code in relation to the compensation of township clerks.

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

By Buckingham of Buena Vista, House file No. 230, a bill for an act to amend chapter 11, title XII of the code, relating to the inspection of petroleum products.

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

Carden of Henry offered the following resolution and moved that the rule be suspended and the resolution be adopted :

WHEREAS, The Hon. Joshua G. Newbold, an honored member of the Thirteenth, Fourteenth and Fifteenth General Assemblies of Iowa, and an Ex-Governor of this state, has recently departed this life;

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

Adopted.

Speaker appointed as such committee, Carden of Henry, Temple of Clarke and Springer of Buchanan.

Geneva of Keokuk offered the following resolution:

WHEREAS, Governor Cummins pointed out the great need of larger appropriations for the state schools in order to compare favorably with other states; and

WHEREAS, We have a damaged State House and Louisiana Exhibit to look after which is something extra in the line of appropriations which must be attended to; therefore be it

*Resolved*, That we take up for passage no more bills carrying appropriations until we have provided for our state schools, charitable institutions, State Capitol and Louisiana exhibit.

Objection being made to consideration at this time, the resolution was laid over under Rule 34.

English of Polk offered the following resolution and moved that the rule be suspended and the resolution be adopted :

WHEREAS, The Honorable Hoyt Sherman, one of the pioneers of central Iowa, a gallant soldier of the war of the Rebellion, the last of a family of brothers, all of whom conferred distinction upon American life, and an honored member of this House in the Eleventh General Assembly, passed away at his home in Des Moines, on Monday, January 25, 1904; therefore be it

*Resolved*, That a committee of three be appointed to draft and present to this House resolutions commemorating his life and services to the state and nation.

Adopted.

Speaker appointed as such committee, English of Polk, Kennedy of Lee, Langan of Clinton.

Temple of Clarke, seconded by Hambleton of Mahaska, moved to reconsider the vote by which House file No. 91 was indefinitely postponed.

Carried.

Mr. Temple asked unanimous consent that the bill be referred to committee on Judiciary.

Granted, and the bill was re-referred.

Buckingham of Buena Vista asked unanimous consent to recall House file No. 131 from the committee on Public Health and from consideration of the House entirely.

Granted.

On request of Bealer of Linn he was relieved from serving on the committee to visit Ft. Madison and the name of Jepson of Woodbury was substituted.

#### 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:

House concurrent resolution, relative to printing the rules of the Thirtieth General Assembly.

GEO. A. NEWMAN,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate file No. 2, a bill for an act to amend section 113 of the code, and to provide for securing to the state interest on public funds.

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



Senate Joint Resolution No. 1, 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 request of Manning of Lucas, leave of absence was granted Summers of Van Buren until Wednesday.

On motion of Pritchard of Wright the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, February 16, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Reverend J. W. Day of Des Moines.

Journal of Friday, February 12th, was corrected and approved.

On request of Whitmer of O'Brien leave of absence was granted Hakes of Pocahontas until Wednesday.

On request leave of absence was granted McAllister of Linn and Powers of Floyd until Wednesday.

#### PETITIONS AND MEMORIALS.

Stanbery of Cerro Gordo presented petition of the Brotherhood of Locomotive Engineers of Mason City against the passage of House file No. 92.

Referred to committee on Ways and Means

Morris of Sioux presented two petitions of citizens of Sioux county relative to spring shooting.

Referred to committee on Fish and Game.

Wise of Black Hawk presented petition of citizens of Black Hawk county relative to House files No. 59, No. 32 and No. 57.

Referred to committee on Animal Industry.

Whitmer of O'Brien presented petition of citizens of O'Brien county relative to the road law.

Referred to committee on Roads and Highways.

Whitmer of O'Brien presented petition of citizens of O'Brien county relative to spring shooting.

Referred to committee on Fish and Game.

McNie of Benton presented petition of 164 citizens of Benton county relative to the game laws.

Referred to committee on Fish and Game.

Weeks of Guthrie presented petition of citizens of Guthrie county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Jepson of Woodbury presented remonstrance of the Sioux City Trades Assembly relative to House files No. 92 and No. 48, and Senate file No. 74.

Read and referred to committee on Labor.

Davie of Crawford presented petition of eighty-two citizens of Crawford county protesting against the proposed amendments to the game law.

Referred to committee on Fish and Game.

Doran of Boone presented petition of citizens of Boone county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Stanbery of Cerro Gordo presented petition of citizens of Cerro Gordo county relative to House files No. 59, No. 52 and No. 47.

Referred to committee on Animal Industry.

Pritchard of Wright presented two petitions of citizens of Wright county relative to the state marshal bill.

Referred to committee on Suppression of Intemperance.

Hambleton of Mahaska presented petition of retail clerks' union of Oskaloosa relative to child labor law.

Referred to committee on Labor.

Skinner of Union presented petition of citizens of Union county relative to the passage of House file No. 7.

Referred to committee on Railroads and Commerce.

Kling of Harrison presented petition of 117 citizens of Harrison county asking repeal of the present road law.

Referred to committee on Roads and Highways.

Kling of Harrison presented memorial of Meat Producers' Association of Harrison county relative to the DeLano bill.

Referred to committee on Railroads and Commerce.

Kling of Harrison presented petition of citizens of Harrison county relative to spring shooting.

Referred to committee on Fish and Game.

DeLano of Cass presented petition of forty-four citizens of Shelby county relative to the enactment of House file No. 7.

Referred to committee on Railroads and Commerce.

Hambleton of Mahaska presented petition of citizens of Mahaska county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

DeLano of Cass presented three petitions of citizens of Cass county asking that House file No. 6 be enacted.

Referred to committee on Telegraph, Telephone and Express.

DeLano of Cass presented six petitions of citizens of Cass county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

DeLano of Cass presented petition of twenty-six citizens of Hardin county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

DeLano of Cass presented petition of thirty-seven citizens of Montgomery county asking the passage of House file No. 7.

Referred to committee on Railroads and Commerce.

Chassell of Plymouth presented petition of citizens of Plymouth county relative to the game laws.

Referred to committee on Fish and Game.

DeLano of Cass presented petition of thirty-six citizens of Story county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Whiting of Monona presented petition of citizens of Monona county relative to the game laws.

Referred to committee on Fish and Game.

Offill of Jasper presented petition of citizens of Jasper county asking to have the present road law repealed.

Referred to committee on Roads and Highways.

Kendall of Monroe presented petition of citizens of Monroe county asking the repeal of the present road law.

Referred to committee on Roads and Highways.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Flenniken of Clayton, 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. 37, a bill for an act to make immediately available funds appropriated under provisions of chapter 179, laws of the Twenty-ninth General Assembly.

Also, Senate file No. 65, 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 Thirtieth General Assembly.

J. C. FLENNIKEN,

*Chairman pro tem House Committee.*

D. W. TURNER.

*Chairman Senate Committee.*

Adopted.

Lowrey of Calhoun asked unanimous consent that House file No. 226 be withdrawn from committee on Judiciary and referred to committee on Insurance.

Granted, and the bill was so referred.

Speaker announced that he had signed in the presence of the House, Senate files No. 105, No. 37, No. 65.

Geneva of Keokuk called up his concurrent resolution relative to the taking up and passage of bills carrying appropriations and moved the adoption of the same.

Lost.

INTRODUCTION OF BILLS.

By Teachout of Polk, House file No. 231, a bill for an act amending section 771 of the code, as amended by section 1, chapter 43, acts of the Twenty-ninth General Assembly, relating to construction of viaducts.

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

By Teter of Marion, House file No. 232, a bill for an act to repeal section 1145 of the code, and for the enactment of a substitute therefore, relative to the canvass of votes.

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

By McNie of Benton, House file No. 233, a bill for an act amending section 4963 of the code, by adding thereto the provision that gambling devices may, under certain conditions, be seized by officers without a warrant.

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

By Wright of Webster, House file No. 234, a bill for an act to repeal section 2213 of the supplement of the code of Iowa, relating to compensation of officers and soldiers of the Iowa National Guard, and to enact a substitute therefor.

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

By Wright of Webster, House file No. 235, a bill for an act for the relief of the grantees of Charles M. Downs, and for the purpose of having a patent issued in the name of George S. Stall and Frances E. Stall for a certain tract of land.

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

By Wise of Black Hawk (by request), House file 236, a bill for an act to provide for trust companies, state banks and savings banks acting as court officer, amending section 1889 of the code.

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

By English of Polk, House joint resolution No. 5, relative to the appointment of a committee to purchase a chair and gavel each for the Speaker of the House and the President of the Senate.

#### HOUSE JOINT RESOLUTION NO. 5,

For the appointment of a Joint committee to purchase a chair and gavel for the Speaker of the House and the President of the Senate.

*Be it Resolved by the General Assembly of the State of Iowa,* That a joint committee of two from the House and one from the Senate be appointed and hereby authorized to purchase a suitable chair and gavel each for the Speaker of the House and the President of the Senate.

Read first and second time.

Mr. English asked unanimous consent to take up and consider the joint resolution at this time.

Granted.

Speaker pro tem Cummings in the chair.

Wise of Black Hawk moved to amend the joint resolution by striking out the words, "and the President of the Senate" and the word "each."

On demand of Whitmer of O'Brien and Davie of Crawford the roll was called on the amendment.

The yeas were:

Messrs. Boland, Buckingham, Coburn, Greene, Hambleton, Harris, Head, Heles, Lamkin, Langan, McClurkin, McDole, McElrath, Manning, Mattes, Morris, Mott, Nichols, Robinson, Sankey, Skinner, Stanbery, Stoltenberg, Temple, Teter, Washburn, Weldon, Wise—28.

The nays were:

Messrs. Bailey, Bealer, Bixby, Buchanan, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Clary, Cobb, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Hanna, Hart, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Leech, Lister, McCreary, McCulloch, Maben, Martin, Offill, Olson, Prevo, Pritchard, Ritter, Saylor, Spaulding, Teachout, Weeks, Whitmer, Wright, Wyland—56.

Absent or not voting:

Messrs. Cassel, Gregory, Hakes, Kennedy, Lowrey, Lundt, McAllister, McNie, Peet, Powers, Shaffer, Springer, Summers, Whiting, Willson, Mr. Speaker—16.

Amendment lost.

Jones of Montgomery moved to amend the joint resolution by adding thereto the following: "The committee may select some other memento of equal value for the President of the Senate if by them thought best."

Lost.

English of Polk moved that the rule be suspended, that the joint resolution be considered engrossed and read a third time now, which motion prevailed by a two-thirds vote, and the joint resolution was read a third time.

On the question, Shall the joint resolution pass?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Hanna, Harris, Hart, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lowrey, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Skinner, Spaulding, Stanbery, Stoltenberg, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Wright, Wyland—82.

The nays were:

Messrs. Buckingham, Hambleton, Head—3.

Absent or not voting:

Messrs. Cassel, Gregory, Hakes, Kennedy, Lister, Lundt, McAllister, Offill, Peet, Powers, Shaffer, Springer, Summers, Whiting, Mr. Speaker—15.

So the joint resolution passed and the title was agreed to.

Chassell of Plymouth offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved*, That the clerk of the House be instructed to have 500 copies of the rules of the House and Senate printed for the use of the members of the House and its officers, said books to be of convenient pocket size, and to be suitably indexed; 125 copies to be sewed and bound in leather, and the others to be stitched and bound with paper covers.

Adopted.

Speaker Clarke in the chair.

Hambleton of Mahaska submitted the following concurrent resolution and moved that the rule be suspended and the resolution be adopted:



WHEREAS, One of the greatest questions affecting the agricultural and commercial development of this State at this time, as well as nearly all States of the Union, is the question of good roads; and

WHEREAS, There is now pending bills before the Congress of the United States proposing an appropriation of twenty-four million dollars for improvement of roads, of which Iowa's proposed part is six hundred and forty-seven thousand dollars; and

WHEREAS, The primary question of a practical system of drainage of all highways bears a most important and essential part in the consideration of this question, as pointed out by the Governor in his last biennial message; therefore, be it

*Resolved by the House, the Senate concurring,* That the Thirtieth General Assembly appoint a committee consisting of three from the House and three from the Senate who shall take into consideration the interest of the State in this important question, shall give such encouragement as may seem wise as to federal aid proposed, and shall take under advisement the practicability of having, through the civil engineering departments of the University and Agricultural Colleges or otherwise a plan and survey for drainage, with information as to grades and general character of the roads and highways of each county for adoption by the boards of supervisors of such counties. Also, to consider any proposed legislation for State aid for this work during this session, and report with such recommendations as may be deemed wise and practical, after due consideration and investigation, for the information and possible action of this assembly.

Adopted.

The following communication was received from the Governor, and on motion of Hart of Allamakee, was ordered printed in the Journal:

*To the Senate and House of Representatives of the Thirtieth General Assembly:*

It is with great sorrow that I officially announce to you the death of Senator Marcus A. Hanna of Ohio, which occurred at Washington yesterday afternoon.

Senator Hanna was one of America's most distinguished sons, a statesman of high order and a citizen of rare worthiness. His death brings universal mourning and his memory will be long revered.

Respectfully submitted,

ALBERT B. CUMMINS,  
*Governor.*

Hart of Allamakee moved that a committee of three be appointed to draft resolutions relative to Governor's message.

Carried.

Speaker appointed as such committee, Hart of Allamakee, Kling of Harrison and Laird of Fremont.

## 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. 99, 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 concurrent resolution, in which the concurrence of the House is asked:

Concurrent resolution memorializing representatives in Congress to aid in obtaining money for improvement of the Missouri and Des Moines rivers.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the President of the Senate has appointed on the part of the Senate as a committee to investigate the advisability of manufacturing binding twine in the state penitentiaries, Senators Young of Calhoun, Maytag, Smith of Des Moines.

GEO. A. NEWMAN,  
*Secretary.*

## BILLS ON THEIR PASSAGE.

On motion of Kendall of Monroe House file No. 13, a bill for an act to amend section 2942 of the supplement to the code, relating to conveyance of real estate by husband or wife 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.

Kendall of Monroe moved the adoption of the following substitute as amendment recommended by the committee:

## SUBSTITUTE AS AMENDMENT FOR HOUSE FILE NO. 13.

A bill for an act to amend section twenty-nine hundred forty-two-f (2942-f) of the supplement to the code of Iowa, relating to the conveyance of real estate by husband or wife.

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

Section 1. That section twenty-nine hundred forty-two-f (2942-f), chapter six (6), title fifteen (15) of the supplement to the code be, and the same is, hereby amended by striking out the word "each" in the fourth line thereof, and substituting the word "such" in lieu thereof.

N. E. KENDALL,  
*Chairman.*

Adopted.

Temple of Clark moved to amend by striking out the words and figures "chapter six (6) and title VI (6)" in section one.

Adopted.

Jepson of Woodbury moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Pritchard, Ritter, Robinson, Sankey, Saylor, Skinner, Spaulding, Stanbery, Stoltenberg, Temple, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—85.

The nays were:

None.

Absent or not voting:

Messrs. Cassel, Colclo, Gregory, Hakes, Kennedy, Lundt, McAllister, Peet, Powers, Prevo, Shaffer, Springer, Summers, Teachout, Whiting—15.

So the bill passed and the title was agreed to.

On motion of Wise of Black Hawk the House adjourned until 10 o'clock A. M. tomorrow, Wednesday, February 17, 1904.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 17, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. J. H. Creger of East Peru, Iowa.

Journal of Tuesday, February 16th, was corrected and approved.

Speaker announced that the name of Wright of Webster had been added to the committee on Agriculture.

Wise of Black Hawk moved that when the House adjourn today it be until 2 o'clock P. M., Thursday.

Carried.

PETITIONS AND MEMORIALS.

Lamkin of Lyon presented remonstrance of citizens of Lyon county against proposed game laws.

Referred to committee on Fish and Game.

Willson of Washington presented petition of citizens of Washington county relative to House files No. 59, No. 52, No. 47.

Referred to committee on Animal Industry.

DeLano of Cass presented petition of citizens of Cass county asking passage of House file No. 7.

Referred to committee on Railroads and Commerce.

Lamkin of Lyon presented petition of citizens of Lyon county relative to the game laws.

Referred to committee on Fish and Game.

Martin of Pottawattamie presented petition of sixty-three citizens of Pottawattamie county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Geneva of Keokuk presented petition of United Mine Workers of What Cheer, relative to House file No. 92.

Referred to committee on Ways and Means.

Carstensen of Clinton presented memorial of Local Union No. 226 of Clinton, relative to House file No. 43.

Referred to committee on Labor.

Carstensen of Clinton presented petition of the Carpenters and Joiners' Union of Clinton, relative to House file No. 92.

Referred to committee on Ways and Means.

Hambleton of Mahaska presented petition of citizens of Mahaska county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Kling of Harrison presented petition of trustees of Boyer township, Harrison county, relative to the road law.

Read and referred to committee on Roads and Highways.

Kling of Harrison presented petition of twenty-one stock men of Harrison county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Hambleton of Mahaska presented petition of local union No. 594 of the United Mine Workers of America, asking that House file No. 92 be not enacted.

Referred to committee on Ways and Means.

Hambleton of Mahaska presented remonstrance of local union No. 178, United Mine Workers of America, against the passage of House file No. 92.

Referred to committee on Ways and Means.

Hambleton of Mahaska presented petition of local union No. 1471, United Mine Workers of America, asking passage of child labor law and the defeat of House file No. 92 and Senate file No. 74.

Referred to committee on Ways and Means.

Ritter of Des Moines presented four petitions of citizens of Des Moines county relative to House file No. 92.

Referred to committee on Ways and Means.

Whitmer of O'Brien presented petition of citizens of O'Brien county relative to the game laws.

Referred to committee on Fish and Game.

Manning of Lucas presented petition of citizens of Lucas county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Colclo of Carroll presented petition of citizens of Carroll county relative to the game laws.

Referred to committee on Fish and Game.

Cröse of Page presented memorial of the Farmers Institute of Page county relative to House file No. 7.

Referred to Committee on Railroads and Commerce.

Cröse of Page presented memorial of the Farmers Institute of Page county relative to the pure food bill.

Referred to committee on Public Health.

Dashiell of Warren presented petition of citizens of Warren county asking the repeal of the present road law.

Referred to committee on Roads and Highways.

Harris of Poweshiek presented petition of citizens of Shelby county relative to the state marshal bill.

Referred to committee on Suppression of Intemperance.

Harris of Poweshiek presented petition of citizens of Grinnell relative to House files No. 59, No. 52, No. 47.

Referred to committee on Fish and Game.

Boland of Iowa presented petition of citizens of Iowa county, asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Davie of Crawford presented petition of citizens of Crawford county relative to House files No. 59, No. 52, No. 47.

Referred to committee on Animal Industry.

Kennedy of Lee presented petition of citizens of Lee county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Croese of Page presented petition of citizens of Page county relative to House file No. 7.

Referred to committee on Railroads and Commerce.

Dashiell of Warren presented petition of 875 medical practitioners of Iowa relative to marriage reform bill.

Referred to committee on Public Health.

Ritter of Des Moines presented three petitions of citizens of Des Moines county relative to House file No. 43.

Referred to committee on Labor.

On request, McAllister of Linn was excused until tomorrow.

Teachout of Polk submitted the following report:

REPORT OF THE JOINT COMMITTEE OF THE THIRTIETH  
GENERAL ASSEMBLY

To inspect the Iowa building at St. Louis, to examine the books of the Commission, and to report its expenditure and needs to the Governor and to the General Assembly with such recommendations as such investigation shall warrant.

Departments.	Original Ap- propriations.	Additional asked.
Building .....	\$ 38,000	.....
Plumbing .....	3,000	.....
Walks .....	1,000	.....
Decorations and fine art.....	3,000	2,000
Furniture .....	2,500	2,500
Lights and insurance .....	2,500	1,200
Water and ice .....	500	500
Secretary and assistants.....	7,500	1,500
Housekeeper and assistants.....	1,000	150
Janitor.....	900	150
Postmaster and check attendants.....	600	100
Toilet attendants.....	600	100
Press attendants.....	300	50
Information attendants.....	600	800
Watchman .....	600	100
Gardener.....	400	50
Organ operator.....	600	50
Administration .....	10,000	7,000
Contingent.....	3,900	5,000
Press and publicity.....	1,500	5,000
Music.....	4,000	6,000
Superintendent of construction.....	1,000	.....
Eleventh District and First State day.....	.....	21,000
Woman's work.....	1,000	2,000
Live stock.....	9,000	17,800
Historical.....	1,000	500
Educational.....	8,000	3,050
Mineral and geology.....	3,000	3,275
Manufacturing and machinery.....	4,000	3,500
Horticulture.....	5,000	10,923
Dairy and apiary.....	3,000	2,500
Agriculture.....	7,000	10,917
Forestry.....	.....	3,000
<b>Total.....</b>	<b>\$125,000</b>	<b>\$110,715</b>

SUMMARY.

Building, furniture and grounds.....	\$ 47,500	\$ 4,500
Administration.....	36,500	48,750
Exhibits.....	41,000	57,465
<b>Total.....</b>	<b>\$125,000</b>	<b>\$110,715</b>

The first column represents the apportionment made by the Commission of the one hundred and twenty-five thousand dollars appropriated by the Twenty-ninth General Assembly.



The second column represents the additional amounts asked for by the representatives or the several departments. Attention is called to the fact that the Commission as an organized body has made no application for an additional appropriation.

Extended hearings were had concerning the needs of each department and although invitations were extended to all the Commissioners to present their views, eight of the thirteen have not appeared personally but were represented by the superintendents of their respective departments.

Your committee is forced to the conclusion that in the judgment of the Commission as a body there is not urgent need of a large additional appropriation.

The Iowa building at St. Louis is well located. Its architectural effect is such as to be in harmony with its surroundings and suggestive of the purpose for which it was constructed. It appears to be well built and all its appointments beautifully finished. Its cost complete with plumbing and fixtures amounts approximately to \$40,000. Judging by the appearance and reputed cost of other state buildings, its cost is reasonable and reflects credit upon the architect, the contractors and the Commission.

No provision was made for an expert accountant to examine the books and probably it would not be desirable at this time to do so.

Upon a careful examination of all the detailed estimates represented to your committee, we are of the opinion that additional sums as below stated might be used to good advantage by the Commission.

#### ADDITIONAL AMOUNTS RECOMMENDED.

For lights and insurance.....	\$ 1,200
For ice and water.....	500
For general superintendent of building, Administration and Exhibits at St. Louis.....	1,500
For contingent fund.....	1,000
For additional salaries for one month.....	800
For live stock exhibit.....	3,000
For mineral and geology.....	1,500
For manufacturing and machinery.....	1,500
For horticulture.....	4,000
For dairy and apiary.....	1,000
For agriculture.....	4,000
Total.....	\$20,000

We recommend that all furniture, plumbing and fixtures as well as the building be turned over to the Board of Control at the close of the exposition for the use of the various state institutions or disposal otherwise. A full report of such disposition to be made to the Governor and that provision be made by law for wreckage and freights on such building materials, and for packing and shipping furniture and fixtures.

We recommend that the last half of the original appropriation of \$125,000 be made immediately available from time to time as needed for expenditure by the Commission.

L. W. LEWIS, Chm.  
THOS. LAMBERT,  
F. L. MAYTAG,  
H. E. TEACHOUT,  
SCOTT SKINNER,  
A. F. FRUDDEN.

#### INTRODUCTION OF BILLS.

By Bailey of Ringgold, House file No. 237, a bill for an act for the protection of subscribers to papers and publications.

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

By Summers of Van Buren, House file No. 238, a bill for an act empowering the governor to execute a quit claim deed to right and title claim and interest of the state of Iowa in lot four (4) of section seven and south part of lot three (3) of section seven (7), township seventy (70) north of range eleven (11) west of the fifth principal meridian.

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

By Lowrey of Calhoun, House file No. 239, a bill for an act relating to real estate, and additional to chapter 5, title XIV of the code.

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

By Greeley of Story, House file No. 240, a bill for an act making appropriations to the Iowa State College of Agriculture and Mechanic Arts.

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

By Martin of Pottawattamie, House file No. 241, a bill for an act to authorize the granting to the Council Bluffs, Tabor & Southern Electric Railway company its successor or assigns, a right of way through lands owned by the State of Iowa and used by the School for the Deaf at Council Bluffs, Iowa.

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

By Hart of Allamakee, House file No. 242, a bill for an act requiring common carriers to issue passes to live stock shippers and regulating the issuance and use thereof and providing penalties for violation of the provisions of this act.

Read first and second time and referred to committee on Railroads and Commerce.

By Pritchard of Wright, House file No. 243, a bill for an act to require common carriers to issue free transportation to owners shipping live stock, additional to chapter 7, title X of the code, relating to the regulation of common carriers.

Read first and second time and referred to committee on Railroads and Commerce.

Kendall of Monroe asked unanimous consent that House file No. 26 be recalled from House and referred to committee on Judiciary.

Granted.

Jacobson of Winneshiek asked unanimous consent to withdraw House file No. 71 from the committee on claims and from further consideration by the House.

Granted.

#### BILLS ON THEIR PASSAGE.

On motion of Davie of Crawford, House file No. 49, a bill for an act to amend section 686 of the code relating to the publication of ordinances, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Davie moved the adoption of the following amendments recommended by the committee:

Amend by striking out the word "of" and the figures "eighteen hundred and ninety-seven" (1897) in the second line of section one (1).

Adopted.

Mr. Davie moved that the rule 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. Bealer, Boland, Cobb, Colclo, Davie, DeLano, Freeman, Frudden, Geneva, Heles, Jones, Koontz, Laird, Langan,

McCreary, McDole, McNie, Morris, Nichols, Peet, Prevo, Ritter, Sankey, Skinner, Springer, Whiting, Whitmer, Willson—28.

The nays were:

Messrs. Bailey, Bixby, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Coburn, Crose, Cummings, Dashiell, Doran, Dow, English, Flenniken, Greene, Gregory, Hambleton, Hanna, Hart, Head, Hollembeak, Jacobson, Jepson, Kendall, Kennedy, Kling, Lamkin, Leech, Lowrey, McCulloch, McElrath, Maben, Manning, Mattes, Mott, Offill, Olson, Pritchard, Shaffer, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Washburn, Weeks, Welden, Wise, Wright, Mr. Speaker—56.

Absent or not voting:

Messrs. Buchanan, Conn, Greeley, Gregory, Hakes, Harris, Hume, Lundt, McAllister, McClurkin, Martin, Powers, Robinson, Saylor, Teter, Wyland—16.

So the bill having failed to receive a constitutional majority was declared lost.

On motion of Mattes of Sac, House file No. 204, a bill for an act appropriating money for the inspection of county and private institutions in which insane persons are kept and associations societies and homes receiving friendless children, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Mr. Mattes moved the adoption of the following amendment recommended by the committee:

Amend by striking out the words "four thousand five hundred" in the third line of section one, and inserting the words "three thousand" in lieu thereof.

Adopted.

Mr. Mattes moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson,

Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lowrey, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Temple, Teter, Washburn, Welden, Whiting, Whitmer, Willson, Wise, Wright, Mr. Speaker—87.

The nays were :

None.

Absent or not voting :

Messrs. Buchanan, Hakes, Hume, Langan, Lister, Lundt, McAllister, McClurkin, Peet, Powers, Teachout, Weeks, Wyland—13.

So the bill passed and the title was agreed to.

On motion of Head of Greene, House file No. 25, a bill for an act to amend section 1889 of chapter 12 of the code, in relation to savings and state banks and loan and trust companies, and the capital and examination thereof, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Head moved that the following amendments recommended by the committee be adopted:

Amend by striking out the word " state " in the tenth line, and substituting the word " savings " in lieu thereof, and by striking out the figures 1864 and 11, in the eleventh line, and substituting the figures 1843 and 10 in lieu thereof.

Kendall of Monroe moved to amend section 1 by inserting the words " eighteen hundred and eighty nine " after the word section; by inserting the figures " 1889 " in parentheses, and by striking out the words " of chapter 12. "

Adopted.

Head of Greene moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Cassel, Cheney, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, McCreary, McCulloch, McDole, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—86.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Chassell, Christianson, Hakes, Hume, Langan, Lundt, McAllister, McClurkin, McElrath, Powers, Springer, Teachout, Willson—14.

So the bill passed.

Kendall of Monroe moved to amend the title by adding after the word "section" the words "eighteen hundred and eighty-nine"; by placing the figures "1889" in parentheses, and by striking out the words "of chapter 12".

Adopted.

Title as amended was agreed to.

On motion of Head of Greene, House file No. 172, a bill for an act to repeal sections 3167-3169 of the code and to enact substitutes therefor, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Head moved that the rule 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. Bailey, Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb,

Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lister Lowrey, McCreary, McCulloch, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Prevo, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—88.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Buchanan, Christianson, Hakes, Hume, Langan, Lundt, McAllister, McClurkin, McDole, Powers, Pritchard—12.

So the bill passed and the title was agreed to.

On motion of Colclo of Carroll, House file No. 47, a bill for an act to amend section two thousand seven hundred and seventy-five (2775) of the code, relating to the course of study in public schools, so as to read as follows, with report of committee recommending passage, was taken up, and considered, with the following amendments which were recommended by the committee:

Amend by striking out all of section one (1) and substituting in lieu thereof the following:

Section 1. That to section two thousand seven hundred and seventy-five (2775) of the code relating to instruction as to stimulants, narcotics and poisons, shall be added the following:

Also a system of humane treatment of animals as embodied in the laws of Iowa.

The principal or teacher in every school shall certify in each of his or her reports that such instruction has been given in the school under his or her control.

Jepson of Woodbury moved to amend the amendment by inserting before the word "also" the words "teachers shall," and by adding after the word "also" the words "give instruction in."

Adopted.

Colclo of Carroll moved that the amendments recommended by the committee, as amended, be adopted.

**Adopted.**

Mr. Colclo moved that the rule 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. Bailey, Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Chassell, Cheney, Clary, Cobb, Colclo, Conn, Crose, Cummings, Davie, DeLano, Doran, Dow, English, Fleniken, Freeman, Frudden, Greeley, Greene, Hambleton, Harris, Head, Heles, Hollemeak, Jacobson, Jepson, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Ofill, Olson, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Temple, Teter, Washburn, Weeks, Welden, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—77.

The nays were:

Messrs. Hanna, Peets—2.

Absent or not voting:

Messrs. Bealer, Buchanan, Cassell, Christianson, Coburn, Dashiell, Geneva, Gregory, Hakes, Hart, Hume, Jones, Lundt, McAllister, McClurkin, Powers, Saylor, Springer, Summers, Teachout, Whitmer—21.

Jepson of Woodbury moved to amend title by striking out the word "the" before the word "section" and by striking out the words "of 1897 of the State of Iowa" and the words "so as hereafter to read as follows."

**Adopted.**

Title as amended was agreed to.

On motion of Mattes of Sac, House file No. 59, a bill for an act to prohibit shooting live birds from traps, and providing a penalty for the violation thereof, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.



Kendall of Monroe moved to amend by striking out all following the word "shall" in the fourth line of the printed bill and inserting in lieu thereof, "upon conviction thereof be fined not less than ten dollars nor more than one hundred dollars, or imprisoned in the county jail not exceeding thirty days. Nothing in this act shall apply to the shooting of wild game."

Adopted.

Mattes of Sac moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buckingham, Carden, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Colclo, Conn, Crose, Cummings, Davie, English, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hambleton, Harris, Hart, Head, Heles, Jacobson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Leech, Lister, McCreary, McCulloch, McDole, McElrath, McNie, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—73.

The nays were:

Messrs. Dow, Hanna, Hollembeak, Lowrey, Peet—5.

Absent or not voting:

Messrs. Buchanan, Calderwood, Carstensen, Coburn, Dashiell, DeLano, Doran, Flenniken, Hakes, Hume, Jepson, Koontz, Langan, Lundt, McAllister, McClurkin, Maben, Powers, Prevo, Pritchard, Saylor, Teter—21.

So the bill passed.

Kendall of Monroe moved to amend the title by striking out the same and substituting the following in lieu thereof:

A bill for an act for the protection of live birds and providing penalties for the violation thereof.

Adopted.

Title as amended was agreed to.

## SENATE MESSAGES CONSIDERED

Senate file No. 99, 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 referred to committee on Appropriations.

Senate concurrent resolution, memorializing representatives in congress to aid in obtaining appropriations for the improvement of the Missouri river and the Des Moines river and protection of property along its banks.

Read first and second time and referred to committee on Federal Relations.

Senate substitute for House concurrent resolution relative to printing the rules of the Thirtieth General Assembly was taken up and considered.

On motion of Chassell of Plymouth the House concurred in the substitute.

Cummings of Marshall asked unanimous consent to pass House file No. 43, No. 3 on the calendar.

Granted.

## 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. 63, relative to amending section 1538, relating to compensation of township trustees in certain cases, payable out of township road fund.

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. 16, relative to county levy for bridge purposes.

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 questions affecting the agricultural and commercial development of this state, as well as bills now pending before the congress of the United States, proposing an appropriation of \$24,000,000 for the improvement of roads.

GEO. A. NEWMEN,  
*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. 58, relative to amending section 4820, relating to the disturbance of certain domestic animals by discharge of fire-arms.

GEO. A. NEWMAN,  
*Secretary.*

Chassell of Plymouth asked unanimous consent that House file No. 190 be recalled from the Judiciary committee and referred to the committee on Ways and Means.

Granted and the bill was so referred.

Temple of Clarke asked unanimous consent to withdraw joint resolution No. 3 from the consideration of the House.

Granted.

On motion of Wright of Webster the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 18, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. Emil Mueller of LeMars, Iowa.

Journal of Tuesday, February 17th, was corrected and approved.

PETITIONS AND MEMORIALS.

Robinson of Emmet presented two petitions of citizens of Dickinson county relative to the establishment of a woman's reformatory at Knoxville.

Referred to committee on Public Charities.

Gregory of Adams presented petition of Corn Belt Meat Producers Association of Nodaway asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Pritchard of Wright presented petition of business men of Eagle Grove relative to the exemption law.

Referred to committee on Judiciary.

McAllister of Linn presented petition of citizens of Linn county asking the repeal of the present road law.

Referred to committee on Roads and Highways.

Jepson of Woodbury presented petition of 325 citizens of Woodbury county relative to the game laws.

Referred to committee on Fish and Game.

Skinner of Union presented petition of seventeen citizens of Union county relative to child labor.

Referred to committee on Labor.

Skinner of Union presented petition of 900 citizens of Union county relative to Sunday ball playing.

Referred to committee on Police Regulations.

Cheney of Clay presented four petitions relative to the establishment of a woman's reformatory at Knoxville.

Referred to committee on Public Charities.

Wise of Black Hawk presented petition of 220 citizens of Black Hawk county relative to the breach of the Sabbath.

Referred to committee on Police Regulations.

Skinner of Union presented petition of fourteen citizens of Union county relative to the establishment of a woman's reformatory at Knoxville.

Referred to committee on Judiciary.

Skinner of Union presented petition of nine citizens of Union county relative to woman suffrage.

Referred to committee on Judiciary.

Frudden of Dubuque presented petition of citizens of Dubuque relative to the establishment of a woman's reformatory.

Referred to committee on Public Charities.

Robinson of Emmet presented petition of Lake Park, Dickinson county, relative to child labor.

Referred to committee on Labor.

Hakes of Pocahontas presented petition of citizens of Pocahontas county asking repeal of present road law.

Referred to committee on Roads and Highways.

Pritchard of Wright presented petition of citizens of Wright county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Chassell of Plymouth presented petition of citizens of Le Mars relative to the game laws.

Referred to committee on Fish and Game.

McDole of Jackson presented petition of citizens of Jackson county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Jacobson of Winneshiek presented petition of twenty-one citizens of Hesper, Winneshiek county, relative to establishment of a woman's reformatory.

Referred to committee on Judiciary.

Pritchard of Wright presented petition of fifty citizens of Wright county relative to child labor.

Referred to committee on Labor.

McAllister of Linn presented petition of members of Sorosis club of Mt. Vernon relative to child labor.

Referred to committee on Labor.

Cummings of Marshall presented two petitions of citizens of Marshall county relative to Sabbath breaking.

Referred to committee on Police Regulations.

Powers of Floyd presented five petitions of citizens of Floyd county asking the repeal of the present road law.

Referred to committee on Roads and Highways.

Pritchard of Wright presented petition of citizens of Wright county relative to Sabbath breaking.

Referred to committee on Judiciary.

Jacobson of Winneshiek presented petition of citizens of Hesper, Winneshiek county, relative to child labor.

Referred to committee on Labor.

Pritchard of Wright presented petition of citizens of Wright county relative to woman suffrage.

Referred to committee on Woman Suffrage.

Jacobson of Winneshiek presented petition of four organizations of Winneshiek county relative to breach of the Sabbath.

Referred to committee on Police Regulations.

Jacobson of Winneshiek presented petition of Winneshiek county relative to woman suffrage.

Referred to committee on Woman Suffrage.

Robinson of Emmet presented petition of citizens of Dickinson county relative to woman suffrage.

Referred to committee on Woman Suffrage.

Clary of Chickasaw presented petition of citizens of Fredericksburg relative to breach of the Sabbath.

Referred to committee on Police Regulations.

Bealer of Linn presented petition of citizens of Linn county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Pritchard of Wright presented petition of citizens of Wright county asking that House file No. 7 be not enacted.

Referred to committee on Railroads and Commerce.

DeLano of Cass presented petition of thirty-eight citizens of Cass county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Cröse of Page presented petition of citizens of Page county, relative to Sabbath breaking.

Referred to committee on Police Regulations.

Jones of Montgomery presented petition of citizens of Montgomery county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Pritchard of Wright presented petition of citizens of Wright county relative to the game laws.

Referred to committee on Fish and Game.

DeLano of Cass presented petition of sixty-two citizens of Cass county asking that House file No. 6 be enacted.

Referred to committee on Telegraph, Telephone and Express.

Lowrey of Calhoun presented petition of citizens of Calhoun county relative to the game laws.

Referred to committee on Fish and Game.

Jepson of Woodbury presented memorial of Sioux City Printing Pressmen's Union relative to House file No. 43.

Referred to committee on Labor.

Shaffer of Fayette presented memorial of Maple Leaf Lodge, No. 290, of the Association of Machinists, relative to House file No. 92.

Referred to committee on Ways and Means.

Shaffer of Fayette presented memorial of the same lodge relative to House file No. 43.

Referred to committee on Labor.

REPORTS OF COMMITTEES.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 63, a bill for an act to amend section two thousand four hundred and six (2406) of the code, relating to sale of intoxicating liquors to actions and withdrawal of the same without leave of 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 228, a bill for an act to amend section fourteen hundred and fifty-seven (1457) of the code, relative to bonds 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 be indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 51, a bill for an act amending section four thousand and eleven (4011) of the code, relating to the exemption of personal earnings of non-resident debtors who are heads of families, beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 235, a bill for an act for the relief of the grantees of Charles M. Downs, and for the purpose of having a patent issued in the name of George S. Stall and Frances E. Stall 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 238, a bill for an act empowering the Governor to execute a quit-claim deed to right and title, claim and interest of the State of Iowa on lot four (4) of section seven (7) and south part of lot three (3) of section seven (7) township seventy (70) north of range eleven (11) west of the fifth (5th) principal meridian, beg leave to report that they 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.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 222, a bill for an act defining the duties of clerks of district courts in cases of suspension or revocation of the license of an attorney or counselor at law to practice, beg leave to report that 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 thereof be amended by striking out the period in the third line, and inserting in lieu thereof, a comma; and adding thereto the following words, "amendatory of chapter ten (10) title III (3) of the code," and that when so amended the same do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 193, a bill for an act to amend section three thousand six hundred and fifty-six (3656) of the code, relating to time of trying appeal cases in contested 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 do pass.

N. E. KENDALL,  
*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 repeal section one (1) of chapter

thirty-two (32) acts of the Twenty-seventh (27th) General Assembly, and to enact a substitute therefor, relating to the vocation of peddlers, defining the same and fixing a tax 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.

N. E. KENDALL,  
*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. 2, a bill for an act to amend section two thousand one hundred and three (2103) of the code relating to transfer tracks of railroads, beg leave to report that they have 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.*

Adopted, and the bill was indefinitely postponed.

### Also:

MR. SPEAKER—Your committee on Railroads and Commerce to whom was referred House file No. 83, a bill for an act providing for the placing and maintenance of switch lights on main track switches of steam railroads, providing for the colors to be used therein and imposing penalties for 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 indefinitely postponed.

C. A. WISE,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

### Also:

MR. SPEAKER—Your committee on Railroads and Commerce to whom was referred House file No. 32, a bill for an act to amend section two thousand and twenty-two (2022) of the code, relating to private crossings or passways under the railways for horses and cattle, beg leave to report that they have 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.*

Adopted, and the bill was indefinitely postponed.

### REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 5, a bill for an act to repeal sections four thousand one hundred and thirty-six (4136) and four thousand one hundred and thirty-seven (4137) of the code, relating to assignments of error in appeals to the supreme court, and to enact a substitute therefor.

Also, House file No. 77, a bill for an act to legalize the election for the incorporation of the town of Leroy, Decatur county, Iowa.

Also, House file No. 106, a bill for an act to legalize the incorporation of the town of Lost Nation, Clinton county, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town.

H. L. SPAULDING,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 5, a bill for an act to repeal sections four thousand one hundred and thirty six (4136) and four thousand one hundred and thirty-seven (4137) of the code, relating to assignments of error in appeals to the supreme court and to enact a substitute therefor.

Also, House file No. 77, a bill for an act to legalize the election for the incorporation of the town of Leroy, Decatur county, Iowa.

Also, House file No. 106, a bill for an act to legalize the incorporation of the town of Lost Nation, Clinton county, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town.

H. L. SPAULDING,  
*Chairman House Committee.*

D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Kendall of Monroe, House file No. 244, a bill for an act to repeal section 41-a of the supplement to the code, the same being also chapter 2 of the acts of the Twenty-seventh General Assembly, relating to the statutes, and to enact a substitute therefor.

Read first and second time and on motion of Kendall of Monroe, unanimous consent being given, was taken up and considered without reference to a committee.

Mr. Kendall moved that the rule be suspended, that the bill

be considered engrossed and read a third time now, which motion prevailed unanimously and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christiansen, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Larkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—98.

The nays were:

None.

Absent or not voting:

Messrs. Flenniken, Peet—2.

So the bill passed and the title was agreed to.

#### INTRODUCTION OF BILLS.

By Harris of Poweshiek, House file No. 245, a bill for an act to legalize the issuing of bonds to the amount of \$3,300 by the incorporated town of Deep River, Poweshiek county, Iowa.

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

By Wise of Black Hawk, House file No. 246, a bill for an act to validate and legalize tax sales and tax deeds of certain real estate by the treasurer of Black Hawk county, Iowa.

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

By Offill of Jasper, House file No. 247, a bill for an act relating to the payment by the state of premiums of surety companies on

the bond of the state treasurer and deputy state treasurer and to the payment into the state fund of all interest from state money loaned or deposited in banks.

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

By Skinner of Union, House file No. 248, a bill for an act to repeal section 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 to committee on Compensation of Public Officers.

By McDole of Jackson, House file No. 249, a bill for an act to amend section 2552 of chapter 15 of the code relative to the protection of fish and game.

Read first and second time and referred to committee on Fish and Game.

By McDole of Jackson, House file No. 250, a bill for an act to amend section 2546 of chapter 15 of the code as amended by section 6 of chapter 103 of the acts of the Twenty-ninth General Assembly (section 2546 of the code supplement).

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

By Teter of Marion, House file No. 251, a bill for an act to confer jurisdiction over the gypsum mines of this state on the state mine inspectors and providing for the enforcement of chapter 9 of title XII of the code in reference thereto.

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

By Jacobson of Winneshiek, House file No. 252, a bill for an act providing for the relief of Lieut. A. C. Ferren and appropriating money for that purpose, whereas, Lieut. A. C. Ferren was during the war of the rebellion appointed by the governor and adjutant-general of this state, under the provisions of the statutes then in force, to organize the militia of Decorah township, Winneshiek county, Iowa, and, whereas, the said Lieut. A. C. Ferren in pursuance of said appointment performed certain services in the organization of a company of militia, in said township, county and state, and for such services has never received any compensation.

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

By Teter of Marion, House file No. 253, a bill for an act to repeal sections 4914, 4918 and 4919 of the code and for the enactment of substitutes therefor, and for the repeal of section 1136 of the code, and for the amendment of chapter 8 of title XXIV of the code relative to offenses against the rights of suffrage.

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

By committee on Telegraph, Telephone and Express, House file No. 254, a bill for an act providing the manner in which telegraph and telephone companies shall report for assessment purposes, amendatory of code sections Nos. 1328 and 1329.

Read first and second time and passed on file.

By Bixby of Delaware, House file No. 255, a bill for an act relating to road tax, and amending sections 1383 and 1533 of the code.

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

Manning of Lucas offered the following resolution and moved that the rule be suspended and the resolution be adopted:

WHEREAS, HOB. S. H. Mallory, a respected citizen of the state of Iowa, and an honored member of the House of the Seventeenth General Assembly from Lucas county, has departed this life:

*Resolved, by the House of Representatives of the Thirtieth General Assembly, That a committee of three be appointed by the Speaker to prepare a suitable memorial, commemorating his life and public service, to be spread upon the Journal of the House, in token of our appreciation of his life and citizenship.*

Adopted.

Speaker appointed as such committee, Manning of Lucas, Temple of Clarke, Kendall of Monroe.

Head of Greene offered the following resolution:

*Resolved, That we as Representatives of the state of Iowa, a state whose intelligence, patriotism, loyalty, conservatism and gratitude to all who have in any measure contributed to our National independence, the preservation of the Union, our National greatness and christian civilization, are intensely interested in the war now in progress between Russia and Japan, for the supremacy in Manchuria and Korea, its possible effect on christian civilization and the commerce of the far East, that we are not unmindful of the*

uniform kindly attitude of Russia toward this country during our entire history, their sympathy in our struggle for independence, their great service to us in the war of the Rebellion and the fact that whenever we have needed a friend she has never failed us. That we as a neutral power should carefully refrain from expressions of sympathy that would indicate that we are ungrateful or forgetful of past favors. Also that we should take into consideration the possible effect of this war on christian civilization and the control of commerce in the far East, our interests which now may seem obscure may develop and it may become apparent that to protect our interest we may have to lay aside our neutrality and enter this contest. The question then will be, With whom will we cast our lot? Will it naturally be with powers commercially unfriendly to us or with a friendly power that has been and is now a good customer of ours in the purchase of railroad equipment and manufactured products?

Read and referred to committee on Federal Relations.

#### 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 amendment as substitute for House file No. 115, a bill for an act to legalize the organization of the independent school district of Soldier, Monona county, Iowa, and the acts of its board of directors.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has passed the following bill as amended by substitute in which the concurrence of the House is asked:

Substitute for Senate file No. 8 relative to legalizing the resolutions, acts and proceedings of the city council and city officers of Dubuque, Iowa.

GEO. A. NEWMAN,  
*Secretary.*

#### BILLS ON THEIR PASSAGE.

On motion of Wright of Webster, House file No. 102, a bill for an act to protect employes in garnishment cases, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Wright moved the adoption of the following amendment recommended by the committee:

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

Section 1. Wages earned outside of this state by a non-resident of this state, and payable outside of this state, shall in all cases where the garnishing creditor is a non-resident of this state, be exempt from attachment or

garnishment where the cause of action arises outside of this state; and it shall be the duty of the garnishee in such cases to plead such exemption, unless the defendant shall be personally served with original notice in this state.

Adopted.

Mr. Wright moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—95.

The nays were:

None.

Absent or not voting:

Messrs. Buckingham, Lundt, Saylor, Springer, Teter—5.

So the bill passed and the title was agreed to.

On motion of Mattes of Sac, House file No. 132, a bill for an act making an appropriation for the erection of a monument in Elm Grove Cemetery, Washington, Iowa, in remembrance of Timothy Brown, a revolutionary soldier, and providing the method of such erection with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Willson of Washington moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, King, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McDole, McNie, Maben Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—96.

The nays were:

None.

Absent or not voting:

Messrs. Buckingham, McCulloch, McElrath, Springer—4

So the bill passed and the title was agreed to.

On motion of Mattes of Sac, House file No. 60, a bill for an act to appropriate money in aid of the quarterly conference of the chief executive officers of the institutions under the management of the Board of Control of the state institutions, 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, 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. Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Clary, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie,

DeLano, Doran, English, Frudden, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Hollembeak, Hume, Jacobson, Jopson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—89.

The nays were:

Mr. Geneva—1.

Absent or not voting:

Messrs. Bailey, Cassel, Cobb, Dow, Flenniken, Freeman, Heles, Peet, Robinson, Springer—10.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, House file No. 238, a bill for an act empowering the Governor to execute a quit claim deed to right and title, claim and interest of the state of Iowa in lot 4 of section 7 and south part of lot 3 of section 7, township 70 north of range 11, west of 5th P. M., with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Kendall of Monroe moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Conn, Crose, Cummings, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hume, Jacobson, Jopson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCulloch, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott,

Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—93.

The nays were:

None.

Absent or not voting:

Messrs. Coburn, Colclo, Dashiell, Hollembeak, McCreary, McDole, Peet—7.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, House file No. 235, a bill for an act for the relief of the grantees of Charles M. Downs, and for the purpose of having a patent issued in the name of George S. Stall and Frances E. Stall for a certain tract of land, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Wright of Webster moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Conn, Crose, Cummings, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn,

Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wight, Wyland, Mr. Speaker—92.

The nays were:

None.

Absent or not voting:

Messrs. Carstensen, Coburn, Colclo, Dashiell, Hollembeak, Kennedy, McNie, Peet—8.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, House file No. 222, a bill for an act defining the duties of clerks of district courts, in cases of suspension or revocation of the license of an attorney or counselor at law to practice, with report of committee recommending passage with title amended, was taken up, considered and the report of the committee adopted.

Mr. Kendall moved that the amendment to the title recommended by the committee be adopted.

Amend by striking out the period in the third line and inserting in lieu thereof a comma, and adding thereto the following words: "amendatory of chapter 10, title III of the code."

Adopted.

Mr. Kendall moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Cassel, Chassell, Cheney, Christianson, Clary, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Sum-

mers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Mr. Speaker—92.

The nays were:

None.

Absent or not voting:

Messrs. Carstensen, Cobb, Coburn, Cummings, Gregory, Harris, McElrath, Wyland—8.

So the bill passed and the title as amended was agreed to.

On motion of Kendall of Monroe, House file No. 193, a bill for an act to amend section three thousand six hundred and fifty-six (3656) of the code, relating to time of trying appeal cases in contested elections, with report of committee recommending passage, was taken up, considered and the report of committee adopted.

Hart of Allamakee moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Cassel, Chassell, Cheney, Clary, Cobb, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Hart, Head, Heles, Hollembek, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McCreary, McCulloch, McDole, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Robinson, Sankey, Saylor, Shaffer, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Mr. Speaker—89.

The nays were:

None.

Absent or not voting:

Messrs. Carden, Carstensen, Christianson, Coburn, Colclo, Harris, McClurkin, McElrath, Ritter, Skinner, Wyland—11.

So the bill passed and the title was agreed to.

English of Polk asked consent to pass House file No. 50 and to have same retain its place on the calendar.

Granted.

On motion of Kendall of Monroe, House file No. 165, a bill for an act to repeal section 1 chapter 32, acts of the Twenty-seventh General Assembly, and to enact a substitute therefor relating to the vocation of peddlers, defining the same and fixing a tax therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Chassell of Plymouth moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Cassel, Chassell, Cheney, Christianson, Clary, Conn, Crose, Cummings, Dashiell, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Hart, Head, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McCreary, McDole, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Prevo, Pritchard, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Mr. Speaker—84.

The nays were:

Messrs. Davie, Doran, Sankey—3.

Absent or not voting:

Messrs. Carstensen, Cobb, Coburn, Colclo, DeLano, Harris, Heles, McClurkin, McCulloch, McElrath, Powers, Springer, Wyland—13.

So the bill passed and the title was agreed to.

#### SENATE MESSAGES CONSIDERED.

Senate file No. 63, a bill for an act to amend section 1538, title VIII, chapter 2 of the code, making compensation of township trustees in certain cases payable out of township road fund.

Read first and second time and referred to committee on Compensation of Public Officers.

Senate file No. 58, a bill for an act amending section 4820 of the code, relating to the disturbance of certain domestic animals by the discharge of fire arms.

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

Senate file No. 8, a bill for an act legalizing the resolutions passed by the city council of the city of Dubuque, Iowa, relating to the improvement of the streets and alleys in said city and legalizing the special assessments levied thereunder.

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

The Speaker announced that he had signed in the presence of the House, House files No. 5, No. 77 and No. 106.

Teter of Marion asked unanimous consent to withdraw House file No. 84 from the committee on Elections and from further consideration by the House.

Granted.

Speaker appointed as committee on part of the House to serve on committee to investigate matters pertaining to drainage and highways, Hambleton of Mahaska, Conn of Butler, Heles of Dubuque.

Kendall of Monroe moved that when the House adjourn it be until tomorrow (Friday) at 2 o'clock p. m.

Motion prevailed.

WHEREAS, By message from the Governor of this State, this House has received official notice of the death of Senator Marcus A. Hanna of the state of Ohio; and

WHEREAS, The illustrious statesman, whose untimely death has cast a pall of gloom over the entire land and brought to the heart of every patriotic citizen a realization of personal bereavement, was one of the grand, strong men of the nation whose public and private life exemplified an ideal American citizenship, worthy of the admiration and emulation of our entire people, and whose public service was particularly admirable on account of his earnest and unselfish friendship, constantly manifested for the American laboring man; therefore be it

*Resolved, by the House of Representatives of the Thirtieth General Assembly of Iowa, That the death of Senator Hanna is sincerely deplored, and that the sorrowing sympathy of this House be extended to the family and*

personal friends of the dead statesman, and to our sister commonwealth, the state of Ohio, now paying the last tribute of devotion and love to him, whose name will be accorded an honored place in the roll of her sons who have done great service for the nation; and be it further

*Resolved*, That these resolutions be entered on the Journal of this House and that an engrossed copy be presented to the family of the deceased, to the Secretary of the United States Senate and the Secretary of the State of Ohio, and that this House do now adjourn as an expression of its respect to the memory of the departed.

WILLIAM S. HART,

H. B. KLING,

F. M. LAIRD,

*Committee.*

Hart of Allamakee moved that, out of respect to the memory of Senator M. A. Hanna of Ohio, the House do now adjourn.

House adjourned.



HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 19, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. Thomas M. Evans of Des Moines, Iowa.

Journal of Thursday, February 18th, was corrected and approved.

The name of Saylor of Bremer, which was by mistake omitted from the committee on Railroads and Commerce, is ordered added thereto.

On request of Kling of Harrison leave of absence was granted Offill of Jasper for today.

On request, Welden of Hardin was excused until Tuesday.

PETITIONS AND MEMORIALS.

Nichols of Muscatine presented petition of ten citizens of Muscatine county relative to the game laws.

Referred to committee on Fish and Game.

Cobb of Taylor presented petition of 101 citizens of Taylor county asking repeal of the present road law.

Referred to committee on Roads and Highways.

Lowrey of Calhoun presented memorial of board of supervisors of Calhoun county asking that the present road law be not repealed.

Read and referred to committee on Road and Highways.

Saylor of Bremer presented petition of fourteen citizens of Bremer county relative to woman's suffrage.

Referred to committee on Woman Suffrage.

Saylor of Bremer presented petition of thirty-one citizens of Bremer county relative to Sunday ball playing.

Referred to committee on Police Regulations.

Saylor of Bremer presented petition of twelve citizens of Bremer county relative to child labor.

Referred to committee on Labor.

Wright of Webster presented petition of members of the Corn Belt Meat Producers Association of Webster county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Wright of Webster presented petition of seventy-two citizens of Webster county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Greeley of Story presented petition of eleven citizens of Ames relative to House files No. 59, No. 52, No. 47.

Referred to committee on Animal Industry.

Dashiell of Warren presented petition of twelve citizens of Warren county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Pritchard of Wright presented petition of business men of Belmond, urging the passage of the exemption bill.

Referred to committee on Ways and Means.

Pritchard of Wright presented petition of twenty-four citizens of Wright county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Hume of Mitchell presented petition of twenty-two citizens of Mitchell county relative to the establishment of a woman's reformatory at Knoxville.

Referred to committee on Public Charities.

Hume of Mitchell presented petition of nineteen citizens of Mitchell county relative to child labor.

Referred to committee on Labor.

Hume of Mitchell presented petition of twenty-one citizens of Mitchell county relative to Sunday ball playing.

Referred to committee on Police Regulations.

Clary of Chickasaw presented petition of 2000 citizens of Chickasaw county against the pardoning of L. R. Van Tassel.

Referred to committee on Pardons.

Bixby of Delaware presented petition of fifteen citizens of Delaware county relative to the road law.

Referred to committee on Roads and Highways.

Davie of Crawford presented petition of fifty-eight citizens of Dunlap asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Shaffer of Fayette presented two petitions of citizens of Fayette county relative to House file No. 92.

Referred to committee on Ways and Means.

#### 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. 104, a bill for an act to amend section two thousand two hundred forty-seven (2247) of the code, relating to the expense of supporting the poor, beg leave to report that they have 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.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Ways and Means to whom was referred House file No. 147, a bill for an act to exempt certain property 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.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Ways and Means to whom was referred House file No. 92, a bill for an act to amend section four thousand and eleven (4011) chapter three (3) title nineteen (XIX) of the code of 1897 state of Iowa relating 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 do pass.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

MINORITY 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. 92.

They further submit that they respectfully dissent from the report of the majority of your committee, and they recommend that said House file be indefinitely postponed.

N. E. KENDALL,  
THEO. CARSTENSEN,  
M. L. TEMPLE,  
EMORY H. ENGLISH,  
E. J. C. BEALER,  
THOS. GENEVA.

Ordered passed on file.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 210, a bill for an act to amend section 4481 of the code, in relation to place of bringing actions, and a taxation of costs therein, beg leave to report that they 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.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 232, a bill for an act to repeal section eleven hundred and forty-five (1145) of the code, and for the enactment of a substitute therefor, relative to the canvass of votes, beg leave to report that they 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.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 42, a bill for an act relating to dower, and additional to section

three thousand three hundred sixty-six (3366) of the code of 1897 beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 91, a bill for an act to amend section 3301 of the code of Iowa, in relation to costs of bonds of administrators or executors, beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 200, a bill for an act to amend chapter one hundred and twenty-three (123) of the acts of the Twenty-ninth General Assembly, which is included in section twenty-seven hundred and thirty-eight (2738) of the Supplement to the Code, in relation to publication of 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 be indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 236, a bill for an act to provide for trust companies, state banks, and savings banks acting as court officer, amending section eighteen hundred and eighty-nine (1889) 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 217, a bill for an act to amend section four hundred and eighty-two (482) of the code, relating to duties of the county treasurer, beg leave to re-

port that they have 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 136, a bill for an act relating to the examination of party or officers, directors, superintendent, or managing agents of corporations, at instance of adverse party, beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 237, a bill for an act for the protection of subscribers to papers and publications, beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 233, a bill for an act amending section forty-nine hundred and sixty-three (4963) of the code by adding thereto the provision that gambling devices may, under certain conditions, be seized by officers without a warrant, beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Jepson of Woodbury, 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 Senate file No. 17, a bill for an act to amend section twenty-seven hundred and eighty-three (2783) of the code relating to text-books in public schools, and use of contingent 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 do pass.

C. N. JEPSON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Schools and Text-Books to whom was referred House file No. 33, a bill for an act providing for the closing of schools and for the transportation of children to adjoining 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 indefinitely postponed.

C. N. JEPSON,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Schools and Text-Books, to whom was referred House file No. 18, a bill for an act to close rural schools and for the transportation of 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 indefinitely postponed.

C. N. JEPSON,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Schools and Text-Books, to whom was referred House file No. 78, a bill for an act to establish a uniform system of text-books in the public schools 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.

C. N. JEPSON,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Schools and Text-Books to whom was referred House file No. 151, a bill for an act to amend section twenty-seven hundred and seventy-three (2773) of the code of Iowa, relating to common 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.

C. N. JEPSON,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Head of Greene, 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. 139, a bill for an act to amend section 1850, chapter 10, Title IX, 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.

MAHLON HEAD,  
*Chairman.*

Ordered passed on file.

English of Polk, from the committee on Insurance, submitted the following report:

MR. SPEAKER—Your committee on Insurance to whom was referred House file No. 145, a bill for an act to provide for the consolidation of life insurance companies or the re-insurance of the risks of such companies with or by other companies, authorized by the laws of the state to transact such business within the state and providing a plan for such consolidations or re-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 by the adoption of a substitute therefor, and so amended that the same do pass.

SUBSTITUTE AS AMENDMENT FOR HOUSE FILE NO. 145.

A BILL for an act to provide for the consolidation or re-insurance of the risks of insurance companies or associations with or by other companies or associations authorized to transact business within this state, and providing a plan for such consolidation or re-insurance.

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

Section 1. The word "company" or "companies" when used in this act shall mean any company or association organized under the provisions of chapter four, five, six, seven or eight of title IX of the code, except county mutuals.

Sec. 2. No company organized under the laws of this state to do the business of life insurance, either on the stock, mutual, stipulated premium or assessment plan, shall consolidate with any other company or re-insure its risks, or any part thereof, with any other company, or assume or re-insure the whole or any part of the risks of any other company, except as hereinafter provided.

Sec. 3. When any such company shall propose to consolidate or enter into any re-insurance contract with any other company, it shall present its plan to the Auditor of State, setting forth the terms of its proposed contract of consolidation or re-insurance, asking for the approval or any modification thereof, which the commission hereinafter provided for may approve. The company must also file a statement of its assets and if a legal reserve company, of the reserve value of its policies or contracts.



Sec. 4. The commission shall proceed to hear and determine such petition without notice. But if the commission shall deem it necessary in order to conserve the interests of the policy holders that notice shall be given it shall require the company or companies to notify by mail all of the members or policy holders of the said company or companies of the pendency of such petition and the time and place at which the same will be heard, the length of time of such notice to be determined by the commission.

Sec 5. For the purpose of hearing and determining such petition, a commission consisting of the Governor, Auditor of State and Attorney-General is hereby created. In the inability of the Governor to act, the Secretary of State may act in his stead. The commission may make such examination into the affairs and condition of any company or companies as it may deem proper, and shall have power to summon and compel the attendance and testimony of witnesses, and the production of books and papers before said commission and may administer oaths. When notice shall have been given as above provided, any policy holder or stockholder of said company or companies shall have the right to appear before said commission and be heard with reference to said petition. Said commission, if satisfied that the interests of the policy holders of said company or companies are properly protected and no reasonable objection to said petition exists, may authorize the proposed consolidation or re-insurance or may direct such modification thereof as may seem to it best for the interests of the policy holders; and said commission may make such order and disposition of the assets of any such company thereafter remaining as shall be just and equitable. Such consolidation or re-insurance shall only be approved by the consent of all of the members of said commission, and it shall be the duty of said commission to guard the interests of the policy holders of any such company or companies proposing consolidation or re-insurance. In case of companies organized on the assessment plan, the commission may require the plan of consolidation or re-insurance to be submitted to the membership of such company or companies to be voted upon. When submitted, it shall be at a meeting called for that purpose, thirty days notice being given, and a two-thirds vote of all the members present and voting shall be necessary to an approval of any plan of consolidation or re-insurance, and no proxies shall, in any case, be voted. Any plan of consolidation or re-insurance submitted as herein contemplated, must first have been approved by the commission, and the result of said vote must be filed with the Auditor of State and be by him determined before any consolidation or re-insurance shall be effected.

Sec. 6. When any company or companies not named in section two (2) of this act desire to consolidate or re-insure, it shall only be necessary for such company or companies to submit the plan of consolidation or re-insurance with any other information that may be required, to the Auditor of State and the Attorney General and have the same by them approved.

Sec. 7. No company or companies as defined by section one (1) of this act shall consolidate or re-insure with any other company or companies not authorized to transact business in this state.

Sec. 8. All expenses and costs incident to proceedings under the provisions of this chapter, shall be paid by the company or companies bringing the petition.

Sec. 9. Any officer, director or stockholder of any company or companies, as defined in this act, violating or consenting to the violation of any of the provisions hereof, shall be punished by a fine of not less than one thousand dollars, or by imprisonment in the county jail for not less than one year, or by both such fine and imprisonment in the discretion of the court.

Sec. 10. This act being deemed of immediate importance shall take effect and be in force from and after the date of its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa.

EMORY H. ENGLISH,  
*Chairman.*

Ordered passed on file.

Wright of Webster, 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. 1 proposing to amend the constitution of the state of Iowa, so as to provide for biennial 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 do pass.

R. M. WRIGHT,  
*Chairman.*

Ordered passed on file.

Calderwood of Scott, from the committee on Labor, submitted the following report:

MR. SPEAKER—Your committee on Labor, to whom was referred House file No. 189, a bill for an act to repeal section twenty-four hundred and seventy-seven (2477) of the code relating to the expenses of the Bureau of Labor Statistics and to enact in lieu thereof the following, beg leave to report that they 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. H. CALDERWOOD,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Labor to whom was referred House file No. 109, a bill for an act to amend section 2474 of the code of Iowa of 1897 relating to the report of accidents to employes beg leave to report that they have 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 first line of the title thereof, the words "twenty-four hundred and seventy-four," and by strik-

ing out of the title thereof, the words " of Iowa of 1897," and by enclosing the figures " 2474 " in parentheses.

And further, by striking out all after the enacting clauses thereof and inserting the following:

Section 1. That section twenty-four hundred and seventy four (2474) of the code be and the same is hereby repealed and re-enacted to read as follows:

It shall be the duty of every owner, operator or manager of every railway, factory, mill, workshop, mine, store, business house, public or private work or any other establishment where labor is employed as herein provided to make to the bureau such reports and returns as said bureau may require for the purpose of compiling such labor statistics as are contemplated in this chapter and the owner, operator or manager shall make such report and returns within sixty days from the receipt of blanks furnished by the commissioner. All accidents to employes in the establishments included within the provisions of this section shall be reported in writing to the bureau within forty-eight hours of their occurrence, stating as fully as possible the extent and cause of such injury, and the place where the injured person was sent; and all such reports and returns shall be verified under oath by such owner, operator or manager, as the case may be. Any owner, operator or manager of any railway, factory, mill, workshop, mine, store, business house, public or private work or any other establishment where labor is employed as herein stated, who shall neglect or refuse to make the reports and returns to the bureau as required by this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars (\$100) and costs of prosecution, or imprisonment in the county jail not exceeding thirty days.

And that when so amended the same do pass.

M. H. CALDERWOOD,  
*Chairman.*

Adopted.

Buchanan of Wapello, from the committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations to whom was referred House file No. 206, a bill for an act granting to cities and towns authority to regulate the construction of 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 be indefinitely postponed.

A. W. BUCHANAN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Municipal Corporations to whom was referred House file No. 167, a bill for an act to amend section thirteen hundred and six (1306) of the code as amended and substituted by chapter forty-

one (41) of the laws of the Twenty-eighth (28th) General Assembly relative to the erection of water works 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 indefinitely postponed.

A. W. BUCHANAN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Municipal Corporations to whom was referred House file No. 148, a bill for an act relating to registration 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 by striking out all of section one (1) of the original bill and inserting in lieu thereof as section one (1) the following: That section ten hundred and seventy-six (1076) of the code be and is hereby amended by striking out the word thirty-five (35) in the second line of said section and inserting the word forty-five (45) in lieu thereof, and when so amended that the bill do pass.

A. W. BUCHANAN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 221, a bill for an act to appropriate money for the use of the League of Iowa Municipalities, and regulating its expenditures, beg leave to report that they have 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 five thousand (5,000) in the third line of the original bill and inserting in lieu thereof the word four thousand (4,000) and when so amended that the bill do pass.

A. W. BUCHANAN,  
*Chairman.*

Buchanan of Wapello moved to refer House file 221 to committee on Appropriations.

Motion prevailed and the bill was so referred.

Hanna of Kossuth, 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. 19, a bill for an act to repeal part of section 2540 of the code supplement, relating to fishing in the waters of the state, beg leave to re-

port that they have 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. HANNA,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Fish and Game to whom was referred House file No. 181, a bill for an act to amend section 2551 of the supplement to the code of Iowa relating to the 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.

GEO. W. HANNA,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Fish and Game to whom was referred House file No. 80, a bill for an act for the better protection of birds and their nests and eggs, beg leave to report that they have 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. HANNA,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Leech of Cedar, from the committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 112, a bill for an act to amend section twenty-five hundred and sixty-four (2564), chapter sixteen (16), title XII (12) of the code, relating to the meetings 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.

L. J. LEECH,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Public Health to whom was referred House file No. 29 a bill for an act to prevent epidemics of contagious 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.

L. J. LEECH,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 117, a bill for an act to establish and maintain a sanitarium for the treatment and cure of persons afflicted by tuberculosis, beg leave to report that they 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 we further recommend that the bill be referred to the committee on Appropriations.

Amend section six (6) by striking out the words and figures fifty thousand (\$50,000) in the second line of said section and inserting the words one hundred thousand dollars (\$100,000), and that the words and figures forty thousand (\$40,000) in the fourth (4th) line of said section be stricken out and the words and figures eighty (\$80,000) be inserted in place thereof. And that the words and figures ten thousand (\$10,000) in the eighth line be stricken out and the words and figures twenty thousand (\$20,000) be inserted therein.

L. J. LEECH,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 114, a bill for an act to provide for the registration of births and deaths, the compilation of vital statistics and the supervision of 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 be indefinitely postponed.

L. J. LEECH,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 16, a bill for an act to amend section one thousand three hundred three (1303) of the code, in relation to county levy for bridge purposes.

Also, House file No. 28, a bill for an act legalizing the organization of the Independent School District of Somers, located in Calhoun county, Iowa.

H. L. SPAULDING,  
*Chairman.*

Adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 16, a bill for an act to amend one thousand three hundred three (1303) of the code, in relation to county levy for bridge purposes.

Also, House file No. 28, a bill for an act legalizing the organization of the Independent School District of Somers, located in Calhoun county, Iowa.

H. L. SPAULDING,  
*Chairman House Committee.*

D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 5, a bill for an act to repeal section four thousand one hundred and thirty-six (4136) and four thousand one hundred and thirty-seven (4137) of the code, relating to assignments of error in appeals to the supreme court, and to enact a substitute therefor.

Also, House file No. 77, a bill for an act to legalize the election for the incorporation of the town of Leroy, Decatur county, Iowa.

Also, House file No. 106, a bill for an act to legalize the incorporation of the town of Lost Nation, Clinton county, Iowa, the election of its officers, and all acts done and ordinances passed by the town council of said town.

H. L. SPAULDING,  
*Chairman.*

February 18, 1904.

Adopted.

## INTRODUCTION OF BILLS

By committee on Insurance, House file No. 256, a bill for an act to provide for consolidation or re-insurance of the risks of fraternal beneficiary societies with or by other societies or organizations, and providing a plan therefor.

Read first and second time.

## HOUSE FILE NO. 256.

A BILL for an act to provide for consolidation or re-insurance of the risks of Fraternal Beneficiary Societies with or by other societies or organizations and providing a plan therefor.

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

Section 1. When any fraternal beneficiary association shall propose to consolidate or enter into any re-insurance contract with any other association or organization, it shall present its proposed plan of consolidation or re-insurance, together with a statement of the condition of its affairs to the Auditor of State for his approval. Should he approve the plan, the same shall be submitted by any association proposing to re-insure its risks or transfer its business, to its local lodges or organizations or to a regular or special meeting of its supreme lodge or governing body to be voted upon, such notice being given as the Auditor of State may direct. If, in the judgment of the Auditor of State, it is deemed advisable he may also require the plan to be in like manner submitted to the association proposing to accept or re-insure the risks of any other association. In case two or more associations propose to consolidate, the proposed plan of consolidation shall be submitted, as above provided, to all of the associations interested in such consolidation. In any of the above cases, a two-thirds vote of all of the members of each association present and voting shall be necessary to an approval of any plan of consolidation or re-insurance, and in no case shall proxies be voted. On presenting to the Auditor of State satisfactory proof that the foregoing provisions have been complied with and that the required number of votes have been cast in favor of the proposed plan, he shall issue to the associations an order to the effect that the plan has been approved, and the same shall be in force and effect from and after the date of such order, and the Auditor of State shall direct such distribution of the assets of any such association or associations as shall be just and equitable.

Sec. 2. All expenses or costs incident to proceedings under the provisions of this act shall be paid by the associations interested.

Sec. 3. Any officer, director or manager of any association violating or consenting to the violation of any of the provisions of this act shall be punished by a fine of not less than one thousand dollars, or by imprisonment in the county jail not less than one year, or by both such fine and imprisonment in the discretion of the court.

Sec. 4 This act being deemed of immediate importance shall take effect and be in force from and after the date of its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa.

By Weeks of Guthrie, House file No. 257, a bill for an act to amend section 1533, chapter 2, of the supplement to the code of Iowa, relative to the appointment of township superintendents of roads and collecting road tax.

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



By Temple of Clarke, House file No. 258, a bill for an act to amend chapter 14 of title XIII of the code, relating to the system of common schools and the incurring of indebtedness for school house purposes.

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

By Gregory of Adams, House File No. 259, a bill for an act to amend section 2582 of the code and provide for the registering without examination physicians registered in other states.

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

By Gregory of Adams, House file No. 260, a bill for an act to amend section 2564 of the code as amended by section 2564 of the code supplement relating to appointment of physicians on the State Board of Health.

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

By Koontz of Johnson, House file No. 261, a bill for an act making appropriations for the State University of Iowa.

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

By McElrath of Woodbury, House file No. 262, a bill for an act to amend section 902 of the code relating to the collection of municipal taxes and special assessments by county treasurers.

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

By Teachout of Polk, House file No. 263, a bill for an act to prevent wrongs to children and dumb animals and to furnish a bureau of child and animal protection.

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

Mattes of Sac offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved*, That the employes of this House are requested to report in person to the Chief Clerk at nine o'clock in the morning and to remain present until six o'clock in the evening of each legislative day; and the Chief Clerk is hereby instructed to deduct for absences according to the compensation received.

Adopted.

Wright of Webster offered the following resolution and moved that the rule be suspended and the resolution be adopted:

WHEREAS, The Hon. John F. Duncombe, an honored member of the general assembly of Iowa during the sessions of 1860, 1864, 1872 and 1880, and for many years one of the regents of the State University, and also in 1857 captain of Company B in the Spirit Lake expedition for the relief of the white settlers, departed this life at his home in Fort Dodge in the month of August, 1902; therefore be it

*Resolved*, That a committee of three be appointed to prepare and present suitable resolutions commemorative of his great services to the state.

Adopted.

Speaker appointed as such committee, Wright of Webster, Welden of Hardin and Peet of Jones.

Kendall of Monroe asked unanimous consent that House file No. 247 be recalled from the Judiciary committee and referred to Ways and Means. That House file No. 250 be recalled from Judiciary committee and referred to committee on Claims.

Granted, and the bills were so referred.

Speaker announced that he had signed in the presence of the House, House file No. 16 and House file No. 28.

#### 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. 161, a bill for an act to amend section 2724 of the code relating to compensation of non-resident pupils in the School for the Deaf.

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 Senate was asked:

House joint resolution No. 2, joint resolution proposing to amend the Constitution of the State of Iowa relating to the apportionment of Senators and Representatives in 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. 156, a bill for an act for the relief of the grantees of Frederick M. Stumbo, etc.

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. 56, a bill for an act to regulate the employment of child labor and to provide for the enforcement thereof. Additional to chapter 8, title XXI 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. 109, a bill for an act relating to the qualifications 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 concurrent resolution in which the concurrence of the House is asked:

Concurrent resolution relative to the improvement of the upper Mississippi river.

GEO. A. NEWMAN,  
*Secretary.*

#### BILLS ON THEIR PASSAGE,

On motion of Jepson of Woodbury Senate file No. 17, a bill for an act to amend section 2783 of the code relating to text-books in public schools and use of contingent funds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Langan of Clinton moved that the rule 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. Bailey, Bealer, Bixby, Buckingham, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Clary, Cobb, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Teachout, Washburn, Weeks, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—85.

The nays were:

Mr. Peet—1.

Absent or not voting:

Messrs. Boland, Buchanan, Cassel, Coburn, Freeman, Head, Kennedy, McClurkin, Ofill, Temple, Teter, Welden, Willson, Summers—14.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe House file No. 232, a bill for an act to repeal section 1145 of the code and for the enactment of a substitute therefor relative to the canvass of votes, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Teter of Marion moved that the rule 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. Buchanan, Carstensen, Chassell, Christianson, Clary, Conn, Dashiell, DeLano, Dow, English, Freeman, Greeley, Greene, Gregory, Hanna, Hollembeak, Jacobson, Jepson, Koontz, Laird, Lamkin, Langan, Lister, Lowrey, McCreary, McCulloch,

McDole, McElrath, Maben, Manning, Martin, Mattes, Morris, Shaffer, Spaulding, Summers, Teter, Washburn, Wright, Mr. Speaker—40.

The nays were:

Messrs. Bailey, Bealer, Bixby, Boland, Calderwood, Carden, Cassel, Cheney, Cobb, Coburn, Colclo, Crose, Davie, Doran, Flenniken, Geneva, Hakes, Hambleton, Harris, Head, Hume, Jones, Kling, Leech, Lundt, McAllister, McNie, Mott, Nichols, Olson, Peet, Powers, Prevo, Pritchard, Robinson, Sankey, Skinner, Springer, Stanbery, Stoltenberg, Weeks, Whiting, Whitmer, Willson, Wyland—45.

Absent or not voting:

Messrs. Buckingham, Cummings, Frudden, Heles, Kendall, Kennedy, McClurkin, Offill, Ritter, Teachout, Temple, Welden, Wise, Saylor, Hart—15.

The bill having failed to receive a constitutional majority was declared lost.

#### SENATE MESSAGES CONSIDERED.

Senate file No. 109, a bill for an act repealing chapter 85, acts of the Twenty-seventh General Assembly of the state of Iowa, and amending section 2734 of the code, relating to the qualifications of county superintendents.

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

Senate file No. 56, a bill for an act to regulate the employment of child labor and to provide for the enforcement thereof. (Additional to chapter 8, title XXI of the code.)

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

Concurrent resolution relative to the improvement of the upper Mississippi river.

Read and referred to committee on Federal Relations.

On motion of Whiting of Monona, by unanimous consent, House file No. 115, a bill for an act to legalize the organization of the Independent School District of Soldier, Monona county, Iowa, and the acts of its board of directors, with Senate substitute as amendment therefore was taken up and the substitute amendment was read and considered.

Mr. Whiting moved that the House concur in the Senate substitute amendment.

On the question, Shall the House concur ?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Greene, Gregory, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Summers, Teachout, Temple, Teter, Washburn, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—90.

The nays were:

None.

Absent or not voting:

Messrs. Boland, Coburn, Freeman, Hakes, Kennedy, Koontz, Offill, Stoltenberg, Weeks, Welden—10.

So the House concurred.

On motion of Mattes of Sac, the house adjourned until 10 o'clock A. M., tomorrow, Saturday, February 20.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 20, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. Elizabeth Padgham of Perry, Iowa.

Journal of Friday, February 19th, was corrected and approved.

On motion of Chassell of Plymouth, the Chief Clerk was ordered to have printed 300 copies of the child labor bill, Senate file No. 56, in the form in which the bill passed the Senate.

On request of Lundt of Tama leave of absence was granted Saylor of Bremer until Tuesday.

On request of Carden of Henry leave of absence was granted McClurkin of Louisa until Tuesday.

On request of Skinner of Union leave of absence was granted McDole of Jackson until Monday.

On request of Hume of Mitchell leave of absence was granted Spaulding of Howard until Monday.

On request of Carstensen of Clinton leave of absence was granted Lamkin of Lyon until Tuesday.

On request of Carden of Henry leave of absence was granted McCulloch of Wayne until Monday.

PETITIONS AND MEMORIALS.

Lowrey of Calhoun presented petition of fifteen citizens of Calhoun county relative to House files No. 59, No. 52, No. 47.

Referred to committee on Fish and Game.

Hart of Allamakee presented memorial of physicians of Allamakee county relative to the establishment of a sanitarium for the treatment of the tuberculosis poor.

Referred to committee on Public Health.

Kendall of Monroe presented petition of merchants of Monroe county asking that the exemption bill be enacted.

Referred to committee on Ways and Means.

Jacobson of Winneshiek presented petition of citizens of Winneshiek county relative to House files No. 59, No. 52 and No. 47.

Referred to committee on Animal Industry.

Davie of Crawford presented petition of ninety-eight stock raisers and shippers of Vail asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Manning of Lucas presented petition of 134 citizens of Lucas county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

McNie of Benton presented memorial of Perry Division No. 114 of the Order of Railroad Telegraphers relative to House file No. 43.

Referred to committee on Labor.

Cheney of Clay presented memorial of Perry Division No. 114 of the order of Railroad Telegraphers relative to House file No. 43.

Referred to committee on Judiciary.

Cheney of Clay presented memorial of Perry Division No. 114 of the Order of Railroad Telegraphers relative to House file No. 92.

Referred to committee on Ways and Means.

Weeks of Guthrie presented memorial of Perry Division No. 114 of the Order of Railroad Telegraphers relative to House files No. 43 and No. 74.

Referred to committee on Labor.



## REPORTS OF COMMITTEES.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 65, a bill for an act to amend section three thousand five hundred and five (3505) of the code of 1897, relating to the grounds for changing the place of trial in civil actions and to add sub-division six (6) 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 indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

## MINORITY REPORT.

MR. SPEAKER—We, the undersigned members of the Judiciary committee, to whom was referred House file No. 65, beg leave to report that we have had the same under consideration, and being in the minority we do hereby protest against the action of the majority in recommending that the said bill be indefinitely postponed, and are of the opinion that the said bill should pass. We therefore reserve our right to object to the majority report, and to move a consideration of said bill upon its merits, and to have the same placed upon the House calendar for consideration.

Respectfully submitted,

L. L. DELANO,  
M. L. TEMPLE,  
LORENZO D. TETER.

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred House file No. 26, a bill for an act relating to the construction of permanent sidewalks, and providing for the assessment and collection of the cost 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Flenniken of Clayton, from the committee on Elections, submitted the following report:

MR. SPEAKER—Your committee on Elections, to whom was referred House file No. 30, a bill for an act to place the ballot on a higher and more moral level, beg leave to report that they have 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. C. FLENNIKEN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

## INTRODUCTION OF BILLS.

By Harris of Poweshiek, House file No. 264, a bill for an act to repeal section 479 of the code of Iowa, relating to the compensation of county auditors, and to enact a substitute therefor, also to amend section 481 of the code relating to the compensation of deputy auditors and auditors' clerks.

Read first and second time and referred to committee on Compensation of Public Officers.

By Maben of Hancock, House file No. 265, a bill for an act making appropriation to return to the State Board of Veterinary Medical Examiners of Iowa, money paid by them into the treasury of the state.

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

By Hart of Allamakee, House file No. 266, a bill for an act requiring common carriers to issue passes to live stock shippers and regulating the issuance and use thereof and providing penalties for violation of the provisions of this act.

Read first and second time and referred to committee on Railroads and Commerce.

## BILLS ON THEIR PASSAGE.

On motion of Head of Greene, House file No. 139, a bill for an act to amend section 1850, chapter 10, title IX, paragraph 4, 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.

Bealer of Linn moved that the rule 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. Bailey, Bealer, Bixby, Buchanan, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Coburn, Conn, Crose, Dashiell, DeLano, Dow, English, Freeman, Greene, Hakes, Harris, Hart, Head, Hume, Jacobson, Jepson, Kennedy, Kling, Koontz, Laird, McAllister, McCreary, McNie, Manning, Martin, Mattes, Olson, Peet, Powers, Prevo, Pritchard, Robinson, Shaffer, Skin-

ner, Stoltenberg, Summers, Teachout, Temple, Whiting, Whitmer, Wise, Wyland, Mr. Speaker—53.

The nays were:

Messrs. Boland, Buckingham, Clary, Cobb, Colclo, Davie, Doran, Geneva, Hambleton, Hollembeak, Kendall, Langan, Leech, Lister, Lowrey, Lundt, Maben, Mott, Nichols, Offill, Sankey, Springer, Stanbery, Teter, Washburn, Wright—26.

Absent or not voting:

Messrs. Cassel, Cummings, Flenniken, Frudden, Greeley, Gregory, Hanna, Heles, Jones, Lamkin, McClurkin, McCulloch, McDole, McElrath, Morris, Ritter, Saylor, Spaulding, Weeks, Welden, Willson—21.

So the bill passed.

Kendall of Monroe moved to amend the title by inserting the words "eighteen hundred and fifty", by placing the figures "1850" in parentheses, by striking out the words "chapter 10, title IX", and inserting the words "of the code" in lieu thereof.

Title as amended agreed to.

On motion of Cheney of Clay, House file No. 210, a bill for an act to amend section 4481 of the code in relation to place of bringing action and a taxation of costs therein, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Kendall of Monroe moved to amend by striking out the words "a reasonable attorney's fee" in the ninth line of the printed bill and inserting in lieu thereof the words "an attorney's fee not to exceed \$15."

Adopted.

Cheney of Clay moved that the rule 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. Bealer, Bixby, Calderwood, Carden, Carstensen, Chas-sell, Cheney, Christianson, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Davie, Doran, Dow, English, Flenniken, Geneva,

Greene, Hambleton, Hanna, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Kendall, Kennedy, Kling, Koontz, Langan, Leech, Lister, Lowrey, McAllister, McNie, Maben, Manning, Martin, Mattes, Mott, Nichols, Offill, Olson, Peet, Powers, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Stanbery, Stoltenberg, Summers, Teachout, Temple, Washburn, Weeks, Whiting, Wise, Wright, Wyland, Mr. Speaker—67.

The nays were:

Messrs. Buchanan, Buckingham, Clary, DeLano, Harris, Laird Lundt, McCreary, Prevo, Springer—10.

Absent or not voting:

Messrs. Bailey, Boland, Cassel, Cummings, Freeman, Frudden, Greeley, Gregory, Hakes, Jepson, Jones, Lamkin, McClurkin, McCulloch, McDole, McElrath, Morris, Saylor, Spaulding, Teter, Welden, Whitmer, Willson—23.

So the bill passed and the title was agreed to.

On motion of Leech of Cedar, House file No. 111, a bill for an act to amend section 2564, chapter 16, title XII of the code, relating to the meetings of the State Board of Health, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

DeLano of Cass moved to amend by striking from section one the words and figures "chapter sixteen (16), title XII (12)."

Adopted.

Laird of Fremont moved to amend the enacting clause by striking out the words "Thirtieth General Assembly" and inserting in lieu thereof the words "General Assembly of the state of Iowa."

Adopted.

Leech of Cedar moved that the rule 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. Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Cobb, Coburn,

Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, English, Flenniken, Frudden, Geneva, Greene, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Kendall, Kennedy, Kling, Laird, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McCreary, McNie, Maben, Manning, Martin, Mattes, Mott, Nichols, Offill, Olson, Peet, Powers, Pritchard, Ritter, Sankey, Shaffer, Skinner, Stanbery, Stoltenberg, Summers, Teachout, Temple, Washburn, Weeks, Whitmer, Wise, Wright, Mr. Speaker—72.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Christianson, Clary, Cummings, Dow, Freeman, Greeley, Gregory, Hakes, Jones, Koontz, Lamkin, McClurkin, McCulloch, McDole, McElrath, Morris, Prevo, Robinson, Saylor, Spaulding, Springer, Teter, Welden, Whiting, Willson, Wyland—28.

So the bill passed.

DeLano of Cass moved to strike out of title the words "chapter sixteen (16), title twelve (12)."

Title as amended 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 following committee has been appointed on the part of the Senate to investigate matters pertaining to drainage and highways: Senator Hasselquist, Senator Dunham and Senator Young of Lee.

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. 78, a bill for an act to amend sections 3705 and 3708 of the code, with reference to instructions to juries.

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. 127, a bill for an act appropriating money to pay express, 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. 193, a bill for an act to confer jurisdiction over the Gypsum mines of this state, on state mine inspectors, and providing for enforcement of chapter nine, title twelve, in reference 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. 176, a bill for an act relating to actions on lost bills, bonds, promissory notes and instruments in writing.

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. 64, a bill for an act relating to investigation of complaints as to management and treatment of inmates of county and private institutions in which insane persons are kept and of children cared for by associations and societies contemplated by section 10, chapter 133, of the Acts of the Twenty-ninth General Assembly.

GEO. A. NEWMAN,  
*Secretary.*

Hart of Allamakee asked unanimous consent to withdraw House file No. 242 from the committee on Railroads and Commerce and from the consideration of the House.

Granted

Coburn of Cherokee moved that the House adjourn until ten o'clock A. M. Tuesday, February 23d.

Head of Greene moved to amend by striking out the words "ten o'clock A. M." and inserting the words "two o'clock P. M."

Amendment lost.

The original motion prevailed and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 23, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. E. R. Purdy of Oskaloosa, Iowa.

Journal of Saturday, February 20th, was corrected and approved.

On request of Lamkin of Lyon leave of absence was granted Welden of Hardin indefinitely.

On request of Wyland of Shelby leave of absence was granted DeLano of Cass until tomorrow.

On request of Skinner of Union leave of absence was granted Kennedy of Lee until tomorrow.

On request of Sankey of Decatur leave of absence was granted Ritter of Des Moines until tomorrow.

PETITIONS AND MEMORIALS.

Boland of Iowa presented petition of citizens of Iowa county asking the repeal of the present road law.

Referred to committee on Roads and Highways.

McNie of Benton presented memorial of Perry Division No. 114 of Railroad Telegraphers, relative to House file No. 92.

Referred to committee on Ways and Means.

Wyland of Shelby presented petition of physicians of Shelby county asking for the establishment of a state sanitarium for the tuberculosis poor.

Referred to committee on Public Health.



Cobb of Taylor presented memorial of Farmers' Institute of Taylor county asking continuance of the present road law.

Referred to committee on Roads and Highways.

Kling of Harrison presented petition of physicians of Harrison county asking the establishment of a state sanitarium for the tuberculosis poor.

Referred to committee on Public Health.

Sankey of Decatur presented petition of physicians of Decatur county asking the establishment of a state sanitarium for the tuberculosis poor.

Referred to committee on Public Health.

Carstensen of Clinton presented petition of citizens of Clinton county relative to game laws.

Referred to committee on Fish and Game.

Conn of Butler presented petition of citizens of Butler county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Geneva of Keokuk presented petition of citizens of Keokuk county relative to woman suffrage.

Referred to committee on Woman Suffrage.

McAllister of Linn presented petition of ladies of Cedar Rapids urging passage of the child labor bill.

Referred to committee on Labor.

Carstensen of Clinton presented petition of citizens of Clinton county relative to House file No. 92.

Referred to committee on Ways and Means.

Carstensen of Clinton presented petition of state leather-workers relative to House file No. 92.

Referred to committee on Ways and Means.

Pritchard of Wright presented petition of citizens of Wright county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Davie of Crawford presented petition of citizens of Crawford county, asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Robinson of Emmet presented petition of citizens of Emmet county relative to the road law.

Referred to committee on Roads and Highways.

Hambleton of Mahaska presented memorial of painters and paperhangers of Oskaloosa relative to House file No. 92.

Referred to committee on Ways and Means.

McClurkin of Louisa presented petition of citizens of Louisa county asking the repeal of the present road law.

Referred to committee on Roads and Highways.

Hanna of Kossuth presented petition of citizens of Kossuth county relative to taxing life insurance premiums.

Referred to committee on Insurance.

Bailey of Ringgold presented invitation from the Good Roads Association to meet with them in their convention Wednesday evening, and the invitation was read.

McAllister of Linn asked unanimous consent to withdraw House file No. 97 from the Elections committee and from further consideration by the House.

Granted.

Hart of Allamakee asked unanimous consent to withdraw House file No. 171 from the Judiciary committee and from consideration by the House.

Granted.

Hambleton of Mahaska asked unanimous consent to withdraw House file No. 103 from the committee on Public Charities and from further consideration by the House.

Granted.

Teachout of Polk asked unanimous consent to withdraw House file No. 177 from the Appropriations committee and from the consideration of the House.

Granted.

#### 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. 188, a bill for an act to amend section 641 of the code, in

relation to changing the number of wards in cities or altering or changing the boundaries 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. 157, a bill for an act relating to the bringing into any penitentiary, reformatory or industrial school of the state or into any buildings or grounds appurtenant thereto of certain drugs, intoxicating liquors, weapons or articles designed to aid escapes.

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. 172, a bill for an act to repeal section 3167 and 3169 of the code and to enact substitutes 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. 204, a bill for an act to legalize certain acts of the board of supervisors of Crawford 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. 125, a bill for an act to amend section 3305 of code, relating to limitation of time for granting letters of administration on estates of decedents.

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 to authorize the granting to Council Bluffs, Tabor & Southern Electric Railroad company, its successors and assigns, a right of way through lands owned by State of Iowa and used by the School for the Deaf at Council Bluffs, Iowa.

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 Senate was asked:

House Joint Resolution No. 5, joint resolution for the appointment of a joint committee to purchase a chair and gavel for the Speaker of House and President of Senate.

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. 153, a bill for an act to amend section 1641 of the code.

GEO. A. NEWMAN,  
*Secretary.*

Also:

#### REPORTS OF COMMITTEES.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 241, a bill for an act to authorize the granting to the Council Bluffs, Tabor & Southern Electric Railway Company, its successors or assigns, a right-of-way through lands owned by the state of Iowa, and used by the 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 following the word "conditions" in the second section of said bill, and inserting in lieu thereof, the following: "require said railway company to establish and maintain at a point convenient to said school a suitable station, at which to receive and discharge passengers, and to construct a switch to coal house at said school."

Also, by striking out of the second and third lines of section three the following words: "by agreement or by condemnation, as the case may be".

Also, by striking out the period following the word "Iowa" in the

fourth line of section four, and inserting in lieu thereof a comma, followed by the words "without expense to the state."

And that when so amended the same do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 196, a bill for an act to legalize the action of the school board of the Independent District of Clearfield, Taylor county, Iowa, relating to the levy of school taxes in 1904, beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 245, a bill for an act to legalize the issuing of bonds to the amount of thirty-three hundred dollars (\$3300) by the incorporated town of Deep River, Poweshiek 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 by adopting the following substitute therefor:

SUBSTITUTE FOR HOUSE FILE NO. 245.

A BILL for an act to legalize the issuing of bonds to the amount of Thirty-three hundred dollars (\$3300) by the incorporated town of Deep River, Poweshiek county, Iowa.

WHEREAS, The incorporated town of Deep River, Poweshiek county, Iowa, did on the 31st day of March, 1902, hold an election and vote the issuance of bonds of said town to the amount of six thousand dollars (\$6000) for the establishment of a system of water works; and

WHEREAS, Said amount was in excess of the amount authorized by law; and

WHEREAS, In pursuance of said election only thirty-three hundred dollars (\$3300) of said bonds were issued, this amount being six per cent of the assessed valuation of said town and within the amount authorized by law; therefore

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

Section 1. That the said bonds of the incorporated town of Deep River, Poweshiek county, Iowa, in the sum of thirty-three hundred dollars (\$3300) already issued for the establishment of a system of water works in said town are hereby legalized, validated and given the same force and effect as if they

had been issued in compliance with law in every respect; but nothing herein shall be so construed as to 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 Register and Leader and the Montezuma Republican, newspapers published at Des Moines, Iowa, and Montezuma, Iowa, respectively; said publications to be without expense to the state, and that when so amended the same do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Chassell of Plymouth, from the committee on Printing, submitted the following report:

MR. SPEAKER—Your committee on Printing, to whom was referred House file No. 180, a bill for an act to amend section four hundred and forty-one (441) of the code, relating to the number 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 be amended by striking out the last four lines and inserting in lieu thereof the following:

“And in counties where one or more newspapers of general circulation are printed in a foreign language, or languages, the board may, in addition to those already provided for in this section, select one of said newspapers as one of the official newspapers of the county.”

And when so amended that the same do pass.

E. D. CHASSELL,  
*Chairman.*

Ordered passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 17, a bill for an act to amend section number twenty-seven hundred and eighty-three (2783) of the code, relating to text-books in public schools, and use of contingent funds.

H. L. SPAULDING,  
*Chairman House Committee.*

D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Clary of Chickasaw, House file No. 267, a bill for an act to define and limit the defense of suicide in life insurance cases,

additional to chapter 8, title IX of the code, relating to life insurance companies and associations.

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

By Weeks of Guthrie, House file No. 268, a bill for an act to provide for the appointment of public examiners and fixing 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 Hart of Allamakee, House file No. 269, a bill for an act to amend section 3447 of the code, relative to the limitations of actions.

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

By Freeman of Pottawattamie, House file No. 270, a bill for an act to amend section 590 of the code relative to township trustees and the compensation they shall receive.

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

By Summers of Van Buren (by request), House file No. 271, a bill for an act to regulate the practice of psychiropathy, amandatory to title XII, chapter 17 of the code, relating to the practice of medicine.

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

By Skinner of Union, House file No. 272, a bill for an act prohibiting persons not members of secret societies or other fraternal organizations from wearing the badge or uniform of such orders or fraternal organizations, and prescribing the penalties for the violation of the same.

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

By Jepson of Woodbury, House file No. 273, a bill for an act to amend section 700 of the code relating to powers of cities and towns.

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

Springer of Buchanan in the chair.

By Martin of Pottawattamie, House file No. 274, a bill for an act to expedite the collection of taxes on property withheld from assessment.

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

Coburn of Cherokee offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved, by the House, the Senate concurring,* That a joint committee of five be appointed, two from the Senate and three from the House, whose duty it shall be to inquire as to the practicability and advantages of introducing voting machines or devices, into all polling places in the state of Iowa, capable of meeting the demands up to and including the quadrennial year of 1912, by adding the rate of increase annually of all entitled to vote, the figures being equal to the increase of the decade between the years 1890 and 1900 inclusive, and also to report whether, in the opinion of the committee, such action would be practical and of utility, and to report such facts as to the cost of any and all machines of which they can obtain knowledge, to the end that the several members of the General Assembly may have a basis to guide them with relation to measures which may come up for consideration relative to voting machines. Said committee to report further, by bill or otherwise.

Adopted.

#### SENATE MESSAGES CONSIDERED.

Senate file No. 64, a bill for an act relating to investigation of complaints as to management and treatment of inmates of county and private institutions in which insane persons are kept and of children cared for by associations and societies contemplated by section 10, chapter 133 of the acts of the Twenty-ninth General Assembly.

Speaker Clarke in the chair.

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

Senate file No. 176, a bill for an act relating to actions on lost bills, bonds, promissory notes and instruments in writing.

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

Senate file No. 78, a bill for an act to amend sections 3705 and 3708 of the code, with reference to instructions to juries.

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



Senate file No. 157, a bill for an act relating to the bringing into any penitentiary, reformatory or industrial school of the state or into any buildings or grounds appurtenant thereto of certain drugs, intoxicating liquors, weapons or articles designed to aid escapes.

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

Senate file No. 204, a bill for an act to legalize certain actions of the board of supervisors of Crawford county, Iowa.

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

Senate file No. 197, a bill for an act to authorize the granting to Council Bluffs, Tabor & Southern Electric Railway company, its successors and assigns, a right of way through lands owned by State of Iowa and used by the School for the Deaf at Council Bluffs, Iowa

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

Senate file No. 193, a bill for an act to confer jurisdiction over the gypsum mines of the state, on state mine inspectors, and providing for enforcement of chapter 9, title XII in reference thereto.

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

On request of Mattes of Sac, unanimous consent having been given, House file No. 127, a bill for an act appropriating money to pay express, freight and cartage, with Senate amendments, was taken up and the amendments read and considered.

Mr. Mattes moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Conn, Crose, Cummings, Dashiell, Davie, Doran, Dow, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna,

Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Robinson, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker--91.

The nays were:

None.

Absent or not voting:

Messrs. Colclo, DeLano, English, Kennedy, Langan, Ritter, Sankey, Welden, Whiting--9.

So the House concurred.

On request of Jepson of Woodbury, unanimous consent having been given, House file No. 153, a bill for an act to amend section 1641 of the code relating to ownership of real property by corporations organized in this or any other state for pecuniary profit, with Senate amendments, was taken up and the amendments read and considered.

Mr. Jepson moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Conn, Crose, Cummings, Dashiell, Davie, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Robinson, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery,

Stoltenberg, Teachout, Temple, Teter, Washburn, Weeks, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—90.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Colclo, DeLano, Jepson, Kennedy, Langan, Ritter, Sankey, Summers, Welden—10.

So the House concurred.

On motion of Kendall of Monroe, House file No. 241, a bill for an act to authorize the granting to the Council Bluffs, Tabor & Southern Railway company, its successors or assigns, a right of way through the lands owned by the State of Iowa and used by the School for the Deaf at Council Bluffs, Iowa, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Kendall moved the adoption of the following amendments recommended by the committee:

Amend by striking out all following the word "conditions" in the second section of said bill and inserting in lieu thereof the following: "require said railway company to establish and maintain at a point convenient to said school a suitable station at which to receive and discharge passengers, and to construct a switch to the coal house of said school."

Also, by striking out of the second and third lines of section three the following words: "by agreement or by condemnation as the case may be."

Also, by striking out the period following the word "Iowa" in the fourth line of section four and inserting in lieu thereof a comma, followed by the words, "without expense to the state."

And that when so amended the same do pass.

Adopted.

Mr. Kendall moved that the rule 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. Bailey, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, Doran, Dow, English, Flenniken, Freeman,

Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—92.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, DeLano, Gregory, Kennedy, Langan, McDole, Ritter, Welden—8.

So the bill passed and the title was agreed to.

On motion of Greene of Madison, House file No. 92, a bill for an act to amend section 4011, chapter 3, title XIX of the code of 1897, state of Iowa relating to personal earnings, with report of committee recommending passage, was taken up and considered.

Kendall of Monroe moved to substitute the recommendations of the minority for the committee report.

Cheney of Clay moved to adjourn to 2 o'clock this afternoon

Hambleton of Mahaska moved to amend to 1:30 o'clock.

Amendment lost.

Original motion prevailed and the House adjourned.

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#### AFTERNOON SESSION.

House convened pursuant to adjournment.

Speaker Clarke in the chair.

The consideration of House file No. 92 was resumed.

Coburn of Cherokee moved the previous question, which was on the substitution of the minority recommendations for the report of the committee.

The previous question being ordered, Bealer of Linn and Greene of Madison demanded a roll call.

On the question, Shall the recommendations of the minority be substituted for the report of the committee?

The yeas were:

Messrs. Bailey, Bealer Bixby, Buchanan, Buckingham, Calderwood, Carstensen, Clary, Coburn, Colclo, Cummings, Dashiell, Davie, Doran, Dow, English, Flenniken, Geneva, Greeley, Gregory, Hambleton, Hanna, Hart, Hollembeak, Jacobson, Jepson, Kendall, Lamkin, Langan, McCreary, McDole, McElrath, Manning, Nichols, Offill, Olson, Sankey, Saylor, Skinner, Spaulding, Springer, Stanbery, Summers, Teachout, Temple, Teter, Wise, Wright, Mr. Speaker—49.

The nays were:

Messrs. Boland, Carden, Chassell, Cheney, Christianson, Cobb, Conn, Crose, Freeman, Greene, Hakes, Harris, Head, Hume, Koontz, Laird, Leech, Lister, Lundt, McAllister, McClurkin, McCulloch, McNie, Maben, Martin, Mattes, Morris, Mott, Peet, Powers, Prevò, Pritchard, Robinson, Shaffer, Washburn, Weeks, Whiting, Whitmer, Wyland—39.

Absent or not voting:

Messrs. Cassell, DeLano, Frudden, Heles, Jones, Kennedy, Kling, Lowrey, Ritter, Stoltenberg, Welden, Willson—12.

Motion prevailed and the recommendations of the minority were substituted for the report of the committee.

Kendall of Monroe moved the adoption of the recommendations of the minority as substituted for the committee report.

Motion prevailed and the bill was indefinitely postponed.

On motion of Kendall of Monroe the House adjourned until tomorrow morning at 10 o'clock.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, Iowa, February 24, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by Rev. Joseph Stephen of Manilla, Iowa  
 Journal of Tuesday, February 23rd, was corrected and  
 approved.

On request of Nichols of Muscatine leave of absence was  
 granted Stanbery of Cerro Gordo until tomorrow.

On request of Wyland of Shelby leave of absence was granted  
 DeLano of Cass until tomorrow.

On request of Summers of Van Buren leave of absence was  
 granted Kennedy of Lee indefinitely.

PETITIONS AND MEMORIALS.

Harris of Poweshiek presented petition of ministers of the  
 gospel of Sioux City relative to the state marshal bill.

Referred to committee on Suppression of Intemperance.

Clary of Chickasaw presented petition of citizens of Nashua  
 relative to pure foods.

Referred to committee on Public Health.

Harris of Poweshiek presented petition of citizens of Powe-  
 shiek county, relative to House file No. 53.

Referred to committee on Elections.

McClurkin of Louisa presented petition of citizens of Louisa  
 county, relative to the child labor bill.

Referred to committee on Labor.

Mattes of Sac presented petition of citizens of Sac county,  
 relative to the road law.

Referred to committee on Roads and Highways.

Lundt of Tama presented memorial of the Meat Producers Association of Tama county relative to the DeLano bill.

Referred to committee on Railroads and Commerce.

Carstensen of Clinton presented memorial of Blacksmiths Brotherhood No. 16 of Clinton, Iowa, relative to House file No. 43.

Referred to committee on Labor.

Carstensen of Clinton presented memorial of the United Brotherhood of Leatherworkers relative to Senate file No. 56.

Referred to committee on Labor.

Buchanan of Wapello presented petition of citizens of Wapello county protesting against the passage of a law to prohibit the spring shooting of migratory game birds.

Referred to committee on Fish and Game.

Cummings of Marshall presented petition of citizens of Marshall county, relative to House files Nos. 59, 52, and 47.

Referred to committee on Agriculture.

Ritter of Des Moines presented memorial of physicians of Des Moines county asking for the establishment of a state sanitarium for the tuberculosis poor.

Referred to committee on Public Health.

McElrath of Woodbury presented memorial of Sioux City Industrial Association relative to the anti-boycott bill introduced in the Senate.

Referred to committee on Judiciary.

Prevo bf Davis presented memorial of physicians of Davis county asking for the establishment of a state sanitarium for the tuberculosis poor.

Referred to committee on Public Health.

Davie of Crawford presented memorial of physicians of Crawford county asking for the establishment of a state sanitarium for the tuberculosis poor.

Referred to committee on Public Health.

## REPORT OF COMMITTEE.

Buchanan of Wapello, from the committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations to whom was referred House file No. 14, a bill for an act to amend section twelve hundred and seventy-two (1272), relating to the filling of vacancies in office, beg leave to report that they have 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 in the first line of section one (1) the figures " 1272 " in parentheses and that it be further amended by striking out the comma and the words " as follows " in the fifth line of the original bill. That section two (2) be amended by adding the word " Des Moines " after the words " Register and Leader " in the second line of section two (2).

And when so amended that the same do pass.

A. W. BUCHANAN,  
*Chairman.*

Ordered passed on file.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 115, a bill for an act to legalize the organization of the Independent School District of Soldier, Monona county, Iowa, and the acts of its board of directors.

Also, House file No. 156, a bill for an act for the relief of the grantees of Frederick M. Stumbo and for the purpose of having a patent issued in his name for a certain tract of land.

Also, House file No. 160, a bill for an act to amend section twenty-seven hundred and fifteen (2715) of the code, relating to compensation for non-resident pupils in the College for the Blind.

Also, House file No. 161, a bill for an act to amend section twenty-seven hundred and twenty-four (2724) of the code, relating to compensation for non-resident pupils in the School for the Deaf.

Also, House Joint Resolution No. 2, proposing to amend the constitution of the State of Iowa, relating to the apportionment of Senators and Representatives in the General Assembly.

H. L. SPAULDING,  
*Chairman.*

Adopted.



## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 115, a bill for an act to legalize the organization of the Independent School District of Soldier, Monona county, Iowa, and the acts of its board of directors.

Also, House file No. 156, a bill for an act for the relief of the grantees of Frederick M. Stumbo and for the purpose of having a patent issued in his name for a certain tract of land.

Also, House file No. 160, a bill for an act to amend section twenty-seven hundred and fifteen (2715) of the code relating to compensation for non-resident pupils in the College for the Blind.

Also, House file No. 161, a bill for an act to amend section twenty-seven hundred and twenty-four (2724) of the code relating to compensation for non-resident pupils in the School for the Deaf.

Also, House Joint Resolution No. 2, proposing to amend the constitution of the State of Iowa, relating to the appointment of Senators and Representatives in the General Assembly.

H. L. SPAULDING,  
*Chairman House Committee.*  
D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 115, a bill for an act to legalize the organization of the Independent School District of Soldier, Monona county, Iowa, and the acts of its board of directors.

Also, House file No. 156, a bill for an act for the relief of the grantees of Frederick M. Stumbo and for the purpose of having a patent issued in his name for a certain tract of land.

Also, House file No. 160, a bill for an act to amend section twenty-seven hundred and fifteen (2715) of the code, relating to compensation for non-resident pupils in the College for the Blind.

Also, House file No. 161, a bill for an act to amend section twenty-seven hundred and twenty-four (2724) of the code, relating to compensation for non-resident pupils in the School for the Deaf.

Also, House Joint Resolution No. 2, proposing to amend the constitution of the state of Iowa, relating to the apportionment of Senators and Representatives in the General Assembly.

Also, House file No. 16, a bill for an act to amend section one thousand

three hundred three (1303) of the code, in relation to county levy for bridge purposes.

Also, House file No. 28, a bill for an act legalizing the organization of the Independent School District of Somers, located in Calhoun county, Iowa.

H. L. SPAULDING,  
*Chairman.*

Adopted.

#### INTRODUCTION OF BILLS.

By Chassell of Plymouth, House file No. 275, a bill for an act to amend chapter seven of title X of the code, relating to the regulation of carriers by railway.

Read first and second time and referred to committee on Railroads and Commerce.

By McAllister of Linn, House file No. 276, a bill for an act appropriating money for the benefit of the Soldiers' Home at Marshalltown.

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

By Robinson of Emmet, House file No. 277, a bill for an act relating to the meandered lake beds in the state, and authorizing the executive council to survey, lease or sell the same.

Read first and second time and referred to committee on Public Lands and Buildings.

By Boland of Iowa, by request, House file No. 278, a bill for an act providing for paying Mrs. Maggie J. Edwards damages for personal injuries suffered by her at the State College of Agriculture and Mechanic Arts.

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

#### 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 the Hepburn-Dolliver bill (H. R. 4062; S. 1390) which provides for a police regulation of the liquor traffic in each state by home rule, is now pending in the Congress of the United States.

GEO. A. NEWMAN,  
*Secretary.*

Coburn of Cherokee asked unanimous consent to withdraw House file No. 129 from committee on Roads and Highways and from consideration of the House.

Granted.

Speaker announced that he had signed in the presence of the House, House files No. 156, No. 115, No. 161, No. 160, Senate file No. 17, House joint resolution No. 2.

#### BILLS ON THEIR PASSAGE.

On motion of Coburn of Cherokee, House file No. 254, being a bill by the committee on Telegraph, Telephone and Express, providing the manner in which telegraph and telephone companies shall report for assessment purposes, amendatory of code sections 1328 and 1329, was taken up and considered.

Coburn of Cherokee moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, Doran, Dow, Flenniken, Freeman, Frudden, Greeley, Hakes, Hambleton, Hanna, Harris, Hart, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Manning, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—82.

The nays were:

None.

Absent or not voting:

Messrs. Chassell, Cheney, DeLano, English, Geneva, Greene, Gregory, Head, Kennedy, Langan, Maben, Martin, Sankey, Springer, Stanbery, Weeks, Welden, Whitmer—18.

So the bill passed and the title was agreed to.

On motion of Koontz of Johnson, unanimous consent having been given, House file No. 14, a bill for an act to amend section 1272, relating to the filling of vacancies in office, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Koontz moved the adoption of the following amendments recommended by the committee:

Amend by inserting in the first line of section one (1) the figures, "1272" in parentheses, and by striking out the comma and the words "as follows" in the fifth line of the original bill.

Amend section two (2) by adding the word "Des Moines" after the words "Register and Leader" in the second line of section two (2).

Adopted.

Mr. Koontz moved that the rule 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. Bailey, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, Doran, Dow, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Hart, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McNie, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—86.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, DeLano, English, Gregory, Harris, Head, Kennedy, McElrath, Maben, Springer, Stanbery, Temple, Welden, Whiting—14.

So the bill passed.

Buchanan of Wapello moved to amend title by inserting after the figures "1272" the words "of the code."

Adopted.

Title as amended agreed to.

On motion of Buchanan of Wapello, House file No. 148, a bill for an act relating to the registration of voters, with report of committee recommending passage as amended, was taken up, considered and the report of the committee, as amended, adopted.

Buchanan of Wapello moved the adoption of the following amendment as recommended by the committee:

Amend by striking out the words "five thousand (5,000)" in the third line of the original bill and inserting in lieu thereof the words "four thousand (4,000)."

Adopted.

Chassell of Plymouth moved to amend section one by striking out the words "forty-five hundred" and inserting the words "four thousand" in lieu thereof.

Lost.

Harris of Poweshiek moved that the rule 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. Bailey, Bixby, Buchanan, Cheney, Clary, Cobb, Colclo, Hakes, Hanna, Harris, Hart, Heles, Hume, Jepson, Kendall, Laird, Langan, Lister, Lundt, McAllister, McDole, McElrath, Nichols, Olson, Peet, Ritter, Sankey, Shaffer, Skinner, Spaulding, Springer, Teachout, Whiting, Wyland—34.

The nays were:

Messrs. Boland, Buckingham, Calderwood, Carden, Carstensen, Chassell, Christianson, Coburn, Conn, Crose, Dashiell, Davie Doran, Flenniken, Freeman, Geneva, Greeley, Hambleton, Jacobson, Jones, Kling, Lamkin, Leech, McClurkin, McCreary, McCulloch, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Powers, Prevo, Pritchard, Robinson, Saylor, Stoltenberg, Summers, Temple, Teter, Washburn, Weeks, Whitmer, Willson, Wise Wright, Mr. Speaker—48.

Absent or not voting:

Messrs. Bealer, Cassel, Cummings, DeLano, Dow, English, Frudden, Greene, Gregory, Head, Hollembeak, Kennedy, Koontz, Lowrey, Maben, Offill, Stanbery, Welden—18.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Carstensen of Clinton, House file No. 109, a bill for an act to amend section 2474 of the code of Iowa of 1897 relating to the report of accidents to employes, with report of committee recommending passage as amended, was taken up and considered.

Mr. Carstensen moved the adoption of the following amendment recommended by the committee:

Amend by inserting after the word " Section " in the first line of the title thereof the words " twenty-four hundred and seventy-four," and by striking out of the title thereof, the words " of Iowa of 1897," and by enclosing the figures "2474" in parenthesis.

And further by striking out all after the enacting clauses thereof and inserting the following:

Section 1. That section twenty-four hundred and seventy-four (2474) of the code be and the same is hereby repealed and re-enacted to read as follows:

It shall be the duty of every owner, operator or manager of every railway, factory, mill, workshop, mine, store, business house, public or private work or any other establishment where labor is employed as herein provided to make to the bureau such reports and returns as said bureau may require for the purpose of compiling such labor statistics as are contemplated in this chapter and the owner, operator or manager shall make such report and returns within sixty days from the receipt of blanks furnished by the commissioner. All accidents to employes in the establishments included within the provisions of this section shall be reported in writing to the bureau within forty-eight hours of their occurrence, stating as fully as possible the extent and cause of such injury, and the place where the injured person was sent; and all such reports and returns shall be verified under oath by such owner, operator or manager, as the case may be. Any owner, operator or manager of any railway, factory, mill, workshop, mine, store, business house, public or private work or any other establishment where labor is employed as herein stated, who shall neglect or refuse to make the reports and returns to the bureau as required by this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars (\$100) and costs of prosecution, or imprisonment in the county jail not exceeding thirty days.

Adopted.

Teachout of Polk moved that the bill be referred to the committee on Judiciary.

Carried, and the bill was so referred.

On motion of Wright of Webster, Senate joint resolution No. 1, joint resolution 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.

Buchanan of Wapello moved that the rule be suspended, that the joint resolution be read a third time now and printed in the Journal immediately preceding the record of the call of the yeas and nays upon the question of its passage, which motion prevailed, and the joint resolution was read a third time, as follows:

SENATE JOINT RESOLUTION NO. 1.

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:

Sec. 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 31st, 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 offices 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 biennial thereafter.

*Be it further resolved*, That this resolution and the foregoing amendments to the constitution of the State of Iowa, having been adopted by the Twenty-ninth General Assembly, in manner and form, and by the majority required by the constitution of the State of Iowa, and the statutes thereof, shall be submitted for ratification or rejection by the electors of the State of Iowa at the general election for state officers to be held in November, 1904.

On the question, Shall the Joint Resolution be adopted?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Cheney, Christianson, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Doran, Dow, Flenniken, Freeman, Greeley, Hakes, Hambleton, Harris, Hart, Hume, Jacobson, Jepson, Kendall, Kling, Laird, Lamkin, Langan, Leech, Lister, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Martin, Mattes, Morris, Mott, Nichols, Olson, Peet, Pritchard, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Willson, Wise, Wright, Mr. Speaker—70.

The nays were:

[Messrs. Davie, Geneva, Hanna, Koontz, Lundt, Manning Prevo, Sankey, Springer, Whiting—10.

Absent or not voting:

Messrs. Chassell, Clary, DeLano, English, Frudden, Greene Gregory, Head, Heles, Hollebeak, Jones, Kennedy, Lowrey Maben, Offill, Powers, Stanbery, Welden, Whitmer, Wyland—20

So the joint resolution was adopted and the title was agreed to.

The following explanations of votes were filed:

MR. SPEAKER—I vote affirmatively on Senate Joint Resolution No. 1 because I believe the proposition ought to be submitted to the decision of the people at the polls, and because the electors of Monroe county have heretofore declared in its favor; but I am opposed to the adoption of the amendment.

N. E. KENDALL.



MR. SPEAKER—My vote is yea for the reason that, in my opinion, this is a question which should be submitted to the electors of this state for their determination.

L. D. TETER.

Head of Greene, Hollembeak of Adair, Maben of Hancock, Offill of Jasper and Chassell of Plymouth announced that had they been present when the vote was taken on Senate joint resolution No. 1, they would have voted "aye."

SENATE MESSAGES CONSIDERED.

Senate file No. 188, a bill for an act to amend section 641 of the code, in relation to changing the number of wards in cities, or altering or changing the boundaries thereof.

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

Concurrent resolution relative to the Hepburn-Dolliver bill and to the police regulation thereof in each state.

Weeks of Guthrie moved that the rule be suspended, and the resolution be considered now.

Objection being made, the concurrent resolution went over under the rule.

Kendall of Monroe moved to adjourn until 9 o'clock tomorrow morning.

Frudden of Dubuque moved to amend by making the hour 9:30 instead of 9.

Koontz of Johnson moved to amend the amendment by making the hour 10 instead of 9:30.

Amendment to the amendment was adopted.

Amendment as amended adopted.

Motion as amended prevailed and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 25, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by Rev. H. L. Houghton of Armstrong, Iowa.

Journal of Wednesday, February 24th, was corrected and approved.

On request of Wright of Webster leave of absence was granted Lowrey of Calhoun indefinitely on account of sickness.

On request of Mattes of Sac leave of absence was granted Chassell of Plymouth until next Monday.

On request of Kendall of Monroe leave of absence was granted English of Polk until the last of the week.

#### PETITIONS AND MEMORIALS.

Springer of Buchanan presented petition of citizens of Buchanan county, asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Springer of Buchanan presented two petitions of citizens of Buchanan county relative to child labor.

Referred to committee on Labor.

Lamkin of Lyon presented petition of citizens of Lyon county, relative to child labor.

Referred to committee on Labor.

Stoltenberg of Scott presented ten petitions of citizens of Scott county relative to child labor.

Referred to committee on Labor.

Martin of Pottawattamie presented petition of citizens of Pottawattamie county relative to House files No. 59, No. 52, and No. 47.

Referred to committee on Fish and Game.

Hambleton of Mahaska presented petition of twenty-six citizens of Mahaska county relative to child labor.

Referred to committee on Labor.

Sankey of Decatur presented two petitions of citizens of Lamon, Decatur county, relative to child labor.

Referred to committee on Labor.

Ritter of Des Moines presented nine petitions of citizens of Des Moines county relative to child labor.

Referred to committee on Labor.

Kling of Harrison presented petition of citizens of Harrison and Shelby counties asking appropriation for the purpose of maintaining the short courses at Ames.

Referred to committee on Appropriations.

Bailey of Ringgold presented petition of nineteen citizens of Ringgold county relative to child labor.

Referred to committee on Labor.

Nichols of Muscatine presented petition of physicians of Muscatine county asking for the establishment of a state sanitarium for the tuberculosis poor.

Referred to committee on Public Health.

Nichols of Muscatine presented petition of four citizens of Muscatine county relative to child labor.

Referred to committee on Labor.

Greene of Madison presented petition of citizens of Madison county relative to child labor.

Referred to committee on Labor.

Conn of Butler presented petition of citizens of Butler county relative to child labor.

Referred to committee on Labor.

Kling of Harrison presented two petitions of citizens of Harrison county relative to child labor.

Referred to committee on Labor.

Offill of Jasper presented petition of twenty-three citizens of Jasper county relative to child labor.

Referred to committee on Labor.

Robinson of Emmet presented memorial of the Good Roads Association of Emmet county asking a change in the drainage laws.

Referred to committee on Agriculture.

Cobb of Taylor presented petition of eighteen citizens of Taylor county relative to child labor.

Referred to committee on Labor.

Wise of Blackhawk presented petition of twenty-six citizens of Black Hawk county relative to child labor.

Referred to committee on Labor.

Robinson of Emmet presented remonstrance of citizens of Emmet county relative to the road law.

Referred to committee on Roads and Highways.

Kendall of Monroe presented petition of citizens of Monroe county relative to the road law.

Referred to committee on Roads and Highways.

Shaffer of Fayette presented memorial of machinists of Oelwein relative to Senate file No. 74.

Referred to committee on Labor.

Hollembek of Adair presented petition of physicians of Adair county relative to establishing a sanitarium for the treatment of tuberculosis poor.

Referred to committee on Public Health.

Wyland of Shelby presented petition of citizens of Shelby county relative to child labor.

Referred to committee on Labor.

Wyland of Shelby presented petition of citizens of Shelby county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Cheney of Clay presented petition of thirty-five citizens of Pa.o Alto county relative to child labor.

Referred to committee on Labor.

Bixby of Delaware presented petition of thirty-five citizens of Delaware county relative to child labor.

Referred to committee on Labor.

Cummings of Marshall presented two petitions of citizens of Marshall county relative to child labor.

Referred to committee on Labor.

Cummings of Marshall presented petition of physicians of Marshall county asking for the establishment of a state sanitarium for the tuberculosis poor.

Referred to committee on Public Health.

#### REPORTS OF COMMITTEES.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 262, a bill for an act to amend section nine hundred and two (902) of the code, relating to the collection of municipal taxes and special assessments by 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary to whom was referred substitute for Senate file No. 176, a bill for an act relating to actions on lost bills, bonds, promissory notes, and instruments in writing, beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 78, a bill for an act to amend section thirty-seven hundred and eight (3708) of the code, relating to the instructions to juries, beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 58, a bill for an act amending section forty-eight hundred and twenty (4820) of the code, relating to the disturbance of certain domestic animals by the discharge of fire-arms, beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 47, a bill for an act to amend section fifty-two hundred and fifty-six (5256) of the code, relating to the appointment of clerks of the grand juries, beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 272, a bill for an act prohibiting persons not members of secret societies or other fraternal organizations from wearing the badge or uniform of such orders or fraternal organizations, and prescribing penalties for the violation 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 indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 204, a bill for an act to legalize certain actions of the Board of Supervisors of Crawford county, Iowa, relating to the purchase 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also :

MR. SPEAKER—Your committee on Judiciary, to whom was referred substitute for Senate file No. 8, a bill for an act legalizing the resolutions passed by the city council of the city of Dubuque, Iowa, relating to the improvement of the streets and alleys in said city, and legalizing the special assessments levied thereunder, beg leave to report that they 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.

Also :

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 270, a bill for an act to amend section five hundred and ninety (590) of the code, relative to township trustees and the compensation they receive, beg leave to report that they 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.

Also :

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 130, a bill for an act defining the crime of larceny in the night time from buildings or farms, lots and other enclosures, and providing 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 by substituting the following therefor:

SUBSTITUTE FOR HOUSE FILE NO. 130.

A BILL for an act providing punishment for the larceny of domestic fowl or poultry in the night time from buildings, sheds, coops or enclosed premises.

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

Section 1. Any person guilty of larceny of domestic fowl or poultry in the night time from any building, shed, coop or enclosed premises shall, upon conviction thereof, be punished by imprisonment in the penitentiary not exceeding two years, or by imprisonment in the county jail not exceeding one year, or by fine not exceeding five hundred dollars, or by both fine and imprisonment in the county jail, as above provided, at the discretion of the court.

And that when so amended the same do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 258, a bill for an act to amend chapter fourteen (14) of title XIII (13) of the code, relating to the system of common schools, and the incurring of indebtedness for school-house 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 amended by adopting the following committee substitute therefor:

COMMITTEE SUBSTITUTE FOR HOUSE FILE NO. 258.

A BILL for an act to amend chapter fourteen (14) of title XIII (13) of the code relating to the system of common schools, and the incurring of indebtedness for school house purposes.

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

That chapter fourteen (14) of title XIII (13) of the code, be and the same is hereby amended, by adding thereto the following:

Section 1. Any independent school district containing, or contained in, any incorporated town or city of the second class, of three thousand or less population shall be allowed to become indebted, for the purpose of building and furnishing a school house or houses and procuring a site therefor, to an amount not exceeding in the aggregate, two and one-half per centum of the actual value of the taxable property, within such independent school district, such value to be ascertained by the last county tax list previous to the incurring of such indebtedness, anything contained in section two (2), chapter forty-one (41) of the acts of the Twenty-eighth General Assembly notwithstanding

Sec. 2. Provided, that before such indebtedness can be contracted in excess of one and one-quarter per centum of the actual value of the taxable property ascertained as provided in section one (1) of this act, a petition signed by a majority of the qualified electors of such independent district, shall be filed with the president of the board of directors asking that an election shall be called, stating the purpose for which the money is to be used, and the necessary school house or houses cannot be built and furnished within the limit of one and one-quarter per centum of the valuation.

Sec. 3. The president of the board of directors on the receipt of such petition shall within ten (10) days call a meeting of the board who shall call such election fixing the time and place thereof, and give four weeks notice thereof, in some newspaper published in the said town or city, or if none be published therein in the next nearest town or city in the county, at such election the ballot shall be prepared and used in substantially the following form:

For the issuance of bonds on the sum of \$.....for School House purposes.

Against the issuance of bonds in the sum of \$.....for School House purposes.

Sec. 4. If two-thirds or more of all the electors voting at such election vote in favor of the issuance of such bonds, the board of directors shall



issue the same and make provision for the payment of the same and the interest thereon as provided in section twenty-eight hundred and twelve (2812) and twenty-eight hundred and thirteen (2813) of the code.

Sec. 5. This act, being deemed of immediate importance, shall take effect and be in force from and after the date of its publication in the Register and Leader and Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa.

And when so amended that the same do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Mattes of Sac, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 135, a bill for an act making provision for the support of the Industrial School for Girls at Mitchellville, beg leave to report that they have 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 "fourteen" in the fourth line of section one and inserting the word "thirteen" in lieu thereof, and when so amended that the same do pass.

JOSEPH MATTES,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 223, a bill for an act legalizing the Iowa State Poultry Association, to define certain duties of said association, to make an annual appropriation therefor, and fixing a penalty for the misappropriation of any of the 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 be indefinitely postponed.

JOS. MATTES,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 184, a bill for an act making an appropriation for the Benedict Home, 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 the words "and figures" and figures "ten thousand dollars (\$10,000)" in the

third line of section one (1) and inserting the words and figures "seven thousand dollars (\$7,000)" in lieu thereof; and when so amended that the same do pass.

JOSEPH MATTES,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 99, a bill for an act making an appropriation for the purchase of thirty thousand (30,000) railroad commissioners' official maps to be distributed by the members of the General Assembly and railroad commissioners, beg leave to report that they 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.

JOSEPH MATTES,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 141, a bill for an act making an appropriation for the department of agriculture for the purpose of erecting a permanent fire-proof building for agricultural, horticultural and dairy 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.

JOSEPH MATTES,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 208, a bill for an act making an appropriation for the use of the Board of Control in making an exhibit of state institutions at the Louisiana Purchase Exhibition, beg leave to report that they have 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.

JOSEPH MATTES,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 252, a bill for an act for the relief of Lieutenant A. C. Ferren and appropriating money 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 with the recommendation that the same be indefinitely postponed.

JOSEPH MATTES,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

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. 185, a bill for an act in relation to common carriers, additional to section two thousand and seventy-four (2074) 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.

C. A. WISE,  
*Chairman.*

Ordered passed on file.

Harris of Poweshiek, 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. 164, a bill for an act to amend section 2382 of the code of Iowa, 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 do pass.

THOS. HARRIS,  
*Chairman.*

Adopted.

Chassell of Plymouth, from the committee on Insurance, submitted the following report:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 87, a bill for an act to amend the laws of Iowa concerning insurance, other than life, by repealing section seventeen hundred and forty-two (1742), and substituting therefor the following, beg leave to report that they have 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.

E. D. CHASSELL,  
*Chairman pro tem.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Insurance to whom was referred House file No. 75, a bill for an act in relation 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 be indefinitely postponed.

E. D. CHASELL,  
*Chairman pro tem.*

Adopted, and the bill was indefinitely postponed.

Bailey of Ringgold, 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. 229, a bill for an act to amend section one thousand five hundred thirty-eight (1538) of the code in relation to the compensation of township 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 indefinitely postponed.

M. Z. BAILEY,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House file No. 93, a bill for an act to amend sub-division one (1) of section fifteen hundred twenty-eight (1528) and section fifteen hundred and thirty (1530), chapter two (2) title VIII (8) supplement of 1902 to 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.

M. Z. BAILEY,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House file No. 205, a bill for an act to amend section one thousand five hundred and thirty (1530) of the code supplement of 1902, relative to the county road 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.

M. Z. BAILEY,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Hart of Allamakee, from the committee on Military, submitted the following report:

MR. SPEAKER—Your committee on Military, to whom was referred House file No. 227, a bill for an act regulating appointments, employment, and removal in the public departments and upon public works in the State of Iowa, and the counties, cities and towns 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.

WILLIAM S. HART,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Military, to whom was referred House file No. 234, a bill for an act to repeal section two thousand two hundred and thirteen (2213) of the supplement of the code of Iowa, relating to compensation of officers and soldiers of the Iowa National Guard 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.

WM. S. HART,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Military, to whom was referred House file No. 24, a bill for an act requiring the licensing of honorably discharged soldiers, sailors and marines to vend, hawk or peddle goods, wares or merchandise in cities and towns without cost, and providing penalties for the violation 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 indefinitely postponed.

WM. S. HART,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Leech of Cedar, from the committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 157, a bill for an act to amend section three thousand one hundred and forty-one (3141) of the code, relating to issuance of marriage licenses and establishing the office of director of marriage reform and to provide for the maintenance of such office, beg leave to report that they have 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.

L. J. LEECH,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

McNie of Benton, from the committee on Claims, submitted the following report:

MR. SPEAKER—Your committee on Claims, to whom was referred claim of Charles H. Tribby of Mt. Pleasant, Iowa, for damages sustained from the sewerage of the Iowa Hospital for the Insane at Mt. Pleasant, 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 allowed to the amount of one thousand fifty dollars (\$1050.00).

MALCOLM F. MCNIE,  
*Chairman.*

Read and referred to the committee on Appropriations.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 127, a bill for an act appropriating money to pay express, freight and cartage.

Also, House file No. 153, a bill for an act to amend section sixteen hundred and forty-one (1641) of the code, relating to ownership of real property by corporations organized in this or any other state for pecuniary profit.

Also, House file No. 172, a bill for an act to repeal section three thousand one hundred sixty-seven (3167) and three thousand one hundred sixty-nine (3169) of the code and to enact substitutes therefor.

Also, House Joint Resolution No. 5, for the appointment of a joint committee to purchase a chair and gavel for the Speaker of the House and the President of the Senate.

H. L. SPAULDING,  
*Chairman.*

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 127, a bill for an act appropriating money to pay express, freight and cartage.

Also, House file No. 153, a bill for an act to amend section sixteen hundred and forty-one (1641) of the code, relating to ownership of real property by corporations organized in this or any other state for pecuniary profit.

Also, House file No. 172, a bill for an act to repeal section three thousand one hundred sixty-seven (3167) and three thousand one hundred sixty-nine (3169) of the code and to enact substitutes therefor.

Also, House Joint Resolution No. 5, for the appointment of a joint committee to purchase a chair and gavel for the Speaker of the House and the President of the Senate.

H. L. SPAULDING,  
*Chairman House Committee.*  
D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

Speaker announced that he had signed, in the presence of the House, the following bills: House files No. 153, No. 127, No. 172 and Joint Resolution No. 5.

Martin of Pottawattamie moved that when the House adjourns on Saturday it be until Wednesday at 2 o'clock.

Kendall of Monroe moved to amend by making the time Monday at 2 o'clock.

Amendment adopted.

Motion as amended adopted.

Stanbery of Cerro Gordo asked unanimous consent to withdraw House file No. 39 from the Railroads and Commerce committee and from further consideration by the House.

Granted.

Lundt of Tama asked unanimous consent to withdraw House file No. 58 from the Roads and Highways committee and from further consideration by the House.

Granted.

Weeks of Guthrie called up concurrent resolution relative to the Hepburn-Dolliver bill and moved its adoption.

Langan of Clinton and Davie of Crawford demanded a roll call.

On the question, Shall the House concur in the concurrent resolution?

The yeas were:

Messrs. Bailey, Bixby, Boland, Buchanan, Carden, Cassel, Cheney, Christianson, Cobb, Crose, Cummings, Dashiell, Doran, Dow, Freeman, Greeley, Greene, Hambleton, Harris, Hart, Head, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Laird, Lamkin, Leech, Lister, McAllister, McClurkin, McCreary, McCulloch, McDole, McNie, Maben, Manning, Martin, Mattes,

Morris, Mott, Nichols, Offill, Olson, Powers, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Summers, Teachout, Temple, Teter, Washburn, Weeks, Whiting, Wright, Mr. Speaker—63.

The nays were:

Messrs. Bealer, Buckingham, Calderwood, Carstensen, Clary, Colclo, Davie, DeLano, Frudden, Hakes, Hanna, Heles, Koontz, Langan, Lundt, Peet, Ritter, Sankey, Springer, Stoltenberg, Whitmer, Willson, Wyland—23.

Absent or not voting:

Messrs. Chassell, Coburn, Conn, English, Flenniken, Geneva, Gregory, Kennedy, Lowrey, McElrath, Prevo, Pritchard, Welden, Wise—14.

So the House concurred.

#### INTRODUCTION OF BILLS.

By Weeks of Guthrie, by request, House file No. 279, a bill for an act to provide for the establishment of a board of good roads and drainage commissioners for the state of Iowa, and defining their compensation, duties and term of office.

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

By Cassel of Jefferson, House file No. 280, a bill for an act to amend section 770 of the code relating to viaducts and approaches thereto.

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

By Hanna of Kossuth, House file No. 281, a bill for an act relating to fish and game, and making appropriation for the fish and game commission of the state of Iowa.

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

By Dashiell of Warren, House file No. 282, a bill for an act to amend section 422 of the code of Iowa relative to powers of boards of supervisors by adding thereto subdivision 23 providing for certain reports from members of said boards.

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



By Stoltenberg of Scott, House file No. 283, a bill for an act to amend section 835 of the code relating to refunding the cost of pavement removed by street railway companies.

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

By Frudden of Dubuque, House file No. 284, a bill for an act to make an appropriation for the Dubuque Rescue Home at Dubuque, Iowa.

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

By Carstensen of Clinton, House file No. 285, a bill for an act to amend section 2448 of the code, relating to sale of intoxicating liquor under the mulct law.

Read first and second time and referred to committee on Suppression of Intemperance.

By Carstensen of Clinton, House file No. 286, a bill for an act to amend section 5002 of the code, in relation to allowing minors in billiard rooms, saloons, etc.

Read first and second time and referred to committee on Suppression of Intemperance.

By Dashiell of Warren, House file No. 287, a bill for an act authorizing the publication and sale, and directing the purchase of the laws of Iowa relating 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 Lundt of Tama, House file No. 288, a bill for an act to amend sections 1532 and 1551 of the supplement to the code relating to the working of roads and highways.

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

By Greene of Madison, House file No. 289, a bill for an act to amend section 1528, supplement of the code, relating to powers and duties of trustees.

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

By McCreary of Appanoose, House file No. 290, a bill for an

act to amend section 1952 of the code relating to petitions for draining, ditching and leveling land subject to overflow and changing water courses.

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

By Springer of Buchanan, House file No. 291, a bill for an act to amend sections 738 and 739 of the code, relating to sewers in towns and smaller cities.

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

By DeLano of Cass, House file No. 292, a bill for an act to amend section 1562 of the supplement to the code, relating to the destruction of Canada thistles.

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

By Carden of Henry, House file No. 293, a bill for an act to indemnify Charles H. Tribby for damages caused by sewage from the State Hospital for the Insane at Mount Pleasant, Iowa.

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

Cheney of Clay offered the following resolution and moved that the rule be suspended and the resolution be adopted:

WHEREAS, The Hon. J. P. Dolliver has introduced into the National Senate a bill proposing to repeal the present bankruptcy law, and

WHEREAS, The people of Iowa are in sympathy with the efforts of their junior Senator in this connection, therefore

*Resolved*, That our Senators and Representatives in Congress are respectfully requested to support said measure, and to use their honorable efforts to secure its enactment into law.

Motion lost, and the resolution went over under rule 34.

Temple of Clarke offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved, by the House of Representatives*: That the Governor be requested to return to the House, Joint Resolution No. 2, 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, relating to the apportionment of Senators and Representatives, for the purpose of amending the title to said resolution.

Resolution adopted.

EXECUTIVE OFFICE, February 25, 1904.

*To the House of Representatives:*

In accordance with the foregoing resolution, I have the honor to return to your body Joint Resolution No. 2.

ALBERT B. CUMMINS,  
*Governor.*

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. 241, a bill for an act to authorize the granting to the Council Bluffs, Tabor & Southern Electric Railway Co., its successors or assigns, a right of way through lands owned by the state of Iowa and used by the School for the Deaf at Council Bluffs, 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. 200, a bill for an act making \$20,000 additional appropriation for the Iowa exhibit at the Louisiana Purchase Exposition at St. Louis and amendatory of chapter 195 of the laws 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. 238, a bill for an act to empower the Governor to execute a quit claim deed to right and title, claim and interest of State of Iowa in lot 3, of section 7, township 70 north, of range 11 west of the 5th P. M.

GEO. A. NEWMAN,  
*Secretary.*

SENATE MESSAGE CONSIDERED.

Senate file No. 200, a bill for an act making \$20,000 additional appropriation for the Iowa exhibit at the Louisiana Purchase Exposition at St. Louis and amendatory of chapter 195 of the laws of the Twenty-ninth General Assembly.

By unanimous consent it was read first and second time and referred to committee on Appropriations.

## BILLS ON THEIR PASSAGE.

On motion of Kendall of Monroe, unanimous consent having been given, Senate file No. 8, a bill for an act legalizing the resolution passed by the city council of the city of Dubuque, Iowa, relating to the improvement of the streets and alleys in said city and legalizing the special assessments levied thereunder, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Frudden of Dubuque moved that the rule 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, Bixby, Boland, Calderwood, Carden, Cassel, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Flenniken, Freeman, Frudden, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Temple, Teter, Washburn, Weeks, Whitmer, Wright, Wyland, Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Buchanan, Buckingham, Carstensen, Chassell, Doran, Dow, English, Geneva, Gregory, Kennedy, Lowrey, Nichols, Sankey, Teachout, Welden, Whiting, Willson, Wise—19.

So the bill passed and the title was agreed to.

House file No. 8, a bill for an act legalizing the resolutions, acts and proceedings of the city council and the city officers in the city of Dubuque, relating to the improvement of the streets and alleys in said city, being the same as Senate File No. 8,

which had just passed the House, was on motion of Kendall of Monroe, indefinitely postponed.

On motion of Morris of Sioux, House file No. 180, a bill for an act to amend section 441 of the code, relating to number of official papers, with report of committee recommending passage as amended, was taken up, considered and the report of the committee as amended adopted.

Mr. Morris moved the adoption of the following amendment recommended by the committee:

Amend by striking out the last four lines and inserting in lieu thereof the following:

“And in counties where one or more newspapers of general circulation are printed in a foreign language, or languages, the board may, in addition to those already provided for in this section, select one of said newspapers as one of the official newspapers of the county.”

Adopted.

Morris of Sioux moved that the rule 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. Bailey, Boland, Buchanan, Buckingham, Calderwood, Christianson, Clary, Crose, Dashiell, Davie, Flenniken, Freeman, Frudden, Greene, Hanna, Heles, Hollembeak, Hume, Jacobson, Jepson, Kling, Koontz, Lamkin, Lundt, McClurkin, McCulloch, McDole, McElrath, Manning, Martin, Mattes, Morris, Nichols, Olson, Peet, Pritchard, Ritter, Robinson, Saylor, Spaulding, Springer, Stoltenberg, Summers, Teter, Washburn, Whitmer, Willson, Wright, Mr. Speaker—49.

The nays were:

Messrs. Bixby, Carden, Cheney, Cobb, Coburn, Conn, DeLano, Dow, Geneva, Greeley, Hakes, Hambleton, Head, Jones, Laird, Leech, Lister, McAllister, McCreary, McNie, Powers, Sankey, Skinner, Wyland—24.

Absent or not voting:

Messrs. Bealer, Carstensen, Cassel, Chassell, Colclo, Cummings, Doran, English, Gregory, Harris, Hart, Kendall, Kennedy,

Langan, Lowrey, Maben, Mott, Offill, Prevo, Shaffer, Stanbery, Teachout, Temple, Weeks, Welden, Whiting, Wise—27.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Kendall of Monroe, House file No. 245, a bill for an act to legalize the issuing of bonds to the amount of \$3,300 by the incorporated town of Deep River, Poweshiek county, Iowa, with report of committee recommending passage as amended by substitute, was taken up, considered and the report of the committee adopted.

Kendall of Monroe moved the adoption of the following substitute amendment recommended by the committee:

SUBSTITUTE FOR HOUSE FILE NO. 245.

A BILL for an act to legalize the issuing of bonds to the amount of thirty-three hundred dollars (\$3300) by the incorporated town of Deep River, Poweshiek county, Iowa.

WHEREAS, The incorporated town of Deep River, Poweshiek county, Iowa, did on the 31st day of March, 1902, hold an election and vote the issuance of bonds of said town to the amount of six thousand dollars (\$6000) for the establishment of a system of water works; and

WHEREAS, Said amount was in excess of the amount authorized by law; and

WHEREAS, In pursuance of said election only thirty-three hundred dollars (\$3300) of said bonds was issued, this amount being six per cent of the assessed valuation of said town and within the amount authorized by law; therefore

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

Section 1. That the said bonds of the incorporated town of Deep River, Poweshiek county, Iowa, in the sum of thirty-three hundred dollars (\$3300) already issued for the establishment of a system of water works in said town are hereby legalized, validated and given the same force and effect as if they had been issued in compliance with law in every respect; but nothing herein shall be so construed as to 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 Register and Leader and the Montezuma Republican, newspapers published at Des Moines, Iowa, and Montezuma, Iowa, respectively; said publication to be without expense to the state,

And when so amended the same do pass.

Adopted.

Harris of Poweshiek moved that the rule 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. Bailey, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Cheney, Chsistianson, Clary, Cobb, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Skinner, Spaulding, Springer, Stanbery, Summers, Teter, Washburn, Whiting, Whitmer, Willson, Wyland, Mr. Speaker—80.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Buckingham, Chassell, Coburn, Colclo, English, Flenniken, Gregory, Kennedy, Koontz, Lowrey, McCreary, Shaffer, Stoltenberg, Teachout, Temple, Weeks, Welden, Wise, Wright—20.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, House file No. 270, a bill for an act to amend section 590 of the code relative to township trustees and the compensation they receive, with report of committee recommending passage, was taken up, considered and the report of committee adopted.

Freeman of Pottawattamie moved that the rule 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. Bailey, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Cheney, Clary, Cobb, Coburn, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Freeman, Frudden, Geneva, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacob-

son, Jepson, Jones, Kendall, Kling, Laird, Lamkin, Langan, Leech, Lundt, McAllister, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Whiting, Whitmer, Willson, Wright, Wyland, Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Chassell, Christianson, Colclo, Dow, English, Flenniken, Greeley, Gregory, Kennedy, Koontz, Lister, Lowrey, McClurkin, Pritchard, Stanbery, Temple, Welden, Wise—19.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, Senate file No. 204, a bill for an act to legalize certain actions of the board of supervisors of Crawford county, Iowa, relating to the purchase of land, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Davie of Crawford moved that the rule 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, Bealer, Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Cassel, Cheney, Clary, Cobb, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, Flenniken, Frudden, Geneva, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Summers, Teachout, Teter, Washburn, Whiting, Whitmer, Wright, Wyland, Mr. Speaker—83.

The nays were:

None.



Absent or not voting:

Messrs. Buchanan, Chassell, Christianson, Coburn, Colclo, English, Freeman, Greeley, Gregory, Kennedy, Lowrey, Stanbery, Temple, Weeks, Welden, Willson, Wise—17.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, House file No. 130, a bill for an act defining the crime of larceny in the nighttime from buildings or farms, lots and other enclosures, and providing punishment therefor, with report of committee recommending passage as amended by substitute, was taken up, considered and the report of the committee adopted.

Dow of Franklin moved that the House adjourn until tomorrow at 10 o'clock A. M.

Lost.

Kendall of Monroe moved the adoption of the following substitute amendment recommended by the committee:

A BILL for an act providing punishment for the larceny of domestic fowl or poultry in the nighttime from buildings, sheds, coops or enclosed premises.

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

Section 1. Any person guilty of larceny of domestic fowl or poultry in the nighttime from any building, shed, coop or enclosed premises shall upon conviction thereof be punished by imprisonment in the penitentiary not exceeding two years, or by imprisonment in the county jail not exceeding one year, or by a fine not exceeding five hundred dollars, or by both fine and imprisonment in the county jail, as above provided, at the discretion of the court.

Adopted.

The following motion to reconsider was filed:

I move to reconsider the vote by which House file No. 180 was lost and by which it went to its third reading.

MONTAGUE HAKES.

I second the motion.

L. J. LEECH.

On motion of Kendall of Monroe, the House adjourned until 10 o'clock A. M. tomorrow.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 26, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. C. J. M. Groenlid of Waterville, Iowa.

Journal of Thursday, February 25th, was corrected and approved.

Consideration of House file No. 130 was resumed.

Buchanan of Wapello moved that the rule 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. Bailey, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Cheney, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, Flenniken, Freeman, Frudden, Geneva, Greene, Gregory, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Leech, Lister, McAllister, McClurkin, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Skinner, Shaffer, Spaulding, Stanbery, Stoltenberg, Summers, Washburn, Weeks, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—81.

The nays were:

Messrs. Clary, Lundt, McCulloch—3.

Absent or not voting:

Messrs. Bealer, Chassell, Christianson, English, Greeley, Hakes, Kennedy Langan, Lowrey, McCreary, Springer, Teachout, Temple, Teter, Welden, Whitmer—16.

So the bill passed and the title was agreed to.

PETITIONS AND MEMORIALS.

Buchanan of Wapello presented petition of physicians of Otumwa relative to the establishment of state sanatorium for the tuberculosis poor.

Referred to committee on Public Health.

DeLano of Cass presented petition of twenty-four citizens of Boone county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

DeLano of Cass presented petition of thirty-two citizens of Cass county relative to child labor law.

Referred to committee on Labor.

Whiting of Monona presented two petitions of physicians of Monona county asking for the establishment of a sanatorium for the tuberculosis poor.

Referred to committee on Public Health.

Cummings of Marshall presented petition of physicians of Marshall county asking for the establishment of a state sanatorium for the tuberculosis poor.

Referred to committee on Public Health.

Jacobson of Winneshiek presented petition of physicians of Winneshiek county asking the establishment of a state sanatorium for the tuberculosis poor.

Referred to committee on Public Health.

Petition of the Psychiopathic Association of Iowa in favor of the passage of House file No. 271.

Read and referred to committee on Public Health.

Robinson of Emmet presented petition of Upper Des Moines Medical Association of Estherville, Iowa, asking the establishment of a state sanatorium for the tuberculosis poor.

Referred to committee on Public Health.

McNie of Benton presented petition of citizens of Benton county, relative to House files No. 59, No. 52, No. 47.

Read and passed on file.

Robinson of Emmet presented remonstrance of citizens of Emmet county against the repeal of the present road law.

Referred to committee on Roads and Highways.

Buchanan of Wapello presented petition of three physicians of Eddyville asking the establishment of a state sanatorium for the tuberculosis poor.

Referred to committee on Public Health.

Willson of Washington presented petition of physicians of Washington county asking the establishment of a state sanatorium for the tuberculosis poor.

Referred to committee on Public Health.

Hanna of Kossuth presented petition of citizens of Kossuth county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Lundt of Tama presented petition of citizens of Tama county relative to child labor.

Referred to committee on Labor.

#### 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. 169, a bill for an act to amend section 1530 chapter two, title VIII of the supplement to the code of Iowa in relation to the levy of a county road 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 referred back without recommendation, your committee feeling that the subject matter was of great importance to the state and that a hearing should be had before the whole House in order that the members might be heard as to the needs of the several counties.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 183, a bill for an act to amend section twenty-two hundred and eighty-seven (2287) of the code, in relation to the return of patients escaped from 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 word "said" in the fifth

line of section one (1) of said bill be stricken out and the words "such insane" be substituted therefor and that when the bill is so amended it 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. 146, a bill for an act relating to the taxing of mortgages and mortgaged 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.

M. L. TEMPLE,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 150, a bill for an act to amend section five hundred and eighty-six (586) of the code of Iowa as amended by the acts of the Twenty-ninth 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.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 269, a bill for an act to amend section thirty four hundred and forty-seven (3447) of the code, relative to the limitations of 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Mattes of Sac, 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 appropriate money for the use of the League of Iowa Municipalities, and regulating its 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 do pass.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 284, a bill for an act making an appropriation for the Dubuque Rescue Home at Dubuque, 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.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 200, a bill for an act making \$20,000 additional appropriation for the Iowa exhibit at the Louisiana Purchase Exposition at St. Louis and amendatory of chapter one hundred and ninety-five (195) of the laws of the Twenty-ninth 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.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 159, a bill for an act making an appropriation for the Woman's and Baby's Home at 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 do pass.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

Buchanan of Wapello, from the committee on Municipal Corporations, 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 seven hundred (700) of the code, relating to 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.

A. W. BUCHANAN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations to whom was referred House file No. 70, a bill for an act authorizing cities and towns to levy a tax for the purpose of erecting public buildings and purchasing grounds for 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 the word "letting" in the third line of section two (2) in the original bill and inserting in lieu thereof the word "levying" and that it be further amended by striking out the word "and" in the third line of section three (3) of the original bill and inserting in lieu thereof the word "or".

And when so amended that the bill do pass.

A. W. BUCHANAN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 214, a bill for an act to amend section one (1), chapter twenty (20) of the acts of the Twenty-seventh General Assembly, relating to the levy on fire 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.

A. W. BUCHANAN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 82, a bill for an act to amend section 716 of the code, relating to the levy for fire 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.

A. W. BUCHANAN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Head of Greene, 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. 128, a bill for an act to apply sections 1872, 1873, 1874, 1876, 1877 and 1881 of the code to persons, firms and associations doing a banking business, beg leave to report that they have 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.

MAHLON HEAD,

*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Banks and Banking, to whom was referred House file No. 76, a bill for an act in relation to private 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 indefinitely postponed.

MAHLON HEAD,

*Chairman.*

Adopted, and the bill was indefinitely postponed.

Bailey of Ringgold, 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. 142, a bill for an act relating to motor vehicles, regarding their registration, defining and limiting their use of the public highways and prescribing 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 as follows:

By striking out the words "rate than one (1) mile in three (3) minutes" and substitute in lieu thereof "average rate than twenty (20) miles per hour", in section nine (9), lines six (6) and seven (7) of the printed bill;

Also, to strike out of section ten (10) in line two (2) the words "horses or" and insert between the words "draft" and "animal" the words "or domestic";

Also, to change the word "animal" in lines four (4) and five (5) of section ten (10) to the plural number;

Also, to add to section ten (10) after the last word the words "and the operator and occupants of any motor vehicle shall render necessary assistance to the party having in charge said horse or other draft animal in so passing";

Also, to strike out of the first line in section twelve (12) the words "Local authorities" and substitute in lieu thereof the words "Cities and towns"; and when so amended that the same do pass.

M. Z. BAILEY,

*Chairman.*

Adopted.

Amendments adopted.



Hanna of Kossuth, 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. 249, a bill for an act to amend section 2552 of chapter 15 of the code relative to the protection 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 it be amended, by striking out the fifth word (“any”) in the fourth line thereof and inserting in its place the word “of”, and that as so amended, the bill do pass.

GEO. HANNA,  
*Chairman.*

Adopted.

Amendments adopted.

Freeman of Pottawattamie, from the committee on Public Charities, submitted the following report:

MR. SPEAKER—Your committee on Public Charities, to whom was referred House file No. 263, a bill for an act to prevent wrongs to children and dumb animals, and to establish a bureau of child and animal protection, beg leave to report that they 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 further recommended that the same be re-referred to the committee on Appropriations.

W. H. FREEMAN,  
*Chairman.*

Adopted.

Doran of Boone, from the committee on Animal Industry, submitted the following report:

MR. SPEAKER—Your committee on Animal Industry, to whom was referred House file No. 44, a bill for an act to amend section twenty-three hundred and forty (2340) of the code, relating to damage done 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 referred to the committee on Judiciary.

J. R. DORAN,  
*Chairman.*

Adopted.

Calderwood of Scott, from the committee on Labor, submitted the following report:

MR. SPEAKER—Your committee on Labor, to whom was referred Senate file No. 56, a bill for an act to regulate child labor and to provide for the enforcement thereof, additional to chapter 8, title XXI 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.

M. H. CALDERWOOD,  
*Chairman.*

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 127, a bill for an act appropriating money to pay express, freight and cartage.

Also, House file No 153, a bill for an act to amend section sixteen hundred and forty-one (1641) of the code, relating to ownership of real property by corporations organized in this or any other state for pecuniary profit.

Also, House file No. 172, a bill for an act to repeal sections three thousand one hundred sixty-seven (3167) and three thousand one hundred sixty-nine (3169) of the code, and to enact substitutes therefor.

Also, House joint resolution No. 5, for the appointment of a joint committee to purchase a chair and gavel for the Speaker of the House and the President of the Senate.

H. L. SPAULDING,  
*Chairman.*

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 Senate was asked:

House file No. 14, a bill for an act to amend section 1272 of the code relating to the filling of vacancies in office.

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. 112, a bill for an act making an appropriation for the relief of the Iowa National Guard.

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. 244, a bill for an act to repeal section 41-a of the supplement to the code, the same being also chapter 2 of the acts of the Twenty-seventh General Assembly, relating to statutes and to enact a substitute therefor.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Hanna of Kossuth the House adjourned until 10 o'clock tomorrow.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, February 27, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. C. J. English of Villisca, Iowa.

Journal of Friday, February 26, was corrected and approved.

On request of Davie of Crawford leave of absence was granted Hakes of Pocahontas until Tuesday.

On request leave of absence was granted Weeks of Guthrie until Monday.

On request of Leech of Cedar leave of absence was granted McClurkin of Louisa until Tuesday.

On request of Springer of Buchanan leave of absence was granted Clary of Chickasaw until Monday.

On request of McCulloch of Wayne leave of absence was granted Cobb of Taylor until Tuesday.

On request leave of absence was granted McNie of Benton until Monday and Conn of Butler until Wednesday.

On request of Freeman of Pottawattamie leave of absence was granted Martin of Pottawattamie until Wednesday.

On request of Buchanan of Wapello leave of absence was granted Buckingham of Buena Vista until Monday.

On request of Kling of Harrison leave of absence was granted Offill of Jasper until Monday.

On request of Mattes of Sac leave of absence was granted Maben of Hancock until Monday.

On request of McClurkin of Louisa leave of absence was granted McElrath of Woodbury indefinitely.

## PETITIONS AND MEMORIALS.

Hakes of Pocahontas presented petition of citizens of Pocahontas county asking the repeal of the present road law.

Referred to committee on Roads and Highways.

Pritchard of Wright presented memorial of the G. E. Boynton Lodge No. 138, Brotherhood of Railroad Trainmen, in regard to House file No. 43.

Referred to committee on Labor.

DeLano of Cass presented petition of sixty-six citizens of Ringgold county, asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Nichols of Muscatine presented memorial of the Muscatine Commercial Club protesting against the tax ferret law.

Referred to committee on Ways and Means.

Cummings of Marshall presented petition of members of the Soldiers' Home at Marshalltown, in regard to the pension of soldiers who are confined.

Referred to committee on Soldiers' and Orphans' Home.

Freeman of Pottawattamie presented petition of physicians of Pottawattamie county asking for the establishment of a state sanatorium for the tuberculosis poor.

Referred to committee on Public Health.

## REPORTS OF COMMITTEES.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 96, a bill for an act providing for the re-recording of instruments in which errors have been made in recording, beg leave to report that they have 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:

A BILL for an act to amend section four hundred ninety-four (494) of the code, relating to the duties of the county recorder.

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

Section 1. That section four hundred ninety-four (494) of the code be, and the same is hereby amended by adding thereto the following:

“ If in the recording of any such instrument heretofore recorded or hereafter to be filed for record, the recording fee for which has once been paid,

the recorder shall commit an error in making the record thereof, it shall be his duty to re-record such instrument upon the presentation of the original by the owner thereof, without further compensation; and he shall also enter upon the margin of the new record a reference to the original record, and upon the margin of the original record a reference to the new record, giving the book and page thereof.

“When an error has been made in indexing any instrument, it shall be the duty of the recorder to re-index the same without further compensation.”

And that when so amended the same do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 44, a bill for an act to amend section twenty-three hundred and forty (2340) of the code, relating to damage done 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 do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Harris of Poweshiek, 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. 158, a bill for an act to amend section 2403 of the code of Iowa 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 inserting the words “twenty-four hundred and three” and including figures “2403” in parentheses immediately following, in the title of the bill, and in the body of the bill the words “twenty-four hundred and three” including figures “2403” in parentheses immediately following.

And when so amended the same do pass.

THOS. HARRIS,  
*Chairman.*

Adopted.

Amendments adopted.

Bailey of Ringgold, 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. 45, a bill for an act to amend section two thousand

one hundred and 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 indefinitely postponed.

M. Z. BAILEY,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House file No. 257, a bill for an act to amend section fifteen hundred and thirty-three (1533), chapter two (2) of the supplement to the code of Iowa, relative to the appointment of township superintendents of roads and collecting 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 be indefinitely postponed.

M. Z. BAILEY,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House file No. 202, a bill for an act to amend the present road law 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.

M. Z. BAILEY,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House file No. 279, a bill for an act to provide for the establishment of a board of good roads and drainage commissioners for the state of Iowa, and defining their compensation, duties and term of office, beg leave to report that they have 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. Z. BAILEY,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House file No. 40, a bill for an act relating to highways and providing for the establishment of a state highway department by the appointment of a state highway commissioner and assistant, and

defining the powers and duties 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, adding after the word "duties" in line eleven (11) of section three (3) the following: "he shall furnish to any board, officer, or municipality, surveys, plans, and estimates, in reference to establishing and maintaining permanent highways; and shall as much as possible secure uniformity in all matters connected therewith; he shall aid, so far as it is possible for him to do so, in all matters pertaining to drainage in this State; and shall make use of the students and departments of civil engineering of the schools within the State in the performance of his duties, as herein set forth, and accomplishing the purposes hereof," and that when the same is so amended that the same do pass.

M. Z. BAILEY,  
*Chairman.*

### Adopted.

Amendments adopted.

Jones of Montgomery, from the committee on Penitentiaries, submitted the following report:

MR. SPEAKER—Your committee on Penitentiaries, to whom was referred House file No. 108, a bill for an act to amend section five thousand seven hundred and sixteen (5716) of the code relating to the compensation of officers and employees of the 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. F. JONES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Penitentiaries, to whom was referred Senate file No. 157, a bill for an act relating to the bringing into any penitentiary, reformatory, or industrial school of the state, or into any building or grounds appurtenant thereto, of certain drugs, intoxicating liquors, weapons, or articles designed to aid escapes, beg leave to report that they 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. F. JONES,  
*Chairman.*

Ordered passed on file.

Freeman of Pottawattamie, from the committee on Public Charities, submitted the following report:

MR. SPEAKER—Your committee on Public Charities, to whom was referred House file No. 105, a bill for an act to prohibit the keeping of chil-



dren in poor houses, and to provide for their removal to 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 be amended by adding to section one (1) thereof the words and characters "except to give temporary relief;" and further, by amending section three (3) thereof by inserting between the words "law" and "children" in the tenth line of original bill of said section the words and characters "unless the board of supervisors on notice provide other homes for such children," and that when so amended the same do pass.

W. H. FREEMAN,  
*Chairman.*

Adopted.

Amendments adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 238, a bill for an act empowering the Governor to execute a quit claim deed to right and title, claim and interest of the State of Iowa on lot four (4) of section seven (7) and south part of lot three (3) of section seven (7), township seventy (70) north, of range eleven (11), west of the fifth (5th) principal meridian.

Also, House file No. 241, a bill for an act to authorize the granting to the Council Bluffs, Tabor & Southern Electric Railway Company, its successors or assigns, a right of way through lands owned by the State of Iowa and used by the School for the Deaf at Council Bluffs, Iowa.

Also, House file No. 14, a bill for an act to amend section twelve hundred and seventy-two (1272) of the code, relating to the filling of vacancies in offices.

H. L. SPAULDING,  
*Chairman.*

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 238, a bill for an act empowering the Governor to execute a quitclaim deed to right and title, claim and interest of the state of Iowa on lot four (4) of section seven (7) and south part of lot three (3) of section seven (7) township seventy (70) north of range eleven (11) west of the fifth (5th) principal meridian.

Also, House file No. 241, a bill for an act to authorize the granting to the Council Bluffs, Tabor & Southern Electric Railway Company, its successors or assign, a right of way through grounds owned by the state of Iowa and used by the School for the Deaf, at Council Bluffs, Iowa.

Also, House file No. 14, a bill for act to amend section twelve hundred and seventy-two (1272) of the code, relating to the filling of vacancies in office.

H. L. SPAULDING,  
*Chairman House Committee.*  
D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By McClurkin of Louisa, House file No. 294, a bill for an act for the protection of Chautauqua Associations, for the appointment by them of special police officers, and to fix penalties for the violation of the rules of such associations.

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

By Cummings of Marshall, House file No. 295, a bill for an act to amend the law as it appears in section 2606-b of the supplement to the code, in regard to the pension money of the members of the Iowa Soldiers' Home.

Read first and second time and referred to committee on Soldiers' and Orphans' Home.

By Koontz of Johnson, House file No. 296, a bill for an act providing for placing a statue in bronze of Samuel J. Kirkwood, ex-Governor of Iowa, in the national statuary hall in the capitol building at Washington, D. C., and appropriating money to pay therefor.

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

By Koontz of Johnson, House file No. 297, a bill for an act making appropriations to the State Historical Society of Iowa.

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

By Carstensen of Clinton, House file No. 298, a bill for an act to regulate the hours of labor of employees of street and inter-urban railways, and to provide for the safety and protection of said employees and the public.

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

By Bixby of Delaware, House file No. 299, a bill for an act to legalize the acts of the board of supervisors of Delaware county, Iowa, relating to the levying of a tax for the support of the poor, and legalizing the tax so levied.

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

By Wyland of Shelby, by request, House file No. 300, a bill for an act to indemnify H. W. Tapley for loss sustained by him by reason of the loss of valuable coins taken from the State Historical Building and making an appropriation therefor.

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

By Bealer of Linn, House file No. 301, a bill for an act to appropriate money for the purchase of Camp McClellan at Davenport, Iowa, in conjunction with the city of Davenport, and to provide for its improvement as a public park and its preservation as a place of historic and patriotic interest.

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

By Temple of Clarke, House file No. 302, a bill for an act to amend section 212 of the code, relating to the salary of the assistant attorney general, and fixing his compensation.

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

By Head of Greene, House file No. 303, a bill for an act requiring private banks and private bankers to make and publish semi-annual statements, amendatory to chapter 12, title XI, of the code.

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

By Wise of Black Hawk, House file No. 304, a bill for an act to repeal section 2078 of the code, and enact a substitute therefor, and providing for the classification of railways.

Read first and second time and referred to committee on Railroads and Commerce.

By Wise of Black Hawk, House file No. 305, a bill for an act requiring railway and other corporations owning real estate to re-

port the same to the Executive Council for assessment, and amending section 1334 of the code, and chapter 58, acts of the Twenty-ninth General Assembly.

Read first and second time and referred to committee on Railroads and Commerce.

By Teachout of Polk, House file No. 306, a bill for an act to amend chapter 133 of the acts of the Twenty-ninth General Assembly relating to friendless children.

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

By Bealer of Linn, House file No. 307, a bill for an act authorizing the Executive Council to sell the property known as the "State Square," being block 27 in Stewart's Addition to the city of Des Moines, Iowa, and use the proceeds of the sale in the purchase of other property.

Read first and second time and referred to committee on Public Lands and Buildings.

Robinson of Emmet moved that the chief clerk be instructed to order printed 500 extra copies of House file No. 277.

Motion prevailed.

On request of Weeks of Guthrie, unanimous consent being granted, House file No. 268 was withdrawn from the Judiciary and referred to committee on Municipal Corporations.

Speaker announced that he had signed in the presence of the House, House files No. 238, No. 14, No. 241.

On request of Kendall of Monroe, unanimous consent having been given, House file No. 112, a bill for an act making an appropriation for the Iowa National Guard, with Senate amendment, was taken up and the amendment read and considered.

Mr. Kendall moved that the House concur in the Senate amendment.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Buchanan, Calderwood, Carden, Carstensen, Cassel, Christianson, Coburn, Colclo, Crose, Davie, DeLano, Freeman, Greeley, Greene, Hambleton, Hanna, Head, Hollembeak, Hume, Jacobson, Jepson, Jones, Kennedy, Kling,

Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McCulloch, McDole, Manning, Mattes, Morris, Mott, Nichols, Olson, Powers, Prevo, Pritchard, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stoltenberg, Summers, Teachout, Temple, Teter, Weeks, Whiting, Wise, Wright, Wyland, Mr. Speaker—61.

The nays were:

None.

Absent or not voting:

Messrs. Boland, Buckingham, Chassell, Cheney, Clary, Cobb, Conn, Cummings, Dashiell, Doran, Dow, English, Flenniken, Frudden, Geneva, Gregory, Hakes, Harris, Hart, Heles, Kendall, Koontz, Lowrey, McClurkin, McElrath, McNie, Maben, Martin, Offill, Peet, Ritter, Sankey, Springer, Stanbery, Washburn, Welden, Whitmer, Willson—39.

So the House concurred in the Senate amendment.

On motion of Mattes of Sac, Senate file No. 200, a bill for an act making \$20,000 additional appropriation for the Iowa exhibit at the Louisiana Purchase Exposition at St. Louis and amendatory of chapter 195 of the laws of the Twenty-ninth General Assembly, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Cröse of Page moved that the rule 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, Bealer, Bixby, Buchanan, Calderwood, Carden, Carstensen, Cassel, Christianson, Colclo, Cröse, Davie, DeLano, Dow, Freeman, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Head, Hollemeak, Hume, Jacobson, Jepson, Jones, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McCreary, McCulloch, McDole, Manning, Mattes, Morris, Mott, Nichols, Olson, Powers, Prevo, Pritchard, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Summers, Teachout, Temple, Teter, Weeks, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—68.

The nays were:

Mr. Langan—1.

Absent or not voting:

Messrs. Boland, Buckingham, Chassell, Clary, Cobb, Coburn, Conn, Cummings, Dashiell, Doran, English, Flenniken, Frudden, Gregory, Hart, Heles, Kennedy, Lowrey, McClurkin, McElrath, McNie, Maben, Martin, Offill, Peet, Ritter, Stanbery, Washburn, Welden, Whitmer—31.

So the bill passed and the title was agreed to.

On motion of Mattes of Sac, House file No. 135, a bill for an act making provision for the support of the Industrial School for Girls at Mitchellville, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Mattes moved the adoption of the following amendment recommended by the committee:

Amend by striking out the word "fourteen" in the fourth line of section one (1) and inserting the word "thirteen" in lieu thereof.

Adopted.

Teachout of Polk moved that the rule 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. Bailey, Bealer, Bixby, Buchanan, Calderwood, Carden, Carstensen, Cassel, Christianson, Coburn, Colclo, Crose, Dashiell, DeLano, Flenniken, Freeman, Geneva, Greeley, Greene, Hambleton, Hanna, Harris, Head, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McCulloch, McDole, Manning, Mattes, Morris, Mott, Nichols, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Summers, Teachout, Temple, Teter, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—69.

The nays were:

None.

**Absent or not voting:**

Messrs. Boland, Buckingham, Chassell, Cheney, Clary, Cobb, Conn, Cummings, Davie, Doran, Dow, English, Frudden, Gregory, Hakes, Hart, Heles, Kennedy, Lowrey, McClurkin, McElrath, McNie, Maben, Martin, Offill, Peet, Stanbery, Washburn, Weeks, Welden, Whitmer—31.

So the bill passed and the title was agreed to.

On motion of Mattes of Sac, House file No. 184, a bill for an act making an appropriation for the Benedict Home, Des Moines, Iowa, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Mr. Mattes moved the adoption of the following amendment recommended by the committee:

Amend by striking out the words and figures "ten thousand dollars (\$10,000)" in the third line of section one (1) and inserting the words and figures "seven thousand dollars (\$7,000)" in lieu thereof.

Adopted.

Teachout of Polk moved that the rule 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. Bailey, Bealer, Bixby, Buchanan, Calderwood, Carden, Carstensen, Christianson, Coburn, Colclo, Crose, Dashiell, Davie, Flenniken, Freeman, Geneva, Greeley, Greene, Hambleton, Hanna, Harris, Head, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McCreary, McCulloch, McDole, Manning, Mattes, Morris, Mott, Nichols, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Summers, Teachout, Temple, Teter, Wise, Wright, Wyland, Mr. Speaker—65.

The nays were:

None.

**Absent or not voting:**

Messrs. Boland, Buckingham, Cassel, Chassell, Cheney, Clary, Cobb, Conn, Cummings, DeLano, Doran, Dow, English, Frudden, Gregory, Hakes, Hart, Heles, Kennedy, Langan, Lowrey,

McClurkin, McElrath, McNie, Maben, Martin, Offill, Peet, Stanbery, Washburn, Weeks, Welden, Whiting, Whitmer, Willson—35.

So the bill passed and the title was agreed to.

On motion of Wright of Webster, House file No. 185, a bill for an act in relation to common carriers, additional to section 2074 of the code, 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, 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, Bealer, Bixby, Buchanan, Calderwood, Carden, Carstensen, Cassel, Christianson, Coburn, Colclo, Crose, Dashiell, Davie, DeLano, Dow, Flenniken, Freeman, Geneva, Greeley, Hambleton, Hanna, Hart, Head, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCulloch, Manning, Mattes, Morris, Nichols, Olson, Powers, Prevo, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Summers, Temple, Teter, Whiting, Willson, Wise, Wright, Mr. Speaker—63.

The nays were:

None.

Absent or not voting:

Messrs. Boland, Buckingham, Chassell, Cheney, Clary, Cobb, Conn, Cummings, Doran, English, Frudden, Greene, Gregory, Hakes, Harris, Heles, Kennedy, Koontz, Lowrey, McClurkin, McCreary, McDole, McElrath, McNie, Maben, Martin, Mott, Offill, Peet, Pritchard, Stanbery, Teachout, Washburn, Weeks, Welden, Whitmer, Wyland—37.

So the bill passed and the title was agreed to.

On motion of Mattes of Sac, Senate file No. 99, a bill for an act making an appropriation for the purchase of thirty-five thousand railroad commissioners' official maps to be distributed by the members of the General Assembly and railroad commissioners, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.



Manning of Lucas, moved that the rule 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. Bixby, Buchanan, Calderwood, Carden, Carstensen, Cassel, Christianson, Coburn, Colclo, Crose, Dashiell, Davie, DeLano, Dow, Flenniken, Freeman, Geneva, Hambleton, Harris, Hart, Head, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCulloch, Manning, Mattes, Morris, Nichols, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Summers, Teachout, Temple, Teter, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—64.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Boland, Buckingham, Chassell, Cheney, Clary, Cobb, Conn, Cummings, Doran, English, Frudden, Greeley, Greene, Gregory, Hakes, Hanna, Heles, Kennedy, Lowrey, McClurkin, McCreary, McDole, McElrath, McNie, Maben, Martin, Mott, Offill, Peet, Stanbery, Washburn, Weeks, Welden—36.

So the bill passed and the title was agreed to.

The following motion to reconsider was filed:

MR. SPEAKER—I move a reconsideration of the vote by which Senate file No. 99 passed the House and the vote by which it passed to its third reading.

WM. S. HART.

I second the motion.

N. E. KENDALL.

On motion of Hambleton of Mahaska the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, February 29, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by Rev. J. F. Yerger of Des Moines, Iowa.

Journal of Saturday, February 27th, was corrected and approved.

On request of Springer of Buchanan leave of absence was granted Stoltenberg of Scott until Wednesday.

On request of Leech of Cedar leave of absence was granted Carden of Henry until Wednesday.

On request of Leech of Cedar leave of absence was granted Coburn of Cherokee until Thursday.

On request leave of absence was granted Calderwood of Scott until Tuesday.

On request of Langan of Clinton leave of absence was granted Whitmer of O'Brien until Thursday.

On request, Freeman of Pottawattamie was excused until Tuesday.

PETITIONS AND MEMORIALS.

Ritter of Des Moines presented petition of physicians of Chickasaw county asking the establishment of a State sanatorium for tuberculosis poor.

Referred to committee on Public Health.

DeLano of Cass presented petition of sixty citizens of Gravity asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

DeLano of Cass presented petition of sixty citizens of Rockwell asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Bixby of Delaware presented petition of citizens of Delaware county, relative to the tax ferret law.

Referred to committee on Ways and Means.

Springer of Buchanan presented petition of twenty-three citizens of Buchanan county, relative to Sunday ball playing.

Referred to committee on Police Regulations.

Frudden of Dubuque presented petition of coal dealers of Dubuque, relative to a bill introduced by the Coal Dealers Association.

Referred to committee on Railroads and Commerce.

Mattes of Sac presented petition of physicians of Sac county asking for the establishment of a State sanatorium for the tuberculosis poor.

Referred to committee on Public Health.

Welden of Hardin presented petition of thirty-eight citizens of Hubbard relative to child labor.

Referred to committee on Labor.

Doran of Boone presented petition of the teachers of Boone relative to House files No. 50, No. 52, No. 47.

Referred to committee on Animal Industry.

Bealer of Linn presented petition of citizens of Linn county asking the establishment of a State sanatorium for the tuberculosis poor.

Referred to committee on Public Health.

Bealer of Linn presented petition of the Cedar Rapids Commercial Club relative to the tax ferret law.

Referred to committee on Ways and Means.

Temple of Clarke presented petition of all the physicians of Clarke county asking for the establishment of a State sanatorium for the tuberculosis poor.

Referred to committee on Public Health.

#### REPORTS OF COMMITTEES.

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. 304, a bill for an act to repeal section 2078 of

the code and enact a substitute therefor, and providing for the classification of 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.

Also:

MR. SPEAKER—Your committee on Railroads and Commerce, to whom was referred House file No. 305, a bill for an act requiring railway and other corporations owning real estate to report the same to the Executive Council for assessment, and amending section 1334 of the code and chapter 58, acts of the Twenty-ninth 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.

C. A. WISE,  
*Chairman.*

Ordered passed on file.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 238, a bill for an act empowering the Governor to execute a quit claim deed to right and title, claim and interest of the State of Iowa on lot four (4) of section seven (7) and south part of lot three (3) of section seven (7) township seventy (70) north of range eleven (11) west of the fifth (5th) principal meridian.

Also, House file No. 241, a bill for an act to authorize the granting to the Council Bluffs, Tabor & Southern Electric Railway Company, its successors or assigns, a right of way through lands owned by the State of Iowa and used by the School for the Deaf, at Council Bluffs, Iowa.

Also, House file No. 14, a bill for an act to amend section twelve hundred and seventy-two (1272) of the code, relating to the filling of vacancies in office.

H. L. SPAULDING,  
*Chairman.*

Adopted.

Speaker pro tem Cummings in the chair.

Speaker pro tem appointed as committee on the part of the House in accordance with House joint resolution No. 5, English of Polls and Koontz of Johnson.

## INTRODUCTION OF BILLS.

By Hart of Allamakee, House file No. 308, a bill for an act creating a commission to ascertain and identify the exact location of the Battle of White Stone Hill and the position of the Iowa troops engaged in such battle, and defining the duties and making an appropriation for the expense of such commission.

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

By Hart of Allamakee, House file No. 309, a bill for an act to amend section 3474 of the supplement to the code, by repealing a portion thereof and for the enactment of a new section additional to and amendatory of chapter 4, title XVIII of the code, and of the supplement to the code, relative to place of bringing suit upon official and judicial bonds.

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

By Shaffer of Fayette, House file No. 310, a bill for an act amendatory of chapter 5-a of title III of the supplement to the code, relating to appointment of trustees by district court to manage, control and invest cemetery funds.

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

## BILLS ON THEIR PASSAGE.

On motion of English of Polk, House file No. 50, a bill for an act to amend section 5256 of the code, relating to clerks of grand juries and providing for the appointment and compensation thereof, with the report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Kendall of Monroe moved to amend by striking out the period at the end of the seventh line and inserting a comma in lieu thereof, followed by the words "for each day actually and necessarily employed in the performance of the duties herein defined."

Adopted.

English of Polk moved that the rule 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. Bealer, Bixby, Buchanan, Buckingham, Christianson, Clary, Colclo, Crose, Cummings, Dashiell, DeLano, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Greene, Hambleton, Harris, Hart, Head, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McDole, Manning, Mattes, Morris, Mott, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Summers, Teter, Weeks, Welden, Whiting, Willson, Wise, Wright, Wyland—64.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Boland, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Cobb, Coburn, Conn, Davie, Freeman, Gregory, Hakes, Hanna, Heles, Hollembek, Kennedy, Koontz, Lowrey, McClurkin, McCulloch, McElrath, McNie, Maben, Martin, Nichols, Peet, Saylor, Stoltenberg, Teachout, Temple, Washburn, Whitmer, Mr. Speaker—36.

So the bill passed and the title was agreed to.

On motion of Frudden of Dubuque, House file No. 284, a bill for an act to make an appropriation for the Dubuque Rescue Home, at Dubuque, Iowa, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Frudden moved that the rule 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. Bealer, Bixby, Buchanan, Buckingham, Carstensen, Christianson, Clary, Colclo, Crose, Cummings, Dashiell, DeLano, Doran, English, Flenniken, Frudden, Geneva, Greeley, Hambleton, Harris, Hart, Head, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McDole, Manning, Mattes, Mor-

ris, Mott, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Summers, Temple, Teter, Weeks, Welden, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—65.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Boland, Calderwood, Carden, Cassel, Chassell, Cheney, Cobb, Coburn, Conn, Davie, Dow, Freeman, Greene, Gregory, Hakes, Hanna, Heles, Hollembeak, Koontz, Lowrey, McClurkin, McCulloch, McElrath, McNie, Maben, Martin, Nichols, Peet, Robinson, Saylor, Stoltenberg, Teachout, Washburn, Whitmer—35.

So the bill passed and the title was agreed to.

Speaker Clarke in the chair.

On motion of Jepson of Woodbury House file No. 159, a bill for an act making an appropriation for the Woman's and Baby's Home at Sioux City, Iowa, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Jepson moved that the rule 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. Bealer, Bixby, Buchanan, Buckingham, Carstensen, Christianson, Clary, Colclo, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Greene, Hambleton, Harris, Hart, Head, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McDole, Manning, Mattes, Morris, Mott, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Summers, Temple, Teter, Weeks, Welden, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—68.

The nays were:

None.

**Absent or not voting:**

Messrs. Bailey, Boland, Calderwood, Carden, Cassel, Chassell, Cheney, Cobb, Coburn, Conn, Cummings, Freeman, Gregory, Hakes, Hanna, Heles, Hollebeak, Koontz, Lowrey, McClurkin, McCulloch, McElrath, McNie, Maben, Martin, Nichols, Peet, Saylor, Stoltenberg, Teachout, Washburn, Whitmer—32.

So the bill passed and the title was agreed to.

On motion of Weeks of Guthrie, House file No. 164, a bill for an act to amend section 2382 of the code of Iowa, relating to the sale of intoxicating liquors by the permit holders, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

English of Polk moved to amend by striking out the words and figures "chapter six (6), Title XII (12)," and the words "of Iowa" after the word "Code".

**Adopted.**

Weeks of Guthrie moved that the rule 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. Bealer, Bixby, Buchanan, Buckingham, Cassel, Clary, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Frudden, Geneva, Greeley, Hambleton, Harris, Hart, Head, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McCreary, McDole, Manning, Morris, Mott, Offill, Olson, Powers, Prevo, Pritchard, Robinson, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Summers, Temple, Teter, Weeks, Welden, Whiting, Willson, Wise, Wright, Mr. Speaker—59.

**The nays were:**

None.

**Absent or not voting:**

Messrs. Bailey, Boland, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Cobb, Coburn, Colclo, Conn, Flenniken, Greene, Gregory, Hakes, Hanna, Heles, Hollebeak, Kennedy, Koontz, Lamkin, Langan, Lowrey, McClurkin, McCulloch,



McElrath, McNie, Maben, Martin, Mattes, Nichols, Peet, Ritter, Saylor, Springer, Stoltenberg, Teachout, Washburn, Whitmer, Wyland—41.

So the bill passed.

Weeks of Guthrie moved to amend title by striking out the words "of Iowa" after the word "code".

Adopted.

Title as amended agreed to.

On motion of Kendall of Monroe, House file No. 96, a bill for an act providing for the re-recording of instruments in which errors have been made in recording, with report of committee recommending passage as amended by substitute, was taken up, considered and the report of the committee adopted.

Mr. Kendall moved the adoption of the following substitute recommended by the committee on Judiciary:

A BILL for an act to amend section four hundred ninety-four (494) of the code, relating to the duties of the county recorder.

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

Section 1. That section four hundred ninety-four (494) of the code be, and the same is hereby amended by adding thereto the following:

If in the recording of any such instrument heretofore recorded or hereafter to be filed for record, the recording fee for which has once been paid, the recorder shall commit an error in making the record thereof it shall be his duty to re-record such instrument upon the presentation of the original by the owner thereof, without further compensation, and he shall also enter upon the margin of the new record a reference to the original record, and upon the margin of the original record a reference to the new record, giving the book and page thereof.

When an error has been made in indexing any instrument, it shall be the duty of the recorder to re-index the same without further compensation.

Adopted.

Lamkin of Lyon moved that the rule 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. Bealer, Bixby, Buchanan, Buckingham, Carstenson, Cassel, Clary, Colclo, Crose, Cummings, Dashiell, DeLano,

Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Greene, Hambleton, Harris, Hart, Head, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McDole, Manning, Mattes, Morris, Mott, Offill, Olson, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Summers, Temple, Teter, Weeks, Welden, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—67.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Boland, Calderwood, Carden, Chassell, Cheney, Christianson, Cobb, Coburn, Conn, Davie, Freeman, Gregory, Hakes, Hanna, Heles, Hollembeak, Koontz, Lowrey, McClurkin, McCulloch, McElrath, McNie, Maben, Martin, Nichols, Peet, Pritchard, Saylor, Stoltenberg, Teachout, Washburn, Whitmer—33.

So the bill passed and the title was agreed to.

On motion of Jepson of Woodbury, House file No. 273, a bill for an act to amend section 700 of the code relating to powers of cities and towns, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Jepson moved that the rule 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. Bealer, Bixby, Buchanan, Buckingham, Carstensen, Cassel, Cummings, Dashiell, DeLano, Doran, Dow, English, Flenniken, Greeley, Hambleton, Harris, Hart, Head, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Leech, Lister, McAllister, McDole, Manning, Mattes, Morris, Mott, Offill, Olson, Powers, Prevo, Robinson, Shaffer, Skinner, Spaulding, Summers, Temple, Teter, Weeks, Welden, Wise, Wright, Mr. Speaker—51.

The nays were:

Messrs. Clary, Crose, Davie, Lundt, McCreary, Sankey, Stanbery—7.

Absent or not voting:

Messrs. Bailey, Boland, Calderwood, Carden, Chassell, Cheney, Christianson, Cobb, Coburn, Colclo, Conn, Freeman, Frudden, Geneva, Greene, Gregory, Hakes, Hanna, Heles, Hollebeak, Koontz, Langan, Lowrey, McClurkin, McCulloch, McElrath, McNie, Maben, Martin, Nichols, Peet, Pritchard, Ritter, Saylor, Springer, Stoltenberg, Teachout, Washburn, Whiting, Whitmer, Willson, Wyland—42.

So the bill passed and the title was agreed to.

On motion of Harris of Poweshiek, House file No. 158, a bill for an act to amend section 2403 of the code of Iowa, 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.

Mr. Harris moved the adoption of the following amendments recommended by the committee:

Amend by inserting the words "twenty-four hundred and three" and including the figures "2403" in parentheses immediately following, in the title of the bill, and in the body of the bill the words "twenty-four hundred and three" including figures "2403" in parentheses immediately following.

Adopted.

Head of Greene moved to amend by striking out the word and figure "eight (8)" in the second line and substituting the word and figure "seven (7)" in lieu thereof.

Adopted.

Head of Greene asked unanimous consent to have further consideration of the bill deferred until another time.

Granted.

On motion of Jones of Montgomery, Senate file No. 157, a bill for an act relating to the bringing into any penitentiary, reformatory, or industrial school of the State, or into any building or grounds appurtenant thereto, of certain drugs, intoxicating liquors, weapons or articles designed to aid escapes, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Jones moved that the rule 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, Bixby, Buchanan, Buckingham, Castensen, Cassel, Christianson, Clary, Colclo, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Greene, Hambleton, Harris, Hart, Head, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McCreary, McDole, Manning, Mattes, Morris, Mott, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Shaffer, Skinner, Spaulding, Springer, Stanbery, Summers, Temple, Teter, Weeks, Welden, Whiting, Willson, Wise, Wright, Mr. Speaker—66.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Boland, Calderwood, Carden, Chassell, Cheney, Cobb, Coburn, Conn, Freeman, Gregory, Hakes, Hanna, Heles, Hollembeak, Kennedy, Koontz, Langan, Lowrey, McClurkin, McCulloch, McElrath, McNie, Maben, Martin, Nichols, Peet, Sankey, Saylor, Stoltenberg, Teachout, Washburn, Whitmer, Wyland—34.

So the bill passed and the title was agreed to.

#### MOTIONS TO RECONSIDER.

The following motions to reconsider were filed:

I hereby move to reconsider the vote by which House file No. 284 passed the House and by which it went to its third reading.

I second the motion.

C. N. JEPSON.

J. D. SHAFFER.

I hereby move to reconsider the vote by which House file No. 184 passed the House and by which it passed to its third reading.

I second the motion.

C. N. JEPSON,

H. B. KLING.

On motion of Clary of Chickasaw the House adjourned until 10 o'clock tomorrow morning.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, March 1, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. Jno. B. Losey of Des Moines, Iowa.

Journal of Monday, February 29th, was corrected and approved.

On request of Springer of Buchanan leave of absence was granted Koontz of Johnson until Wednesday.

On request of McNie of Benton leave of absence was granted Boland of Iowa until Wednesday.

On request leave of absence was granted Hakes of Pocahontas until Wednesday.

PETITIONS AND MEMORIALS.

DeLano of Cass presented petition of 101 citizens of Union county asking for the enactment of House file No. 7.

Referred to committee on Railroads and Commerce.

DeLano of Cass presented petition of ninety-eight citizens of Humeston asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

DeLano of Cass presented petition of nine physicians of Atlantic asking for the establishment of a State sanatorium for the tuberculosis poor.

Referred to committee on Public Health.

McNie of Benton presented petition of stock dealers of Benton county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

McNie of Benton presented petition of physicians of Vinton asking for the establishment of a State sanatorium for the tuberculosis poor.

Referred to committee on Public Health.

Bailey of Ringgold presented petition of citizens of Ringgold county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Gregory of Adams presented petition of citizens of Adams county relative to Sunday ball playing.

Referred to committee on Police Regulations.

#### INTRODUCTION OF BILLS.

By McNie of Benton, House file No. 311, a bill for an act to re-open the Industrial Home for the Male Blind at Knoxville, Iowa, and to provide rules for the government of the same and to repeal chapter 10, title XIII of the code and all acts inconsistent with this act.

Read first and second time and referred to committee on School for the Blind.

By Wise of Black Hawk, House file No. 312, a bill for an act to regulate the removal of persons sick with infectious and contagious diseases from one city, town or township to another city, town or township. Additional to chapter 16, title XII of the code.

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

#### REPORTS OF COMMITTEE.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 309, a bill for an act to amend section thirty-four hundred and ninety-four (3494) of the supplement to the code, by repealing a portion thereof, and for the enactment of a new section additional to and amendatory of chapter 4, Title XVIII of the code and of the supplement to the code, relative to place of bringing suit upon official and judicial 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 substituting therefor the following:

A BILL for an act to repeal section thirty-four hundred ninety-four (3494) of the code and of the code supplement, and to enact a substitute therefor relating to the place of bringing certain actions.

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

Section 1. That section 3494 of the code and of the code supplement be and the same is hereby repealed and re-enacted to read as follows:

“ Actions for the following causes must be brought in the county where the cause, or some part thereof arose:

1. Those for the recovery of a fine, penalty or forfeiture imposed by the statute; but when the offense for which the claim is made was committed on a water course or road which is the boundary of two counties, the action may be brought in either of them.

2. Those against a public officer or person specially appointed to execute his duties, for an act done by him in virtue or under color of his office, or against one who by his command or in his aid shall do anything touching the duties of such officer, or for neglect of official duty.

3. Actions upon official bonds, or bonds or undertakings given in any probate or court proceedings, or required by law to be given to, or filed with any public or court official other than in the Supreme Court, may be brought in the county of defendant's residence or in which defendant has an office or agency, from, through or by application to which said bond was obtained, or in the district court of the county where such bond or undertaking was filed or delivered, as the case may be. Actions upon bonds or undertakings given in the Supreme Court may be brought in the county of defendant's residence, or where such office or agency, as above referred to, is located, or in the district court of the county from which the appeal was taken, in which such bond or undertaking was given. Any stipulation contained in any such bond or undertaking, contrary to the provisions of this section shall be void.”

And when so amended the same do pass.

N. E. KENDALL,  
*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 expedite the collection of taxes on property withheld 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 be indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 299, a bill for an act to legalize the acts of the board of supervisors of Delaware 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 be indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 97 a bill for an act to authorize the granting to the Council Bluffs, Tabor & Southern Electric Railway Company, its successors or assigns, a right of way through lands owned by the State of Iowa and used by the 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 indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 302, a bill for an act to amend section two hundred and twelve (212) of the code, relating to the salary of the Assistant Attorney General, and fixing his 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 do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Geneva of Keokuk asked unanimous consent to withdraw House file No. 201 from committee on Roads and Highways and from consideration by the House.

Granted.

McAllister of Linn offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved*, That the Custodian of the Capitol take immediate steps to provide ventilation for the hall of the House of Representatives in order that the health of the members may not be impaired so that they will be unable to transact business.

Adopted.



On motion of Kendall of Monroe, by unanimous consent, House file No. 244, a bill for an act to repeal section 41-a of the supplement to the code, the same being also chapter 2 of the acts of the Twenty-seventh General Assembly, relating to the statutes and to enact a substitute therefor, with Senate substitute as amendment therefor, was taken up and the substitute amendment read and considered.

Mr. Kendall moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Buckingham, Calderwood, Carstensen, Cassel, Christianson, Cobb, Crose, Cummings, Dashiell, Davie, DeLano, Dow, English, Flenniken, Frudden, Geneva, Greeley, Gregory, Hambleton, Hanna, Harris, Hart, Head, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McCulloch, McDole, McNie, Manning, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whiting, Wise, Wright, Wyland, Mr. Speaker—74.

The nays were:

None.

Absent or not voting:

Messrs. Boland, Buchanan, Carden, Chassell, Cheney, Clary, Coburn, Colclo, Conn, Doran, Freeman, Greene, Hakes, Heles, Koontz, Lowrey, McClurkin, McElrath, Maben, Martin, Saylor, Springer, Stoltenberg, Temple, Whitmer, Willson—26.

So the House concurred.

On motion of English, House file No. 256, a bill submitted by the committee on Insurance, a bill for an act to provide for consolidation of re-insurance of the risk of fraternal beneficiary societies with or by other societies or organizations, and providing a plan therefor, was taken up and considered.

Mr. English moved that the rule 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. Bailey, Bealer, Bixby, Buchanan, Buckingham, Calderwood, Carstensen, Cassel, Christianson, Clary, Cobb, Coburn, Colclo, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Greene, Gregory, Hambleton, Hanna, Harris, Hart, Head, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McNie, Manning, Mattes, Mott, Morris, Nichols, Offill, Ol-on, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanberry, Summers, Temple, Teter, Washburn, Weeks, Welden, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—83.

The nays were:

None.

Absent or not voting:

Messrs. Boland, Carden, Chaswell, Cheney, Conn, Freeman, Hakes, Heles, Koontz, Lowrey, McElrath, Maben, Martin, Saylor, Stoltenberg, Teachout, Whitmer—17.

So the bill passed and the title was agreed to.

On motion of English of Polk, House file No. 145, a bill for an act to provide for the consolidation of life insurance companies or the re-insurance of the risks of such companies with or by other companies authorized by the laws of the State to transact such business within the State and providing a plan for such consolidation or re-insurance, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

Mr. English moved the adoption of the following substitute recommended by the committee:

**A BILL** for an act to provide for the consolidation or re-insurance of the risks of insurance companies or associations with or by other companies or associations authorized to transact business within this State, and providing a plan for such consolidation or re-insurance.

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

Section 1. The word "company" or "companies" when used in this act shall mean any company or association organized under the provisions of

chapter four, five, six, seven or eight of Title IX of the code, except county mutuals.

Sec. 2. No company organized under the laws of this State to do the business of life insurance, either on the stock, mutual, stipulated premium or assessment plan, shall consolidate with any other company or re-insure its risks, or any part, thereof, with any other company, or assume or re-insure the whole or any part of the risks of any other company, except as hereinafter provided.

Sec. 3. When any such company shall propose to consolidate or enter into any re-insurance contract with any other company, it shall present its plan to the Auditor of State, setting forth the terms of its proposed contract of consolidation or re-insurance, asking for the approval or any modification thereof, which the commission hereinafter provided for may approve. The company must also file a statement of its assets and if a legal reserve company, of the reserve value of its policies or contracts.

Sec. 4. The commission shall proceed to hear and determine such petition without notice. But if the commission shall deem it necessary in order to conserve the interests of the policy holders that notice shall be given it shall require the company or companies to notify by mail all of the members or policy holders of the said company or companies of the pendency of such petition and the time and place at which the same will be heard, the length of time of such notice to be determined by the commission.

Sec. 5. For the purpose of hearing and determining such petition, a commission consisting of the Governor, Auditor of State and Attorney General is hereby created. In the inability of the Governor to act, the Secretary of State may act in his stead. The commission may make such examination into the affairs and condition of any company or companies as it may deem proper, and shall have power to summon and compel the attendance and testimony of witnesses, and the production of books and papers before said commission and may administer oaths. When notice shall have been given as above provided, any policy holder or stockholder of said company or companies shall have the right to appear before said commission and be heard with reference to said petition. Said commission, if satisfied that the interests of the policy holders of said company or companies are properly protected and no reasonable objection to said petition exists, may authorize the proposed consolidation or re-insurance or may direct such modification thereof as may seem to it best for the interests of the policy holders; and said commission may make such order and disposition of the assets of any such company thereafter remaining as shall be just and equitable. Such consolidation or re-insurance shall only be approved by the consent of all of the members of said commission, and it shall be the duty of said commission to guard the interests of the policy holders of any such company or companies proposing consolidation or re-insurance. In case of companies organized on the assessment plan, the commission may require the plan of consolidation or re-insurance to be submitted to the membership of such company or companies to be voted upon. When submitted, it shall be at a meeting called for that purpose, thirty days notice being given, and a two-thirds vote of all the members present and voting shall be necessary to an approval of any plan of consolidation or re-insurance, and no proxies shall,

in any case, be voted. Any plan of consolidation or re-insurance, submitted as herein contemplated, must first have been approved by the commission, and the result of said vote must be filed with the Auditor of State and be by him determined before any consolidation or re-insurance shall be effected.

Sec. 6. When any company or companies not named in section two (2) of this act desire to consolidate or re-insure, it shall only be necessary for such company or companies to submit the plan of consolidation or re-insurance with any other information that may be required, to the Auditor of State and the Attorney General and have the same by them approved.

Sec. 7. No company or companies as defined by section one (1) of this act shall consolidate or re-insure with any other company or companies not authorized to transact business in this State.

Sec. 8. All expenses and costs incident to proceedings under the provisions of this chapter, shall be paid by the company or companies bringing the petition.

Sec. 9. Any officer, director or stockholder of any company or companies, as defined in this act, violating or consenting to the violation of any of the provisions hereof, shall be punished by a fine of not less than one thousand dollars, or by imprisonment in the county jail for not less than one year, or by both such fine and imprisonment in the discretion of the court.

Sec. 10. This act, being deemed of immediate importance, shall take effect and be in force from and after the date of its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa.

### Adopted.

Wright of Webster moved to amend by inserting the words "case of" after the word "the" in the third line of section five.

Lost.

English of Polk moved that the rule 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. Bailey, Bealer, Bixby, Buchanan, Buckingham, Calderwood, Carstensen, Cassel, Christianson, Clary, Cobb, Coburn, Colclo, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Green, Gregory, Hambleton, Hanna, Harris, Hart, Head, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin,

McCreary, McCulloch, Manning, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Summers, Temple, Teter, Washburn, Weeks, Welden, Wise, Wright, Wyland, Mr. Speaker—79.

The nays were:

None.

Absent or not voting:

Messrs. Boland, Carden, Chassell, Cheney, Conn, Freeman, Hakes, Heles, Koontz, Lowrey, McDole, McElrath, McNie, Maben, Martin, Saylor, Stoltenberg, Teachout, Whiting, Whitmer, Willson—21.

So the bill passed and the title was agreed to.

On motion of Temple of Clarke, House file No. 258, a bill for an act to amend chapter 14 of Title XIII of the code, relating to the system of common schools and the incurring of indebtedness for school house purposes, with 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 following substitute recommended by the committee:

A BILL for an act to amend chapter fourteen (14) of Title XIII (13) of the code relating to the system of common schools, and the incurring of indebtedness for school house purposes.

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

That chapter fourteen (14) of Title XIII (13) of the code, be and the same is hereby amended, by adding thereto the following:

Section 1. Any independent school district containing, or contained in, any incorporated town or city of the second class, of three thousand or less population shall be allowed to become indebted, for the purpose of building and furnishing a school house or houses and procuring a site therefor, to an amount not exceeding in the aggregate, two and one-half per centum of the actual value of the taxable property, within such independent school district, such value to be ascertained by the last county tax list previous to the incurring of such indebtedness, anything contained in section two (2), chapter forty-one (41) of the acts of the Twenty-eighth General Assembly notwithstanding.

Sec. 2. Provided, that before such indebtedness can be contracted in excess of one and one-quarter per centum of the actual value of the taxable property ascertained as provided in section one (1) of this act, a petition signed by a majority of the qualified electors of such independent district,

shall be filed with the president of the board of directors asking that an election shall be called, stating the purpose for which the money is to be used, and the necessary school house or houses cannot be built and furnished within the limit of one and one-quarter per centum of the valuation.

Sec. 3. The president of the board of directors on the receipt of such petition shall within ten (10) days call a meeting of the board who shall call such election fixing the time and place thereof, and give four weeks notice thereof, in some newspaper published in the said town or city, or if none be published therein in the next nearest town or city in the county, at such election the ballot shall be prepared and used in substantially the following form:

For the issuance of bonds on the sum of \$..... for School House purposes.

Against the issuance of bonds in the sum of \$..... for School House purposes.

Sec. 4. If two-thirds or more of all the electors voting at such election vote in favor of the issuance of such bonds, the board of directors shall issue the same and make provision for the payment of the same and the interest thereon as provided in section twenty-eight hundred and twelve (2812) and twenty-eight hundred and thirteen (2813) of the code.

Sec. 5. This act, being deemed of immediate importance, shall take effect and be in force from and after the date of its publication in the Register and Leader and Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa.

Adopted.

Mr. Temple moved that the rule 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. Bailey, Bealer, Bixby, Buchanan, Buckingham, Calderwood, Carstensen, Cassel, Christianson, Clary, Cobb, Coburn, Colclo, Crose, Cummings, Dashiel, DeLano, Doran, Dow, Fleniken, Frudden, Geneva, Greeley, Greene, Gregory, Hambleton, Hanna, Harris, Hart, Head, Hollembeak, Hume, Jacobson, Jenson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, McAllister, McClurkin, McCreary, McCulloch, McDole, McNie, Manning, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Robinson, Shaffer, Skinner, Spaulding, Springer, Stanbery, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—78.

The nays were:

Messrs. Lundt, Peet—2.

**Absent or not voting:**

Messrs. Boland, Carden, Chassell, Cheney, Conn, Davie, English, Freeman, Hakes, Heles, Koontz, Lowrey, McElrath, Maben, Martin, Ritter, Sankey, Saylor, Stoltenberg, Whitmer—20.

So the bill passed and the title was agreed to.

On motion of Bealer of Linn, House file No. 227, a bill for an act regulating appointments, employment and removals in the public departments and upon public works in the State of Iowa, and the counties, cities and towns thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Leech of Cedar moved to amend by inserting immediately after the word "entitled" in the fourth line of section I of the printed bill, the words "everything being equal."

**Adopted.**

Bealer of Linn moved that the rule 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. Bailey, Bealer, Bixby, Buchanan, Calderwood, Carstensen, Cassel, Christianson, Clary, Cobb, Coburn, Colclo, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Frudden, Geneva, Greeley, Greene, Gregory, Hambleton, Hanna, Harris, Hart, Head, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McNie, Manning, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Spaulding, Springer, Stanbery, Summers, Teachout, Teter, Weeks, Welden, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—79.

The nays were:

Mr. Buckingham—1.

**Absent or not voting:**

Messrs. Boland, Carden, Chassell, Cheney, Conn, Flenniken, Freeman, Hakes, Heles, Koontz, Lowrey, McElrath, Maben,

Martin, Saylor, Skinner, Stoltenberg, Temple, Washburn, Whitmer—20.

So the bill passed and the title was agreed to.

REMARKS OF MR. M'ALLISTER ON THE PASSAGE OF HOUSE FILE NO. 227.

MR. SPEAKER—I would like to say a few words in support of this bill. When the soldiers enlisted many of them were mere boys and they left home and all that was dear to them to enlist in the service of their country. It can not be said that they were actuated by mercenary motives, as they received but thirteen dollars per month for their services. They were animated by the loftiest degree of patriotism of which men are capable. As for myself I suffered partial loss of voice so that it is with difficulty that I address this House.

Had the Union army not succeeded this country would have been like the republics of South America, continually at war, and might have split into more factions so that government by the people and for the people might have perished from the earth. When the ship of state was dashed upon the rocks of secession and cleft in twain, the Union soldier manned the ship and welded it together more firmly than ever, so that we can say with the poet:

"Thou, too, sail on, O, Ship of State,  
Sail on, O, Union, strong and great;  
We know what Master laid thy keel,  
What Workman framed thy ribs of steel,"

Our flag is respected all over the world, and when our vessels went over to Germany to take part in the review at Kiel the German Emperor was first to do homage to the American flag.

As soldiers we do not want positions unless we are capable of filling them, and all things being equal, soldiers should have the preference. I visited our Soldiers' Home at Marshalltown and was pleased with the treatment accorded the old soldiers and I hope the time will never come, and I feel sure it will never come, when the old soldiers will be considered paupers. It is better that we treat the old soldiers with kindness now, than that we build monuments to their memory and heap flowers on their caskets after they are dead. I want to have it said that in this House and under this canopy, John McAllister of Linn raised his voice in behalf of the old soldier that everything may be done to make him comfortable in his declining years.

The old soldier showed his devotion to his country by re enlisting after having served two years, which showed his devotion to this country and made it plain to the enemy that this "Union must and should be preserved". They enlisted for the war and determined not to lay down their arms till the authority of the Union was established over the entire country.

We now leave this heritage to those who come after us and if they are true to the trust imposed on them the country will continue to be the greatest in the world till time shall be no more.

REMARKS OF MR. KENDALL ON THE PASSAGE OF HOUSE FILE NO. 227.

MR. SPEAKER—As I understand this bill, it is simple in its phraseology



and in its purpose. It proposes that in the administration of the public affairs, preference be extended to honorably discharged soldiers and sailors of the Civil War. It is scarcely necessary for me to say in this presence that this measure has my cordial endorsement. But permit me brief indulgence. A little while ago I stood by an open grave, wherein was committed to eternal repose all that was mortal of a faithful private soldier in the historic war for the Union. The Grand Army of the Republic, of which he had been a zealous member, conducted the pathetic ceremonies according to the beautiful ritual of that organization. He was left to his last unbroken slumber in his windowless palace of rest, wearing upon his coat the bronze button of honor, upon his breast the badge of his last regimental reunion, while over all and embracing all were the sacred folds of the stainless flag which he loved so well. His life had been very humble, but it had been wholly honorable. He had not made his career memorable by distinguished public service, but he had rendered it resplendent by his generosity of heart, by his integrity of purpose, by his perfect fidelity to friends and country. His closing days were racked with cruel pain, but through it all he displayed the philosophic complacency, the uncomplaining patience, the heroic fortitude of the true soldier. And when the ultimate hour of dissolution came, when the inevitable messenger with the inverted torch beckoned him to depart, he did not resist, he did not repine; but calmly folding his wasted hands across his weary breast, he lapsed into that sweet and dreamless sleep which shall be awakened only at the judgment day. Thus, Mr. Speaker, passed from this earth and from all its activities my own father, late of Company C, Eighteenth Iowa Volunteer Infantry. In his life and in his death he was typical of more than seventy thousand of her gallant sons whom this splendid commonwealth of ours contributed to preserve this government of the people, by the people and for the people, and to adjudicate forever by the arbitrament of blood that that government should not perish, but should have everlasting life.

It affords us infinite satisfaction to remember, gentlemen, that in that supreme crisis, which wrenched and almost wrecked the republic, our own peerless Iowa sustained no inconspicuous part and achieved no inconsiderable renown. Her brave boys in blue were on every tedious march, in every sweltering trench, on every bloody battlefield; always the first to the front and the last to the rear. And they did not sheathe their swords nor stack their guns until the last armed enemy of the Union had unconditionally surrendered. They conquered. Open treason at the south, covert disloyalty at the north—without a precedent and without a parallel was the insurrection which they suppressed. And then, when the cause of freedom had finally triumphed, when the spirit of rebellion was completely vanquished, when the indivisibility of the states was irrevocably established, they discarded the uniform they had made immortal, substituted the implements of peace for the armaments of war, and modestly returned to the employments of civil citizenship. But the nearly four decades which have intervened since Appomattox have been busy with these beloved veterans. The brow will wrinkle with increasing years, and the hair will whiten with advancing time. Their ranks have been enfeebled by disease and decimated by death. The departed are enshrined in a nation's reverence; the surviving are adopted into a country's love.

Hart of Allamakee called up his motion to reconsider the motion by which Senate file No. 99 passed the House and the vote by which it went to its third reading.

The motion to reconsider prevailed.

Mr. Hart moved to amend the bill by substituting the following for section 1 thereof:

Section 1. The Railroad Commissioners are hereby instructed to procure twenty-five thousand (25,000) copies of the Railroad Commissioners' official map of Iowa, fifteen thousand (15,000) of said maps to be printed on heavy paper, mounted and with tape sides, and ten thousand (10,000) of said maps to be folded and enclosed in suitable envelopes; twenty (20) copies in envelopes and seventy-five (75) mounted maps to be delivered to each member of the General Assembly for distribution, and the remainder to be distributed under the direction of the of the Railroad Commissioners.

And by striking from section two (2) the words and figures "two thousand six hundred dollars (\$2,600)" and substituting therefor the words and figures "three thousand two hundred dollars (\$3,200)."

Adopted.

Mr. Hart moved that the rule 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. Bailey, Bealer, Bixby, Buchanan, Buckingham, Calderwood, Carstensen, Cassel, Christianson, Clary, Cobb, Coburn, Colclo, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Frudden, Geneva, Greeley, Greene, Hambleton, Harris, Hart, Head, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McNie, Manning, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Shaffer, Skinner, Spaulding, Springer, Stanbery, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—76.

The nays were:

Mr. Sankey—1.

Absent or not voting:

Messrs. Boland, Carden, Chassell, Cheney, Conn, Cummings, Flenniken, Freeman, Gregory, Hakes, Hanna, Heles, Koontz, Lowrey, McDole, McElrath, Maben, Martin, Peet, Saylor, Stoltenberg, Summers, Whitmer—23.

So the bill passed.

Mr. Hart moved to amend the title by striking therefrom the words and figures "thirty-five thousand ( 35,000 )" and inserting in lieu thereof, the words and figures "twenty-five thousand ( 25,000 )."

Adopted.

Title as amended agreed to.

Hart of Allamakee moved that the remarks of Kendall of Monroe upon House file No. 227 be printed in the Journal.

Motion prevailed.

Whiting of Monona moved that the remarks of McAllister of Linn on House file No. 227 be printed in the Journal.

Motion prevailed.

On motion of Kendall of Monroe the House adjourned until 2 o'clock P. M.

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#### AFTERNOON SESSION.

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House met pursuant to adjournment.

Speaker Clarke in the chair.

On motion of Kendall of Monroe, House file No. 65, a bill for an act to amend section 3505 of the code of 1897, relating to the grounds for changing the place of trial in civil actions and to add sub-division 6 thereto, with report of committee recommending indefinite postponement, was taken up and considered.

Mr. Kendall moved that the recommendation of the minority be laid upon the table.

Motion prevailed.

On motion of Jepson of Woodbury, House file No. 262 was indefinitely postponed.

On motion of Calderwood of Scott, House file No. 105, a bill for an act to prohibit the keeping of children in poor houses and to provide for their removal therefrom to, and support in, state institutions, was taken up and considered.

Mr. Calderwood moved that the rule 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. Bailey, Bealer, Bixby, Buchanan, Buckingham, Calderwood, Carstensen, Cassel, Cheney, Christianson, Clary, Cobb, Colclo, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Greene, Gregory, Hambleton, Hanna, Harris, Hart, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McNie, Manning, Mattes, Morris, Mott, Nichols, Ofill, Olson, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Wise, Wright, Wyland, Mr. Speaker—75.

The nays were:

Messrs. Dow, Geneva, Peet, Prevo—4.

Absent or not voting:

Messrs. Boland, Chassell, Coburn, Conn, Freeman, Hakes, Head, Heles, Koontz, Langan, Lowrey, McElrath, Maben, Martin, Pritchard, Saylor, Springer, Stoltenberg, Whitmer, Willson—20.

So the bill passed and the title was agreed to.

On motion of McClurkin of Louisa, House file No. 150, a bill for an act to amend section 586 of the code of Iowa as amended by the acts of the Twenty-ninth General Assembly, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. McClurkin moved to amend by striking out the word "sufficient" in the fourth line of the printed bill and to insert the words "not to exceed one mill" after the word "tax" in said line.

Adopted.

Mr. McClurkin moved that the rule 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. Bailey, Bealer, Bixby, Buchanan, Buckingham, Calderwood, Cheney, Christianson, Clary, Cobb, Colclo, Crose, DeLano, Dow, English, Frudden, Greene, Gregory, Hanna, Harris, Hart, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, McAllister, McClurkin, McCreary, McDole, McNie, Manning, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Summers, Teachout, Temple, Washburn, Weeks, Welden, Whiting, Wise, Wright, Wyland, Mr. Speaker—67.

The nays were:

Messrs. Geneva, Lundt—2.

Absent or not voting:

Messrs. Boland, Carden, Carstensen, Cassel, Chassell, Coburn, Conn, Cummings, Dashiell, Davie, Doran, Flenniken, Freeman, Greeley, Hakes, Hambleton, Head, Heles, Koontz, Lister, Lowrey, McCulloch, McElrath, Maben, Martin, Pritchard, Saylor, Stoltenberg, Teter, Whitmer, Willson—31.

So the bill passed.

Lamkin of Lyon moved to amend the title by striking out the words "of Iowa."

Title as amended agreed to.

By unanimous consent the bill was amended by striking out the words "of Iowa" following the word "code."

On motion of Temple of Clarke, House file No. 169, a bill for an act to amend section 1530, chapter 2, Title VIII of the supplement to the code of Iowa in relation to the levy of a county road fund, with report of committee recommending consideration by the House, owing to its importance, was taken up and considered.

Hambleton of Mahaska moved to amend by adding thereto the following: "a part or all of which may be expended in

tiling or sewer pipe at the discretion and in accordance with the provisions of the following section, by the board of supervisors."

Lost.

Pritchard of Wright moved to amend by adding the following to the section: "Provided, however, that all work done in the expenditure of this tax shall be let by contract."

Lost.

English of Polk moved to amend by adding the following as section 2 of the bill:

Sec. 2. That section fifteen hundred and thirty (1530) of the supplement to the code be amended by inserting after the word "towns" in the fifth line of said section the following: "except that in cities of the first-class, no more than one mill shall be levied."

Adopted.

DeLano of Cass moved to amend by adding the following as section 3 of the bill:

Sec. 3. That section fifteen hundred and thirty (1530) of the supplement to the code be amended by striking out the word "shall" in the second line of said section and inserting the words "may if deemed advisable" in lieu thereof.

Wyland of Shelby moved to refer the bill to the committee on Roads and Highways.

Lost.

Temple of Clarke moved that the rule 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. Bealer, Bixby, Calderwood, Cheney, Coburn, Dashiell, DeLano, Dow, Flenniken, Greene, Gregory, Hanna, Hart, Head, Hollembeak, Hume, Jacobson, Jepson, Kendall, Kennedy, Lamkin, Leech, McDole, Manning, Mattes, Morris, Mott, Prevo, Robinson, Shaffer, Skinner, Spaulding, Springer, Stanbery, Teachout, Temple, Weeks, Welden, Whiting, Willson, Wright—41.

The nays were:

Messrs. Bailey, Buchanan, Buckingham, Carstensen, Cassel, Christianson, Clary, Cobb, Colclo, Crose, Cummings, Davie,

Doran, English, Frudden, Geneva, Greeley, Hambleton, Harris, Jones, Kling, Laird, Langan, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McNie, Nichols, Ofill, Olson, Powers, Pritchard, Ritter, Sankey, Summers, Teter, Washburn, Wyland, Mr. Speaker—42.

Absent or not voting:

Messrs. Boland, Carden, Chassell, Conn, Freeman, Hakes, Heles, Koontz, Lowrey, McElrath, Maben, Martin, Peet, Saylor, Stoltenberg, Whitmer, Wise—17.

The bill, having failed to receive a constitutional majority, was declared lost.

I move to reconsider the vote whereby House file No. 169 was lost and by which same passed to its third reading.

EMORY H. ENGLISH.

I second the motion.

J. F. OFFILL.

On motion of Bealer of Linn House adjourned until 10 A. M. tomorrow.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 2, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. Henry E. Nicklen of Woodbine, Iowa.

Journal of Tuesday, March 1st, was corrected and approved.

On request leave of absence was granted Weeks of Guthrie until tomorrow.

On request of Robinson of Emmet leave of absence was granted Pritchard of Wright on account of sickness.

PETITIONS AND MEMORIALS.

Bixby of Delaware presented petition of twenty citizens of Delaware county, relative to the establishment of a woman's reformatory at Knoxville.

Referred to committee on Public Charities.

Flenniken of Clayton presented petition of thirty-four citizens of Clayton county relative to the establishment of a woman's reformatory at Knoxville.

Referred to committee on Public Charities.

Heles of Dubuque presented petition of stockmen of Dyersville asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

McNie of Benton presented petition of 251 citizens of Benton county asking that the present road law be not repealed.

Referred to committee on Roads and Highways.

Mattes of Sac presented five petitions of citizens of Sac county asking the enactment of House file No. 7.

Referred to committee on Railroads and Commerce.



Saylor of Bremer presented five petitions of citizens of Bremer county asking the enactment of House file No. 7.

Referred to committee on Railroads and Commerce.

Colclo of Carroll presented remonstrance of eighty-nine voters of Newton township of Carroll county against the present road law.

Referred to committee on Roads and Highways.

Bixby of Delaware presented petition of thirty-two citizens of Delaware county relative to woman suffrage.

Referred to committee on Woman Suffrage.

Bixby of Delaware presented petition of thirty-five citizens of Delaware county relative to Sunday baseball playing.

Referred to committee on Police Regulations.

Freeman of Pottawattamie presented two petitions of citizens of Pottawattamie county asking the enactment of House file No. 7.

Referred to committee on Railroads and Commerce.

Doran of Boone presented petition of citizens of Boone county relative to child labor.

Referred to committee on Labor.

Morris of Sioux presented petition of physicians of Sioux county asking the establishment of a State sanatorium for the tuberculosis poor.

Referred to committee on Public Health.

Buckingham of Buena Vista presented petition of physicians of Buena Vista county asking the establishment of a State sanatorium for the tuberculosis poor.

Referred to committee on Public Health.

Langan of Clinton presented petition of twenty-nine citizens of Clinton county relative to woman suffrage.

Referred to committee on Woman Suffrage.

Langan of Clinton presented petition of forty-one citizens of Clinton county relative to child labor.

Referred to committee on Labor.

McClurkin of Louisa presented petition of citizens of Louisa county relative to the road law.

Referred to committee on Roads and Highways.

DeLano of Cass presented petition of twenty-nine citizens of Clarion asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

DeLano of Cass presented petition of eighty citizens of Sanborn asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Flenniken of Clayton presented petition of forty-two citizens of Clayton county relative to woman suffrage.

Referred to committee on Woman Suffrage.

Wyland of Shelby presented petition of citizens of Shelby county asking the enactment of House file No. 7.

Referred to committee on Railroads and Commerce.

Kling of Harrison presented petition of twenty citizens of Harrison county asking for passage of the DeLano bill.

Referred to committee on Railroads and Commerce.

Flenniken of Clayton presented petition of fifteen citizens of Clayton county relative to child labor.

Referred to committee on Labor.

Flenniken of Clayton presented petition of seven citizens of Clayton county relative to the establishment of a woman's reformatory at Knoxville.

Referred to committee on Public Charities.

Flenniken of Clayton presented petition of thirteen citizens of Clayton county relative to woman suffrage.

Referred to committee on Woman Suffrage.

Christianson of Hamilton presented petition of eighty-three citizens of Hamilton county asking the enactment of House file No. 7.

Referred to committee on Railroads and Commerce.

English of Polk presented petition of thirty citizens of Polk county relative to woman suffrage.

Referred to committee on Woman Suffrage.

Washburn of Mills presented petition of citizens of Mills county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

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. 180, a bill for an act to amend section 4134 of chapter 2, title XX of the code in relation to procedure in 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:

Senate file No. 210, a bill for an act to amend sections 2437 and 2438 of the code, relating to mulct tax.

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 defining duties and powers of Secretary of State with reference to State documents and other State publications and amending section 126 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 Senate was asked:

House file No. 235, a bill for an act for the relief of the grantees of Chas. M. Downs and for the purpose of having a patent issued in the name of Geo. S. Stall and Frances E. Stall 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 concurred in the following concurrent resolution in which the concurrence of the Senate was asked:

Concurrent resolution relative to voting machines.

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. 206, a bill for an act to amend section 1626 of title IX, chapter 1 of the code, and to determine the right to vote shares of corporate stock when the same has been pledged or levied upon under attachment or other proceeding.

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. 59, a bill for an act for the protection of live birds and providing penalties for the violation thereof.

GEO. A. NEWMAN,  
*Secretary.*

#### REPORT OF COMMITTEE.

Harris of Poweshiek, from the committee on the Suppression of Intemperance, submitted to following report:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House file No. 197, a bill for an act to amend section two thousand three hundred eighty-nine (2389) of the code, relative 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 the following substitute:

A BILL for an act to amend section two thousand three hundred eighty-nine (2389) of the code relative 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 two thousand three hundred eighty-nine (2389) of the code be and the same is hereby amended by adding to said section the following words: "And whenever a remonstrance containing the names of a majority of the voters as shown by the last preceding general election of the city or town in which said permit holder's place of business is situated, is filed, said application shall be refused and only one application shall be made by the same person within one (1) year and no permit shall be granted for longer than two (2) years."

And when so amended that the same do pass.

THOMAS HARRIS,  
*Chairman.*

Ordered passed on file.

## INTRODUCTION OF BILLS.

By committee on Schools and Text-Books, House file No. 313, a bill for an act providing for the closing of schools and for the transportation of children to adjoining rural schools.

Read first and second time.

By Davie of Crawford, by request, House file No. 314, a bill for an act to compensate Frank J. Young for money paid out and services rendered while State Oil Inspector.

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

By Hambleton of Mahaska, House file No. 315, a bill for an act to amend section 2232 of the code, relative to county expense.

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

By Jacobson of Winneshiek, House file No. 316, a bill for an act repealing chapter 18, title XXI of the code and enacting a substitute therefor, relative to change of names.

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

By Weeks of Guthrie, House file No. 317, a bill for an act to amend section 4011 of the code, relating to the exemption from liability for debt for personal earnings.

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

By Weeks of Guthrie, House file No. 318, a bill for an act to enable the State of Iowa to sell and dispose of all drained or reclaimed inland meandered lake beds, and other lands.

Read first and second time and referred to committee on Public Lands and Buildings.

By Dow of Franklin, House file No. 319, a bill for an act appropriating \$1,500 to assist in defraying the expenses of the headquarters of the Grand Army of the Republic.

Mattes of Sac raised the point of order that the bill could not be introduced at this time, it being contrary to rule 44.

Point of order sustained.

By English of Polk, House file No. 319, a bill for an act to amend section 1788 of the code, relative to stipulated premium and assessment life insurance associations:

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

Frudden of Dubuque offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved*, That the sub-committees appointed by the Speaker from the Appropriations committee to visit the several State institutions, be requested to report at the House, and that said report be printed in the House Journal.

Adopted.

#### SENATE MESSAGES CONSIDERED.

Substitute for Senate file No. 206, a bill for an act to amend section 1626 of title IX, chapter I of the code, and to determine the right to vote shares of corporate stock when the same has been pledged or levied upon under attachment or other proceeding.

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

Senate file No. 180, a bill for an act to amend section 4134 of chapter 2, title XX of code in relation to procedure in Supreme Court.

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

Senate file No. 210, a bill for an act to amend sections 2437 and 2438 of the code relating to mulct tax.

Read first and second time and referred to committee on Suppression of Intemperance.

Senate file No. 217, a bill for an act defining duties and powers of Secretary of State with reference to State documents and other State publications, and amending section 126 of the code.

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

#### BILLS ON THEIR PASSAGE.

On motion of Cummings of Marshall, Senate file No. 56, a bill for an act to regulate the employment of child labor and to provide for the enforcement thereof, (additional to chapter 8, title

XXI of the code), was substituted on the Calendar for House file No. 43, and was taken up, considered, and the report of the committee adopted.

Cummings of Marshall asked unanimous consent to have the bill read and considered section by section.

Granted.

Bealer of Linn moved to amend section 1 by striking out the word "quarry" in line three of section 1, line seven of section 2, line one of section 3, line one of section 7 and line four of section 8.

Lost.

Hart of Allamakee moved to amend section 1 by striking therefrom the words "or workshop" in line three of the printed bill and inserting in lieu thereof a comma after the word "mill" and adding thereafter the words "workshop or any mercantile establishment in which ten or more persons are employed."

Adopted.

Kendall of Monroe moved that the bill be made a special order for 10 o'clock tomorrow morning.

Motion prevailed.

On motion of Christianson of Hamilton, House file No. 142, a bill for an act relating to motor vehicles, regarding their registration, defining and limiting their use of the public highways and prescribing penalties for the violation thereof, with report of committee recommending passage as amended, was taken up and considered.

Mr. Christianson moved to amend by striking section 1 from the bill.

Adopted.

Offill of Jasper moved to amend section 8 by striking out the words "twenty miles per hour" and inserting the words "sixteen miles per hour."

Lost.

Lundt of Tama moved to amend section 9 by striking out all after the word "shall" in the first line to and including the word "animals" in the second line of the printed bill, and substituting therefor the following: "when meeting a vehicle drawn by a horse or horses when he sees that the horse or horses are restive."

Lost.

McAllister of Linn moved to amend section 9 by striking out the words "by putting up the hand" and substituting therefor the following: "any person operating a motor vehicle shall at request or on any signal from a person driving a restive horse or horses or other draft animals, bring such motor vehicle immediately to a stop."

Lost.

Christianson of Hamilton moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carstensen, Cassel, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Davie, DeLano, English, Flen-niken, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Harris, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kennedy, Kling, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McClurkin, McDole, McNie, Maben, Manning, Mat-tes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Sum-mers, Teachout, Temple, Teter, Welden, Wise, Wyland, Mr. Speaker—71.

The nays were:

Messrs. Buckingham, Doran, Dow, Kendall, Martin, Gregory, Hanna, Washburn, Wright—9.

Absent or not voting:

Messrs. Carden, Chassell, Dashiell, Hart, Head, Koontz, Lan-gan, Lowrey, McCreary, McCulloch, McElrath, Ritter, Robin-son, Sankey, Springer, Stoltenberg, Weeks, Whiting, Whitmer, Willson—20.

So the bill passed.

Christianson of Hamilton moved to amend the title by sub-stituting therefor the following:

"For an act requiring registration of motor vehicles and regulating their use or operation upon public highways."

Adopted.

Title as amended was agreed to.



Cobb of Taylor moved that the House adjourn until 2 o'clock P. M.

Calderwood of Scott moved to amend by making the hour 10 A. M. tomorrow.

Buchanan of Wapello moved to amend the amendment by making the hour 9:30 A. M. tomorrow.

Amendment to the amendment adopted.

Amendment as amended adopted.

Original motion as amended adopted, and the House adjourned until 9:30 tomorrow morning.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 3, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. Walter M. Walker of Des Moines, Iowa.

Journal of Wednesday, March 2d, was corrected and approved.

Welden of Hardin moved that when the House adjourn this morning it be until this afternoon at two o'clock.

Motion prevailed.

On request of Springer of Buchanan leave of absence was granted Koontz of Johnson indefinitely on account of sickness.

PETITIONS AND MEMORIALS.

Davie of Crawford presented petition of citizens of Crawford county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Wise of Black Hawk presented two petitions of physicians of Waterloo asking for the establishment of a State sanatorium for the treatment of tuberculosis poor.

Referred to committee on Public Health.

Wise of Black Hawk presented two petitions of citizens of Black Hawk county relative to House files No. 59, No. 52 and No. 47.

Referred to committee on Fish and Game.

Whiting of Monona presented petition of twenty-nine citizens of Monona county relative to woman suffrage.

Referred to committee on Woman suffrage.

Whiting of Monona presented petition of twenty-six citizens of Monona county asking the establishment of a woman's reformatory at Knoxville.

Referred to committee on Public Charities.

Teter of Marion presented petition of feeders and stock shippers of Marion county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Welden of Hardin presented memorial of Abbatt Local Union No. 1 asking the enactment of House file No. 7.

Referred to committee on Railroads and Commerce.

Welden of Hardin presented petition of clerks of Friends meeting held at New Providence and representing 1,100 people in regard to Sunday baseball playing.

Referred to committee on Police Regulations.

Mattes of Sac presented three petitions of citizens of Sac county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce.

Cummings of Marshall presented petition of citizens of Marshall county relative to the fish and game laws.

Referred to committee on Fish and Game.

Manning of Lucas presented petition of citizens of Lucas county relative to the passage of House file No. 7.

Referred to committee on Railroads and Commerce.

Christianson of Hamilton presented petition of citizens of Hamilton county relative to House file No. 7.

Referred to committee on Railroads and Commerce.

Calderwood of Scott presented petition of physicians of Scott county relative to the establishment of a sanatorium for the treatment of the tuberculosis poor.

Referred to committee on Public Health.

Dashiell of Warren presented petition of physicians of Warren county relative to the establishment of a sanatorium for the treatment of the tuberculosis poor.

Referred to committee on Public Health.

Kennedy of Lee presented petition of physicians of the city of Keokuk relative to the establishment of a sanatorium for the treatment of the tuberculosis poor.

Referred to committee on Public Health.

Frudden of Dubuque presented petition of physicians of Dubuque county relative to the establishment of a sanatorium for the treatment of the tuberculosis poor.

Referred to committee on Public Health.

Cassel of Jefferson presented remonstrance of citizens of Jefferson county against any road legislation at this session.

Referred to committee on Roads and Highways.

Lamkin of Lyon presented petition of physicians of Osceola county asking the establishment of a sanatorium for the treatment of the tuberculosis poor.

Referred to committee on Public Health.

#### REPORTS OF COMMITTEES.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No 180, a bill for an act to amend section four thousand one hundred thirty-four (4134) of chapter two (2) title XX (20) of the code, in relation to procedure in 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 do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 239, a bill for an act relating to real estate and additional to chapter five (5), title XIV (14) 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 294, a bill for an act for the protection of chautauqua associations, for the appointment by them of special police officers, and to fix penalties for the violation of the rules of such 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 282, a bill for an act to amend section four hundred and twenty-two (422) of the code of Iowa, relative to powers of supervisors, by adding thereto sub-division twenty-three (23), providing for certain reports from the members of said boards, beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

English of Polk, from the committee on Insurance, submitted the following report:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 226, a bill for an act to repeal section eighteen hundred thirty-two (1832) of the code as amended by chapter forty-seven (47) acts of the Twenty-seventh General Assembly, and providing 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.

EMORY H. ENGLISH,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 209, a bill for an act to amend section sixteen hundred and ninety-two (1692) of the code, relating to premium notes and the commencement of business by mutual fire 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.

EMORY H. ENGLISH,  
*Chairman.*

Ordered passed on file.

Mattes of Sac, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 215, a bill for an act for the erection of a monument at the site of the Confederate military prison at Andersonville, Georgia, in commemoration of the patriotism, suffering and martyrdom of the Iowa soldiers who were imprisoned and died in said military prison, and creating a commission to have charge of the erection thereof, and providing 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.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

Greeley of Story, from the committee on Public Lands and Buildings, submitted the following report:

MR. SPEAKER—Your committee on Public Lands and Buildings to whom was referred House file No. 277, a bill for an act relating to the meandered lake beds in the State, and authorizing the Executive Council to survey, lease or sell 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 adding after the word "freeholders" in the second line of section two (2) the following: "twenty of whom shall be actual residents of the township or townships in which said lake or lake beds are situated," and when so amended the same do pass.

W. M. GREELEY,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Public Lands and Buildings to whom was referred House file No. 307, a bill for an act to authorize the Executive Council to sell the property known as "State Square," being block twenty-seven (27) in Stewart's addition to the city of Des Moines, Iowa, and use the proceeds of the sale in the purchase of other 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.

W. M. GREELEY,  
*Chairman.*

Ordered passed on file.

Buchanan of Wapello, from the committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 268, 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 be indefinitely postponed.

A. W. BUCHANAN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 283, a bill for an act to amend section eight hundred and thirty-five (835) of the code, relating to refunding the cost of pavement removed by a street railway company, beg leave to report that they 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.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 200, a bill for an act making \$20,000 additional appropriation for the Iowa exhibit at the Louisiana Purchase Exposition at St. Louis and amendatory of chapter one hundred and ninety-five (195) of the laws of the Twenty-ninth General Assembly.

H. L. SPAULDING,  
*Chairman House Committee.*  
D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Nichols of Muscatine, House file No. 320, a bill for an act to amend section 2771 of the code, in relation to filling vacancies in school offices.

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

By McCulloch of Wayne, House file No. 321, a bill for an act to regulate the sale of patent medicines containing narcotic or any alcoholic preparations.

Read first and second time and referred to committee on Suppression of Intemperance.

By committee on Appropriations, House file No. 322, a bill for an act to appropriate money to pay for metal shelving in the new storage building.

Read first and second time.

By Hart of Allamakee, House file No. 323, a bill for an act to repeal section 4364 of the code and for the enactment of a new section additional to and amendatory of chapter 4, title XVIII of the code, relative to place of bringing actions to restrain judicial proceedings and enforcement of judgments.

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 passed the following bill in which the concurrence of the Senate was asked:

House file No. 102, a bill for an act to protect employes in garnishment 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. 193, a bill for an act to amend section 3656 of the code relating to time of trying appeal cases in contested 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. 222, a bill for an act defining the duties of clerks of district courts in cases of the suspension or revocation of the license of an attorney or counselor at law to practice, amendatory of chapter 10, title III of 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. 61, a bill for an act to appropriate money for the inspection of county and private institutions wherein insane persons are kept.

GEO. A. NEWMAN,  
*Secretary.*

Also :

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

House joint resolution No. 4, joint resolution relative to the duties of the Commissioner of Bureau of Labor Statistics.

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. 47, a bill for an act to amend section 2775 of the code, relating to the course of study in public 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 House is asked:

Senate file No. 215, a bill for an act making an appropriation to provide for an existing deficit in the contingent fund of the Supreme Court.

GEO. A. NEWMAN,  
*Secretary.*

Cheney of Clay called up his resolution relative to the Dolliver bankruptcy bill and moved that the resolution be adopted.

Adopted.

Speaker announced that he had signed in the presence of the House, Senate file No. 20.

The hour of 10 o'clock having arrived and Senate file No. 56 being a special order for this hour, the consideration of same was resumed.

Jones of Montgomery moved to amend by substituting the following for section 1 of the bill:

Section 1. No child under fourteen years of age, and no child under sixteen years of age who is less than sixty inches in height and eighty pounds in weight, shall be employed in any mine, quarry, manufacturing establishment, factory, mill, workshop, or in any mercantile establishment employing more than ten persons. Nor shall such child be employed, permitted, or compelled by any person, firm or corporation, to work for or without wages or other compensation or thing of value to whomsoever payable during the hours when the public schools of the school corporation in which such child resides are in session unless he has, within the last twelve months, attended a public or parochial school for the period now or hereafter provided by law.

Jepson of Woodbury moved to amend the amendment by inserting after the word "public" and before the word "or" the word "private."

**Adopted.**

Amendment as amended adopted.

Hart of Allamakee moved to amend section 1 by striking out the words "mercantile establishment" and inserting the words "in any mercantile establishment where ten or more persons are employed."

**Adopted.**

Dow of Franklin moved that further consideration of this bill be indefinitely postponed.

Calderwood of Scott and Kendall of Monroe demanded a roll call.

The roll call resulted as follows:

**The yeas were:**

Messrs. Bealer, Boland, Buckingham, Carden, Cassel Christian-son, Clary, Cobb, Crose, Davie, DeLano, Dow, Freeman, Geneva, Gregory, Hakes, Hanna, Harris, Head, Heles, Hume, Laird, Lundt, McAllister, McCreary, McCulloch, McDole, Mattes, Morris, Mott, Olson, Peet, Powers, Prevo, Pritchard, Sankey, Skinner, Springer, Teachout, Temple, Welden, Willson, Wright, Wyland—44.

**The nays were:**

Messrs. Bailey, Bixby, Buchanan, Calderwood, Carstensen, Cheney, Colclo, Conn, Cummings, Dashiell, Doran, English,

Frudden, Greeley, Hambleton, Hart, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Lamkin, Langan, Leech, Lister, McClurkin, McNie, Maben, Manning, Martin, Nichols, Offill, Ritter, Robinson, Saylor, Shaffer, Stanbery, Summers, Teter, Washburn, Weeks, Wise, Whiting, Mr. Speaker—46.

**Absent or not voting:**

Messrs. Chassell, Coburn, Flenniken, Greene, Koontz, Lowrey, McElrath, Spaulding, Stoltenberg, Whitmer—10.

So the motion to indefinitely postpone was lost.

Head of Greene moved to amend the bill by substituting therefor the following:

Section 1. That all cities of the first and second class in this State are hereby required to furnish suitable employment for all unemployed children over ten and under sixteen years of age that are able to perform manual labor for eight hours each day except Sundays, legal holidays and Saurday afternoons while not attending school.

Pritchard of Wright moved to lay the amendment on the table.

Jepson of Woodbury and English of Polk demanded a roll call.

The roll call resulted as follows:

**The yeas were:**

Messrs. Bailey, Boland, Buckingham, Carden, Cassel, Cobb, Crose, Davie, DeLano, Greeley, Gregory, Hakes, Lundt, McAlister, McCulloch, McDole, Peet, Prevo, Pritchard, Sankey, Skinner, Springer, Temple, Willson, Wright, Wyland—26.

**The nays were:**

Messrs. Bealer, Bixby, Buchanan, Calderwood, Carstensen, Cheney, Christianson, Clary, Colclo, Cummings, Dashiell, Doran, Dow, English, Frudden, Geneva, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Lamkin, Langan, Leech, Lister, McClurkin, McCreary, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Ritter, Robinson, Saylor, Shaffer, Spaulding, Stanbery, Summers, Teachout, Teter, Washburn, Weeks, Welden, Wise, Whiting, Mr. Speaker—60.

**Absent or not voting:**

Messrs. Chassell, Coburn, Conn, Flenniken, Freeman, Greene,

Koontz, Laird, Lowrey, McElrath, Olson, Powers, Stoltenberg, Whiting—14.

So the motion to lay on the table was lost.

The motion to adopt the amendment was lost.

Frudden of Dubuque moved to amend section 2 by inserting after the word "no" in the first line the word "such"; also inserting the word "such" after the word "no" in the seventh line; also inserting the word "such" after the word "of" in the twentieth line; and by striking out the words "under sixteen years of age" wherever they appear in section 2.

**Adopted.**

Frudden of Dubuque moved to amend section 2 by striking out line eleven thereof.

Frudden of Dubuque and Davie of Crawford demanded a roll call.

The roll call resulted as follows:

**The yeas were:**

Messrs. Bailey, Bealer, Boland, Buckingham, Cassel, Christianson, Clary, Colclo, Conn, Crose, Davie, DeLano, Freeman, Frudden, Hakes, Hart, Head, Heles, Hume, Jacobson, Jepson, Laird, Lamkin, Leech, Lundt, McAllister, McCreary, McCulloch, Mc Dole, Maben, Mattes, Morris, Mott, Offill, Olson, Peet, Powers, Pritchard, Ritter, Saylor, Shaffer, Springer, Teachout, Welden, Willson, Wright, Wyland—47.

**The nays were:**

Messrs. Bixby, Buchanan, Calderwood, Carden, Carstensen, Cheney, Cobb, Cummings, Dashiell, Doran, Dow, English, Geneva, Greeley, Gregory, Hambleton, Hanna, Harris, Hollembeak, Jones, Kendall, Kennedy, Kling, Langan, Lister, McClurkin, McNie, Manning, Martin, Nichols, Robinson, Sankey, Skinner, Spaulding, Stanbery, Summers, Temple, Teter, Washburn, Weeks, Whiting, Wise, Mr. Speaker—43.

**Absent or not voting:**

Messrs. Chassell, Coburn, Flenniken, Greene, Koontz, Lowrey, McElrath, Prevo, Stoltenberg, Whitmer—10.

So the amendment was adopted.

Cröse of Page moved to amend section 2 by striking out lines 20 and 21 of the printed copy.

Adopted.

Hart of Allamakee moved to amend section 2 by striking out the words "mercantile establishment" and inserting in lieu thereof the words "in any mercantile establishment in which ten or more persons are employed."

Adopted.

Frudden of Dubuque moved to amend section 3 by inserting the word "such" after the word "no" in line 1 and by striking out the words "under sixteen years of age" in the first line.

Adopted.

Hart of Allamakee moved to amend section 3 by striking out the words "mercantile establishment" and inserting in lieu thereof the words "in any mercantile establishment in which ten or more persons are employed."

Adopted.

Hart of Allamakee moved to amend section 4 by striking therefrom the word "person" in the sixth line of the printed bill.

Adopted.

Jepson of Woodbury moved to amend section 5 by inserting the word "private" after the word "public" in the fourth line of the printed bill.

Adopted.

Whiting of Monona moved to amend section 7 by inserting the word "such" after the word "of" in line 1 of the printed bill.

Adopted.

Hart of Allamakee moved to amend section 7 by striking out the words "mercantile establishment" and inserting in lieu thereof the words "in any mercantile establishment in which ten or more persons are employed."

Adopted.

Jepson of Woodbury moved to amend section 9 by adding after the word "who" in the tenth line the word "knowingly."

Adopted.

Hambleton of Mahaska moved to amend section 10 by inserting after the word "marshal" in the third line the words "or other peace officer."

Adopted.

Kendall of Monroe moved to amend section 10 by striking out all after the word "same" in line 8 of the said section.

Adopted.

Frudden of Dubuque moved to amend section 6 by inserting the word "such" after the word "of" in line 1 and by striking out the words "under sixteen years of age."

Adopted.

Cassel of Jefferson moved to amend section 2 by inserting after the word "constantly" in the sixth line the following: "but this bill shall have no effect where the mother is a widow and must labor to maintain her family."

Lost.

Cummings of Marshall moved that the rule 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. Buchanan, Calderwood, Carstensen, Cheney, Colclo, Conn, Cummings, Doran, English, Frudden, Hambleton, Jepson, Jones, Kennedy, Kling, Lamkin, Langan, Lister, McClurkin, McNie, Manning, Martin, Mott, Ritter, Robinson, Saylor, Shaffer, Spaulding, Stanbery, Teter, Washburn, Weeks, Whiting, Wise, Mr. Speaker—35.

The nays were:

Messrs. Bailey, Bealer, Bixby, Boland, Buckingham, Carden, Cassel, Christianson, Clary, Cobb, Crose, Dashiell, Davie, Dow, Flenniken, Freeman, Geneva, Greeley, Gregory, Hakes, Hanna,

Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Kendall, Laird, Leech, Lundt, McAllister, McCreary, McDole, Maben, Mattes, Morris, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Sankey, Skinner, Springer, Summers, Teachout, Temple, Welden, Willson, Wright, Wyland—55.

Absent or not voting:

Messrs. Chassell, Coburn, DeLano, Greene, Koontz, Lowrey, McCulloch, McElrath, Stoltenberg, Whitmer—10.

So the bill, having failed to receive a constitutional majority, was declared lost.

MR. SPEAKER— I move to re-consider the vote by which Senate file No. 56 passed to its third reading, and the vote by which the bill was lost.

N. E. KENDALL.

I second the motion.

W. S. HART.

Temple of Clarke moved to re-consider the vote by which Senate file No. 56 passed to its third reading, and the vote by which the bill was lost.

Seconded by McDole of Jackson.

On motion of Weeks of Guthrie the House adjourned.

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### AFTERNOON SESSION.

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House met pursuant to adjournment.

Speaker Clarke in the chair.

On request, Davie of Crawford was excused until tomorrow.

Temple of Clarke called up his motion to re-consider the vote whereby Senate file No. 56 was lost.

Motion lost.

On motion of Hambleton of Mahaska, House file No. 70, a bill for an act authorizing cities and towns to levy a tax for the purpose of erecting public buildings and purchasing grounds for the same, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Mr. Hambleton moved the adoption of the following amendments recommended by the committee:

Amend by striking out the word "letting" in the third line of section two (2) in the original bill and inserting in lieu thereof the word "levying"; and further amend by striking out the word "and" in the third line of section three (3) of the original bill and inserting in lieu thereof the word "or."

**Adopted.**

Jepson of Woodbury moved to amend sections 1 and 2 by adding after the word "cities" in the first line of each of said sections the words "of the second class."

**Adopted.**

Mattes of Sac moved to amend by striking out the word "three" in the first line of section 1 and inserting the word "five" in lieu thereof; also, by striking out the word "three" in the third line of section 2 and inserting the word "five" in lieu thereof; also, by striking out the word "three" in the fifth line of section 3 and inserting the word "five" in lieu thereof.

**Lost.**

Mr. Hambleton of Mahaska 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, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Cheney, Christansen, Clary, Cobb, Colclo, Conn, Crose, Dashiell, DeLano, Dow, English, Flenniken, Freeman, Frudden, Greeley, Gregory, Hakes, Hambleton, Hanna, Harris, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Lamkin, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McNie, Maben, Manning, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Washburn, Weeks, Welden, Whiting, Wilson, Wise, Mr. Speaker—81.

**The nays were:**

Messrs. Doran, Geneva, Laird, Peet, Teter, Wright—6.



Absent or not voting:

Messrs. Chassell, Coburn, Cummings, Davie, Greene, Hart, Koontz, Langan, Lowrey, McDole, McElrath, Martin, Whitmer—13.

So the bill passed and the title was agreed to.

On motion of Stoltenberg of Scott, House file No. 183, a bill for an act amending section 2287 of the code in relation to the return of patients escaped from the hospitals for the insane, with report of committee recommending passage as amended was taken up, considered and the report of the committee, as amendment, adopted.

Mr. Stoltenberg moved the adoption of the following amendments recommended by the committee:

That the word "said" in the fifth line of section one (1) of said bill be stricken out and the words "such insane" be substituted therefor.

Adopted.

Mr. Stoltenberg 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, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cheney, Christianson, Clary, Cobb, Colclo, Crose, Cummings, Dashiell, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lundt, McAllister, McClurkin, McCreary, McCulloch, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Temple, Teter, Washburn, Weeks, Welden, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—86.

The nays were:

None.

**Absent or not voting:**

Messrs. Cassel, Chassell, Coburn, Conn, Davie, Greene, Koontz, Lister, Lowrey, McDole, McElrath, Pritchard, Teachout, Whitmer—14.

So the bill passed and the title was agreed to.

On motion of Whiting of Monona, the House adjourned until tomorrow morning at 9:30.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, March 4, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

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

Journal of Thursday, March 3d, was corrected and approved.

On request of Skinner of Union leave of absence was granted McDole of Jackson until tomorrow.

On request of Harris of Poweshiek leave of absence was granted Stanbery of Cerro Gordo until tomorrow.

PETITIONS AND MEMORIALS.

Kendall of Monroe presented petition of physicians of Monroe county asking for the establishment of a State sanatorium for the treatment of the tuberculosis poor.

Referred to committee on Public Health.

Kendall of Monroe presented petition of citizens of Grinnell relative to the state marshal bill.

Referred to committee on Suppression of Intemperance.

Greeley of Story presented petition of citizens of Story county relative to House file No. 7.

Referred to committee on Railroads and Commerce.

McAllister of Linn presented petition of citizens of Linn county relative to the repeal of the road law.

Referred to committee on Roads and Highways.

McAllister of Linn presented two petitions of citizens of Linn county asking that House file No. 7 be enacted.

Referred to committee on Railroads and Commerce

Teachout of Polk presented petition of physicians of Polk county asking for the establishment of a State sanatorium for the treatment of the tuberculosis poor.

Referred to committee on Public Health.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 204, a bill for an act to legalize certain actions of the board of supervisors of Crawford county, Iowa, relating to the purchase of land.

Also, Senate joint resolution No. 1, proposing to amend the constitution of the State of Iowa, so as to provide for biennial elections.

Also, Senate file No. 8, a bill for an act legalizing the resolutions passed by the city council of the city of Dubuque, Iowa, relating to the improvement of the streets and alleys in said city and legalizing the special assessments levied thereunder.

Also, Senate file No. 99, a bill for an act making an appropriation for the purchase of twenty-five thousand (25,000) Railroad Commissioners' official maps to be distributed by the members of the General Assembly and Railroad Commissioners.

Also, Senate file No. 157, a bill for an act relating to the bringing into any penitentiary, reformatory or industrial school of the State or into any buildings or grounds appurtenant thereto, of certain drugs, intoxicating liquors, weapons or articles designed to aid escapes.

H. L. SPAULDING,  
*Chairman House Committee.*

D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

INTRODUCTION OF BILLS.

By McCulloch of Wayne, House file No. 324, a bill for an act to legalize the official acts of Harry C. Wright, a notary public in and for Wayne county.

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

By Teter of Marion, House file No. 325, a bill for an act to legalize the incorporation of the town of Hamilton, Marion county, Iowa, the election of its officers, and ordinances passed and all official acts of the council of said town.

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

By Crose of Page, House file No. 326, a bill for an act to amend section 2576, chapter 17, title XII of the code, relating to State Board of Medical Examiners.

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

By Robinson of Emmet, House file No. 327, a bill for an act to amend section 1759 of the code supplement, relating to mutual fire, tornado and hail storm insurance companies.

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

By Teachout of Polk, House file No. 328, a bill for an act to amend section 852 of the supplement to the code, and sections 853 and 858 of the code, relating to park commissioners, their powers and duties.

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

By Teachout of Polk, House file No. 329, a bill for an act to amend section 560 of the code, relating to township clerk and trustees.

Read first and second time and referred to committee on County and Township Organization.

By Teachout of Polk, House file No. 330, a bill for an act to amend section 2261 of the code, relating to county commissioners of insanity.

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

Doran of Boone offered the following resolution:

WHEREAS, The Hon. Adoniram Judson Holmes of Boone, Iowa, an honored member of this House in the Nineteenth General Assembly and a gallant soldier in the war of the Rebellion, departed this life in January, 1902, therefore, be it

*Resolved*, That a committee of three be appointed to present resolutions commemorating his services to the State and Nation.

Laid over under rule 34.

Speaker announced that he had signed in the presence of the House the following bills: Senate joint resolution No. 1, Senate files No. 8, No. 99, No. 157, No. 204.

## SENATE MESSAGE CONSIDERED.

Senate file No. 215, a bill for an act making an appropriation to provide for an existing deficit in the contingent fund in the Supreme Court.

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

## BILLS ON THEIR PASSAGE.

On request of Mattes of Sac, unanimous consent having been given, House file No. 61, a bill for an act to appropriate money for the inspection of county and private institutions wherein insane persons are kept, with Senate amendments, was taken up and the amendments read and considered.

Mr. Mattes moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bealer, Bixby, Boland, Calderwood, Carden, Carstensen, Cheney, Clary, Cobb, Conn, Crose, DeLano, English, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lundt, McAllister, McCreary, McCulloch, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Pritchard, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stoltenberg, Summers, Teter, Washburn, Weeks, Welden, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—71.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Buchanan, Buckingham, Cassel, Chassell, Christianson, Coburn, Colclo, Cummings, Dashiell, Davie, Doran, Dow, Flenniken, Hollembeak, Koontz, Lister, Lowrey, McClurkin, McDole, McElrath, Peet, Prevo, Ritter, Springer, Stanbery, Teachout, Temple, Whitmer—29.

So the House concurred.

On motion of Mattes of Sac, by unanimous consent, House file No. 59, a bill for an act to prohibit shooting live birds from traps and providing a penalty for the violation thereof, with Senate substitute as amendment therefor, was taken up and the substitute amendment read and considered.

Mr. Mattes moved that the House concur in the Senate amendment.

On the question, Shall the House concur?

The yeas were:

Messrs. Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Cheney, Christianson, Clary, Cobb, Conn, Crose, Davie, DeLano, Doran, Dow, English, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lundt, McAllister, McClurkin, McCreary, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Summers, Washburn, Weeks, Welden, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—80.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Chassell, Coburn, Colclo, Cummings, Dashiell, Flenniken, Gregory, Hollebeak, Koontz, Lister, Lowrey, McCulloch, McDole, McElrath, Pritchard, Stanbery, Teachout, Temple, Teter, Whitmer—20.

Jepson of Woodbury called up his motion to reconsider the vote whereby House file No. 184 passed the House and passed to its third reading.

Motion prevailed.

Kendall of Monroe moved that the rule be suspended, that House file No. 184 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, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cheney, Christianson, Clary, Cobb, Colclo, Conn, Crose, Davie, DeLano, Doran, English, Freeman, Frudden, Geneva, Greeley, Greene Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Heles, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lundt, McAllister, McClurkin, McCreary, McCulloch, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Spaulding, Springer, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—82.

The nays were:

None.

Absent or not voting:

Messrs. Cassel, Chassell, Coburn, Cummings, Dashiell, Dow, Flenniken, Head, Hollembeak, Koontz, Lister, Lowrey, McDole, McElrath, Skinner, Stanberry, Temple, Whitmer—18.

So the bill passed and the title was agreed to.

On motion of Calderwood of Scott, House file No. 189, a bill for an act to repeal section 2477 of the code, relating to the expenses of the Bureau of Labor Statistics and to enact in lieu thereof the following, with report of committee recommending passage, was taken up and considered.

Calderwood of Scott, moved that the rule 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. Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cheney, Clary, Colclo, Crose, Dashiell, Doran, English, Flenniken, Frudden, Hakes, Hart, Hollembeak, Kendall, Kennedy, Lamkin, Langan, Leech, Lundt, McClurkin,



McNie, Manning, Mott, Nichols, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Willson, Wise, Wright, Mr. Speaker—48.

The nays were:

Messrs. Bailey, Bealer, Cassel, Christianson, Cobb, Conn, Davie, DeLano, Dow, Freeman, Geneva, Greene, Hambleton, Hanna, Harris, Head, Heles, Hume, Jacobson, Jepson, Jones, Kling, Laird, McAllister, McCreary, McCulloch, Martin, Mattes, Morris, Offill, Olson, Peet, Powers, Prevo, Sankey, Welden, Whiting, Wyland—38.

Absent or not voting:

Messrs. Chassell, Coburn, Cummings, Greeley, Gregorv, Koontz, Lister, Lowrey, McDole, McElrath, Maben, Pritchard, Stanbery, Whitmer—14.

So the bill, having failed to receive a constitutional majority, was declared lost.

Jepson of Woodbury called up his motion to reconsider the vote whereby House file No. 284 passed the House and the vote whereby it passed to its third reading.

Motion to reconsider prevailed.

Frudden of Dubuque moved that the rule be suspended, that House file No. 284 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, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cheney, Christianson, Clary, Cobb, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lundt, McAllister, McClurkin, McCreary, McCulloch, McNie, Maben, Manning, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard,

Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—85.

**The nays were:**

None.

**Absent or not voting:**

Messrs. Buckingham, Cassel, Chassell, Coburn, Cummings, Dow, Harris, Koontz, Lister, Lowrey, McDole, McElrath, Martin, Stanbery, Whitmer—15.

**So the bill passed and the title was agreed to.**

On motion of Skinner of Union, House file No. 221, a bill for an act to appropriate money for the use of the League of Iowa Municipalities and regulating the expenditure, with reports of committees recommending passage as amended, was taken up, considered, and the report of the Appropriations committee adopted.

Mr. Skinner moved the adoption of the following amendment recommended by the committee:

Amend by striking out the words "five thousand (5,000)" in the third line of the original bill and inserting in lieu thereof the words "four thousand (4,000)."

**Adopted.**

Head of Greene moved to amend by striking out the publication clause.

**Adopted.**

Head of Greene moved that the bill be indefinitely postponed.

Motion prevailed, and the bill was indefinitely postponed.

On motion of Hambleton of Mahaska, House file No. 214, a bill for an act to amend section 1 of chapter 20 of the acts of the Twenty-seventh General Assembly, relative to the levy on fire fund, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Mr. Hambleton moved to amend by striking out section I and substituting the following therefor:

That section seven hundred and sixteen-a (716-a) of the supplement to the code be amended by striking out the words "one mill" in the second line thereof and substituting the words "three mills" in lieu thereof.

Adopted.

Teter of Marion moved to amend by striking from the substitute for section I the word "three" and substituting therefor the word "two" immediately preceding the word "mills."

Adopted.

Kendall of Monroe moved to amend by adding thereto the following:

"But said levy shall be made only after the same shall have been submitted to a vote of the electors as provided in section seven hundred twenty-one (721) of the supplement to the code."

Adopted.

Head of Greene moved to amend by striking out the publication clause.

Adopted.

Teter of Marion moved that the bill be indefinitely postponed.

Teter of Marion and Hambleton of Mahaska demanded a roll call on the question to indefinitely postpone the bill.

The roll call resulted as follows:

The yeas were:

Messrs. Boland, Carstensen, Cheney, Christianson, Clary, Cobb, Colclo, Crose, Dashiell, Davie, DeLano, Doran, Freeman, Geneva, Greeley, Greene, Hakes, Harris, Head, Heles, Hollembeak, Jacobson, Jepson, Jones, Kendall, Laird, Lamkin, Langan, Leech, Lundt, McAllister, McCreary, McNie, Maben, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Spaulding, Summers, Teter, Washburn, Weeks, Welden, Wright, Wyland, Mr. Speaker—55.

The nays were:

Messrs. Bealer, Bixby, Buckingham, Calderwood, Carden, Cassel, Dow, Hambleton, Hart, Kling, McCurkin, McCulloch, Mattes, Teachout, Temp'e—15.

### Absent or not voting:

Messrs. Bailey, Buchanan, Chassell, Coburn, Conn, Cummings, English, Flenniken, Frudden, Gregory, Hanna, Hume, Kennedy, Koontz, Lister, Lowrey, McDole, McElrath, Manning, Martin, Saylor, Shaffer, Skinner, Springer, Stanbery, Stoltenberg, Whiting, Whitmer, Willson, Wise—30.

So the bill was indefinitely postponed.

Langan of Clinton offered the following resolution:

WHEREAS, The Twenty-ninth General Assembly appropriated the magnificent sum of a hundred and twenty-five thousand dollars to be expended at the Louisiana Purchase Exposition, to be held at St. Louis, and the Thirtieth General Assembly made an additional appropriation of twenty thousand dollars for the same purpose, all of which sums are to be expended under the direction of a non-partisan commission; and

WHEREAS, The Twenty-ninth General Assembly appropriated the sum of two hundred and fifty thousand dollars to be expended under the supervision of Capitol Improvement Commission; and

WHEREAS, Oftentimes most meritorious appropriations of small sums, to be expended wholly in the State, are necessarily deferred; and there has been more or less complaint on the part of many of our constituents on account of increased tax levy in the State of Iowa, occasioned, probably, in part, by these and other large appropriations, and, not denying the necessity and wisdom of the expenditures made under these commissions, which commissions are composed of men of business ability and integrity who are serving the State in the capacity of custodians with but meager, if any compensation; therefore,

*Be it Resolved*, That in justice to the members of the House of the Twenty-ninth and Thirtieth General Assemblies, the secretaries of said commissions make to this House of Representatives a detailed and itemized report of the expenditures made so far by said commissions, and the expenditures anticipated; also stating the names of the various persons on the pay roll, their salaries, the salaries of the secretaries and the duties of such secretaries, and what latitude is given such secretaries to transact the business of the commissions when said commissions are not in session, and whether the employment of the various people on the pay roll is made through merit, and if so, what examination is made as to the ability to perform their respective duties.

Laid over under rule 34.

Wyland of Shelby moved that the House adjourn until 9:30 A. M. tomorrow.

Kendall of Monroe moved to amend by making the hour 2 o'clock this afternoon.

Amendment adopted.

Original motion as amended prevailed and the House adjourned.

## AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Clarke in the chair.

Head of Greene moved that the House request of the Senate the return to the House of Senate file No. 200.

Motion prevailed.

Head of Greene asked unanimous consent to withdraw House file No. 158 from further consideration of the House.

Granted.

## BILLS ON THEIR PASSAGE.

On motion of Buckingham of Buena Vista, House file No. 44, a bill for an act to amend section 2340 of the code, relating to damage done by dogs, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Buckingham moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Cheney, Christainson, Clary, Cobb, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Head, Heles, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Lamkin, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Washburn, Weeks, Welden, Whiting, Willson, Wise, Wright—72.

The nays were:

Messrs. Hart, Laird, McNie, Prevo, Teter, Wyland, Mr. Speaker—7.

Absent or not voting:

Messrs. Calderwood, Carden, Carstensen, Cassel, Chassell, Coburn, Cummings, Flenniken, Hume, Koontz, Langan, Leech, Lowrey, McElrath, Powers, Pritchard, Ritter, Robinson, Sankey, Springer, Whitmer—21.

So the bill passed and the title was agreed to.

On motion of Weeks of Guthrie, House file No. 40, a bill for an act relating to highways and providing for the establishment of a State highway department, by the appointment of a State highway commissioner and assistant, and defining the powers and duties thereof, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Weeks of Guthrie moved that the rule 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. Bixby, Boland, Calderwood, Carstensen, Cheney, Christianson, Dow, English, Greene, Harris, Hart, Head, Hollembeak, Jacobson, Manning, Martin, Mattes, Olson, Robinson, Shaffer, Summers, Teachout, Temple, Weeks, Willson, Wise—26.

The nays were:

Messrs. Bailey, Bealer, Buchanan, Buckingham, Clary, Cobb, Colclo, Conn, Crose, Davie, DeLano, Doran, Freeman, Frudden, Gregory, Hambleton, Heles, Jones, Kendall, Kling, Laird, Larkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McCulloch, McDole, McNie, Maben, Morris, Mott, Nichols, Offill, Peet, Powers, Prevo, Ritter, Sankey, Saylor, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Washburn, Welden, Whiting, Wright, Wyland, Mr. Speaker—53.

**Absent or not voting:**

Messrs. Carden, Cassel, Chassell, Coburn, Cummings, Dashiell, Flenniken, Geneva, Greeley, Hakes, Hanna, Hume, Jepson, Kennedy, Koontz, Lowrey, McClurkin, McElrath, Pritchard, Teter, Whitmer—20.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Wise of Black Hawk, House file No. 305, a bill for an act requiring railway and other corporations owning real estate to report the same to the Executive Council for assessment, and amending section 1334 of the code, and chapter 58, acts of the Twenty-ninth General Assembly, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Wise moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carstensen, Cassel, Cheney, Christianson, Clary, Cobb, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Ofill, Olson, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanberv, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—90.

The nays were:

None.

Absent or not voting:

Messrs. Carden, Chassell, Coburn, Gregory, Hollembeak, Koontz, Lowrey, McElrath, Pritchard, Whitmer—10.

So the bill passed and the title was agreed to.

On motion of Wise of Black Hawk, House file No. 304, a bill for an act to repeal section 2078 of the code, and enact a substitute therefor, and providing for the classification of railways, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Wise moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carstensen, Cheney, Christianson, Clary, Cobb, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, English, Flenniken, Freeman, Frudden, Geneva, Greene, Gregory, Hambleton, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Starbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—84.

The nays were:

None.

Absent or not voting:

Messrs. Carden, Cassel, Chassell, Coburn, Cummings, Dow, Greeley, Hakes, Hanna, Koontz, Lister, Lowrey, McElrath, Peet, Pritchard, Whitmer—16.

So the bill passed and the title was agreed to.



## REPORT OF COMMITTEE.

English of Polk, from the committee on Insurance, submitted the following report:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 144, a bill for an act to provide for the examination 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 amended by the following substitute:

## SUBSTITUTE FOR HOUSE FILE NO. 144.

A BILL for an act to provide for the examination of Insurance companies.

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

Section 1. The Auditor of State may, at any time he may deem it advisable, make an examination of or inquire into the affairs of any insurance company authorized or seeking to be authorized to transact business within this state, provided that such examination shall not be less frequent than once during each biennial period.

Sec. 2. When any company is being examined, the officers, employes or agents thereof shall produce for inspection all books, documents, papers or other information concerning the affairs of such company, and shall otherwise assist in such examination so far as they can do. The Auditor of State, or his legally authorized representative in charge of the examination, shall have authority to administer oaths and take testimony bearing upon the affairs of any company under examination.

Sec. 3. For the purpose of carrying into effect the provisions of this act, the Auditor of State is hereby authorized to appoint an insurance examiner, who shall also be a competent actuary, who shall receive for his services a salary of two thousand dollars per year, and who, while conducting examinations, shall possess all the powers conferred upon the Auditor of State for such purposes. Said examiner shall give bond to the state conditioned upon the faithful performance of his duties, in the sum of five thousand dollars, which bond shall be filed with and approved by the Auditor of State. The entire time of the examiner shall be under the control of the Auditor of State, and shall be employed as he may direct. The Auditor of State may, when in his judgment it is advisable, appoint assistants to aid in making examinations. Such assistants shall receive as compensation for their services not to exceed five dollars per day each. Said examiner and assistants shall receive no other or further compensation than as above provided, except that they and the Auditor of State shall receive actual and necessary traveling, hotel and other expenses while engaged in conducting examinations away from their respective places of residence. Such expenses, together with the compensation of the assistants, shall be paid by the Treasurer of State, upon warrants drawn by the Auditor of State, bills for the same having first been approved by the Executive Council. Such bills shall be filed under oath of the party incurring the expense and shall be approved by the person in charge of the examination. The salary of the examiner shall be paid as are

the salaries of other employes of the Auditor's office. All bills for expenses of any examination, together with the compensation of the assistants, shall be charged to and paid by the companies examined, and upon failure or refusal of any company examined to pay such bill or bills, the same may be recovered in an action brought in the name of the State under the direction of the Executive Council, and the Auditor may also revoke the certificate of authority of such company to transact business within this State. All fees collected under the provisions of this chapter shall be paid to the Auditor of State and shall be by him turned into the state treasury as are other fees of his office.

Sec. 4. If upon investigation or examination, it shall appear that any company is insolvent or in an unsound condition, or is doing an illegal or unauthorized business, or that it has refused or neglected for more than thirty days to pay final judgment rendered against it in the courts of this state, the Auditor of State may suspend its authority to transact business within this state until it shall have complied in all respects with the laws applicable to such company or has paid such judgment, or he may revoke its certificate of authority to transact business within this state and having revoked the certificate of any company organized under the laws of this state, he shall at once report the same to the Attorney General, who shall apply to the district court or any judge thereof for the appointment of a receiver to close up the affairs of said company; provided, that in the case of companies organized on the stock plan under the provisions of chapter four, title IX of the code, the above named officers shall proceed as provided in sections seventeen hundred thirty-one (1731) and seventeen hundred thirty-two (1732) of the code; and in case of companies organized under the provisions of chapter six, title IX of the code, said officers shall proceed as provided in sections seventeen hundred seventy-seven (1777) and seventeen hundred seventy-eight (1778) of the code, and no receiver shall be appointed for any company contemplated by this chapter except upon application of the Attorney General, unless five days' notice shall have been served upon the Auditor of State and Attorney General, stating the time and place of the hearing of such application, at which time and place said officers shall have the right to appear and be heard as to such application and appointment.

The results of any examination shall be published in one or more newspapers of the state or in pamphlet form, when in the opinion of the Auditor of State the interests of the public require it.

Sec. 5. Any transfer of stock of any company, pending an investigation, shall not release the party making the transfer from any liability for losses that may have occurred previous to such transfer.

Sec. 6. Any officer, manager, agent or representative of any insurance company contemplated by this act, who, with knowledge that its certificate of authority has been suspended or revoked, or that it is insolvent, or is doing an unlawful or unauthorized business, solicits insurance for said company, or receives applications therefor, or does any other act or thing toward receiving or procuring any new business for said company, shall be deemed guilty of a misdemeanor and shall be subject to the penalties provided in section eighteen hundred fourteen (1814) of the code and the provisions of said section are hereby extended to all companies contemplated by this act.

Sec. 7. Should any company decline or refuse to submit to an examination as in this act provided, the Auditor of State shall at once revoke its certificate of authority, and if such company is organized under the laws of this state, he shall report his action to the Attorney General, who shall at once apply to the district court or a judge thereof for the appointment of a receiver to wind up the affairs of the company.

Sec. 8. Examination of insurance companies not located within this state shall only be made by order of the Executive Council, and at such time as it may direct.

Sec. 9. The word "company" as used in this act shall mean all companies or associations organized under the provisions of chapters four, five, six, seven or eight of title IX of the code, except county mutuals, and all companies or associations admitted or seeking to be admitted to this state under the provisions of any of the chapters herein referred to.

Sec. 10. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

Sec. 11. This act, being deemed of immediate importance, shall take effect and be in force from and after the date of its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa.

And when so amended that the same do pass.

EMORY H. ENGLISH,  
*Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By committee on Insurance, House file No. 331, a bill for an act to provide for the examination of fraternal beneficiary associations.

Read first and second time, ordered passed on file and printed in the Journal.

#### HOUSE FILE NO. 331.

A BILL for an act to provide for the examination of fraternal beneficiary associations.

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

Section 1. The term "association" when used in this act shall mean any society, order or association organized or authorized under the provisions of chapter 9 of title IX of the code.

Sec. 2. The Auditor of State may, at any time he may deem it advisable, either in person or by his legally appointed representative, make an examination of or inquire into the affairs of any fraternal beneficiary association authorized or seeking to be authorized to transact business within this State, provided the examination of associations organized under the laws of this State shall not be less frequent than once during each biennial period.

To aid in making such examination the Auditor of State may appoint such assistants as may be necessary, each of whom shall receive as compensation for his services not to exceed five dollars per day.

Sec. 3. When an association is being examined, the officers, agents or employees thereof shall produce for inspection all books, papers, documents or other information concerning the affairs of the association and shall otherwise assist in the examination. The Auditor of State or examiner shall have authority to administer oaths, and may summon and examine under oath any officer, employe, representative or agent of any association concerning its affairs or condition.

Sec. 4. If upon investigation or examination it shall appear to the satisfaction of the Auditor of State that any association is doing an illegal or unauthorized business, or is failing to fulfill its contracts with its members, or is conducting its business fraudulently, or if its membership or the amount of its insurance in force has been reduced below the legal requirement, or should any association decline or refuse to submit to an examination, the Auditor of State may suspend or revoke its certificate of authority to transact business within this State, and having revoked the certificate of authority of any association organized under the laws of this State, he shall at once report the same to the Attorney General, who shall apply to the district court or any judge thereof for the appointment of a receiver to wind up the affairs of such association.

Sec. 5. In addition to the compensation of the assistants provided for in section two (2) of this act, the Auditor or examiner and assistants shall be entitled to actual and necessary traveling, hotel and other expenses while conducting examinations away from their respective places of residence, the same to be paid by the Treasurer of State upon warrants drawn by the Auditor of State, bills therefor having been filed under oath and approved by the Executive Council. Such expense and compensation shall, by the Auditor of State, be charged to and collected from the associations examined, and should any association neglect or refuse to pay the same, the Auditor of State shall at once revoke its certificate of authority to transact business within this State.

Sec. 6. Any officer, manager, agent or representative of any association who with knowledge that its certificates of authority has been suspended or revoked or that it is doing an illegal, unauthorized or fraudulent business, solicits insurance for said association or receives applications therefor, or does any other act or thing toward receiving or procuring any new business for said association, shall be deemed guilty of a misdemeanor and for every such act, on conviction thereof, shall pay a fine of not less than one hundred nor more than one thousand dollars, or be imprisoned in the county jail not more than one year, or be punished by both such fine and imprisonment.

Sec. 7. This act, being deemed of immediate importance, shall take effect and be in force from and after the date of its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa.

By Doran of Boone, House file 332, a bill for an act defining the duties of railroad companies in the shipment and transportation of live stock.

Read first and second time and referred to committee on Railroads and Commerce.

■ Head of Greene asked unanimous consent to suspend rule 32 which prohibits the motion to reconsider being filed later than the day succeeding the time of passage, so that a motion to reconsider might be filed at this time.

Unanimously granted.

MOTIONS TO RECONSIDER.

The following motions to reconsider were filed:

MR. SPEAKER—I move a reconsideration of the vote by which Senate file No. 200 passed the House and the vote by which it passed to its third reading.

MAHLON HEAD.

I second the motion,

N. E. KENDALL.

MR. SPEAKER—I move to reconsider the vote whereby House file No. 189 passed to its third reading and the vote by which it was lost.

A. F. N. HAMBLETON.

I second the motion.

R. J. MARTIN.

On motion of McNie of Benton the House adjourned until 9:30 A. M. tomorrow.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, March 5, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. C. H. Mendenhall of Buxton, Iowa.

Journal of Thursday, March 3rd, was corrected and approved.

On request of Wyland of Shelby leave of absence was granted Welden of Hardin until Tuesday.

On request of Crose of Page leave of absence was granted Hambleton of Mahaska until Monday.

On request of Nichols of Muscatine leave of absence was granted Cobb of Taylor until Monday.

On request of Spaulding of Howard leave of absence was granted Hume of Mitchell until Monday.

On request of Robinson of Emmett leave of absence was granted Pritchard of Wright until Monday on account of sickness.

On request of Gregory of Adams leave of absence was granted Leech of Cedar until Monday.

On request of Langan of Clinton leave of absence was granted Carstensen of Clinton until Wednesday.

On request leave of absence was granted Buchanan of Wapello until Monday.

On request leave of absence was granted Jones of Montgomery until Monday.

On request of Prevo of Davis leave of absence was granted McCreary of Appanoose until Tuesday.

## PETITIONS AND MEMORIALS.

Manning of Lucas presented petition of voters of Lucas county relative to State marshal bill.

Referred to committee on Suppression of Intemperance.

Bailey of Ringgold presented petition of citizens of Diagonal, Iowa, relative to House file No. 7.

Referred to committee on Railroads and Commerce.

Olson of Worth presented petition of physicians of Worth county relative to sanatorium for tuberculosis poor.

Referred to committee on Public Health.

Harris of Póweskiek presented petition of churches of Sioux City.

Referred to committee on Suppression of Intemperance.

Wise of Black Hawk presented petition of churches of Black Hawk county relative to Sabbath observance.

Referred to committee on Police Regulations.

## REPORTS OF COMMITTEES.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 217, a bill for an act defining the duties and powers of the Secretary of State with reference to the State documents and other State publications, and amending section one hundred twenty-six (126) 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

**Also:**

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 316, a bill for an act repealing chapter 18, title XXI of the code, and enacting a substitute therefor, relative to change of names, beg leave to report that they have 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 "chapter" in line one of section 1, the word "eighteen" and after the word "title" in the same line and section the word "twenty-one," and that when so amended the same do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 330, a bill for an act to amend section twenty-two hundred sixty-one (2261) of the code, relating to county 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 be indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

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. 74, a bill for an act to require common carriers of persons to provide bulletin boards in all passenger depots, and to keep posted thereon the belated trains and the approximate time of their arrival, beg leave to report that they have 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.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Railroads and Commerce, to whom was referred House file No. 7, a bill for an act to define the duties of railroad companies in the shipment of live 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 be indefinitely postponed.

C. A. WISE,  
*Chairman.*

Wise of Black Hawk moved that the report of the committee be adopted.

Lundt of Tama and DeLano of Cass demanded a roll call on the question of the adoption of the report of the committee on House file No. 7.

The roll call resulted as follows:

The yeas were:

Messrs. Bealer, Buckingham, Calderwood, Carden, Cassel, Cheney, Christianson, Dow, English, Flenniken, Frudden,



Greeley, Hart, Jacobson, Jepson, Kennedy, McClurkin, McDole, Manning, Martin, Mattes, Nichols, Olson, Ritter, Robinson, Saylor, Shaffer, Skinner, Stoltenberg, Summers, Teachout, Temple, Washburn, Weeks, Wise, Mr. Speaker—36.

The nays were:

Messrs. Bailey, Boland, Coburn, Colclo, Dashiell, Davie, DeLano, Doran, Freeman, Geneva, Gregory, Hakes, Hanna, Harris, Head, Heles, Hollemeak, Kendall, Kling, Laird, Langan, Lundt, McAllister, Maben, Mott, Offill, Peet, Prevo, Sankey, Teter, Whitmer, Willson, Wright—33.

Absent or not voting:

Messrs. Bixby, Buchanan, Carstensen, Chassell, Clary, Cobb, Conn, Crose, Cummings, Greene, Hambleton, Hume, Jones, Koontz, Lamkin, Leech, Lister, Lowrey, McCreary, McCulloch, McElrath, McNie, Morris, Powers, Pritchard, Spaulding, Springer, Stanbery, Welden, Wyland—31.

So the report was adopted and the bill was indefinitely postponed.

Bailey of Ringgold, 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. 255, a bill for an act relating to road-tax, and amending sections thirteen hundred eighty-three (1383), and fifteen hundred thirty-three (1533), 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.

M. Z. BAILEY,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House file No. 95, a bill for an act to amend section fifteen hundred and thirty-eight (1538) title VIII (8), chapter two (2) of the code, relating to the compensation 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 be indefinitely postponed.

M. Z. BAILEY,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Leech of Cedar, from the committee on Public Health, submitted the following report.

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 259, a bill for an act to amend section two thousand five hundred and eighty-two (2582) of the code, and provide for registering without examination, physicians registered 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.

L. J. LEECH,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 260, a bill for an act to amend section twenty-five hundred and sixty-four (2564) of the code, as amended by section twenty-five hundred and sixty-four (2564) of the code supplement, relating to appointment of physicians on 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.

L. J. LEECH,  
*Chairman.*

Adopted.

Kennedy of Lee, from the committee on Judicial Districts, submitted the following report:

MR. SPEAKER—Your committee on Judicial Districts, to whom was referred House file No. 107, a bill for an act to amend section two hundred twenty-seven (227) of the supplement to the code, relating to the judicial 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 inserting in the tenth line of the bill after the word "Washington" the words "Jefferson and Van Buren" and in the same line strike out the word "three (3)" and insert the word "four (4)" and further amend the bill by inserting at the end of the thirteenth line the following: said section shall further be amended by striking out of the fifth line of section 227 of the code the words "Jefferson and Van Buren" and out of the fourteenth line the word "Washington", and by striking out of said line the word "four (4)" and inserting the word "three (3)" in lieu thereof, and that when so amended the same do pass.

C. A. KENNEDY,  
*Chairman.*

Ordered passed on file.

Freeman of Pottawattamie, from the committee on Public Charities, submitted the following report:

MR. SPEAKER—Your committee on Public Charities, to whom was referred House file No. 306, a bill for an act to amend chapter 133 of the acts of the Twenty-ninth General Assembly, relating to 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 do pass.

W. H. FREEMAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Public Charities, to whom was referred House file No. 315, a bill for an act to amend section twenty-two hundred and thirty-two (2232) of the code, relative to county expense, beg leave to report that they 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. H. FREEMAN,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on Public Charities, to whom was referred Senate file No. 64, a bill for an act relating to the investigation of complaints as to the management and treatment of inmates of county and private institutions in which insane persons are kept, and of children cared for by associations and societies contemplated by section 10 of chapter 133 of the acts of the Twenty-ninth 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.

W. H. FREEMAN,  
*Chairman.*

Adopted.

#### INTRODUCTION OF BILLS.

By Wright of Webster, House file No. 333, a bill for an act requiring common carriers to make joint tariff rates on live stock transported to slaughter houses.

Read first and second time and referred to committee on Judiciary

By Skinner of Union (by request), House file No. 334, a bill for an act to appropriate the sum of six thousand dollars (\$6,000) for the relief of Ernest L. Ireland, on account of injuries received while in the employ of the State of Iowa, in the construction of a State building, and directing the manner of payment of such appropriation.

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

By Flenniken of Clayton, House file No. 335, a bill for an act to legalize certain actions of the board of supervisors of Clayton county, Iowa, relating to the purchase of land.

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

By Olson of Worth, House file No. 336, a bill for an act to legalize the acts and proceedings of the Brookfield Creamery Association of Worth county, Iowa, and legalize the title to the real estate acquired by such creamery association, and to authorize its incorporation under the provisions of chapter one (1), of title IX (9), of the code, and of the supplement to the code.

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

By Crose of Page, House file No. 337, a bill for an act to amend section thirty-one hundred and forty-one (3141), chapter one (1), title XIV (14), of the code, relating to the granting of marriage licenses, and regulating the granting of such licenses to persons who have obtained decree of divorce.

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

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 59, a bill for an act for the protection of live birds, and providing penalties for the violation thereof.

Also, House file No. 61, a bill for an act to appropriate money for the inspection of county and private institutions wherein insane persons are kept.

Also, House file No. 102, a bill for an act to protect employees in garnishment cases.

Also, House file No. 112, a bill for an act making an appropriation for relief of the Iowa National Guard.

Also, House file No. 193, a bill for an act to amend section three thousand six hundred fifty-six (3656) of the code, relating to the time of trying appeal cases in contested elections.

Also, House file No. 222, a bill for an act defining the duties of clerks of district courts in cases of suspension or revocation of the license of an attorney or counsellor at law to practice, amendatory of chapter ten (10) title III (3) of the code.

Also, House file No. 235, a bill for an act for the relief of the grantees of Charles M. Downs, and for the purpose of having a patent issued in the name of George S. Stall and Frances E. Stall for a certain tract of land.

Also, House file No. 244, a bill for an act to repeal the law relating to the amendment and repeal of statutes, which appears as chapter two (2), of the laws of the Twenty-seventh General Assembly, and as section forty-one-a (41-a), of the supplement to the code, and to enact a substitute therefor.

Also, House joint resolution No. 4, relative to the duties of the Commissioner of the Bureau of Labor Statistics.

H. L. SPAULDING,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 59, a bill for an act for the protection of live birds, and providing penalties for the violation thereof.

Also, House file No. 61, a bill for an act to appropriate money for the inspection of county and private institutions wherein insane persons are kept.

Also, House file No. 102, a bill for an act to protect employes in garnishment cases.

Also, House file No. 112, a bill for an act making an appropriation for relief of the Iowa National Guard.

Also, House file No. 193, a bill for an act to amend section three thousand six hundred fifty-six (3656) of the code, relating to the time of trying appeal cases in contested elections.

Also, House file No. 222, a bill for an act defining the duties of clerks of district courts in cases of suspension or revocation of the license of an attorney or counsellor at law to practice, amendatory of chapter ten (10), title III (3) of the code.

Also, House file No. 235, a bill for an act for the relief of the grantees of Charles M. Downs, and for the purpose of having a patent issued in the name of George S. Stall and Frances E. Stall for a certain tract of land.

Also, House file No. 244, a bill for an act to repeal the law relating to the amendment and repeal of statutes, which appears as chapter two (2), of the laws of the Twenty-seventh General Assembly, and as section forty-one-a (41-a), of the supplement to the code, and to enact a substitute therefor.

Also, House joint resolution No. 4, relative to the duties of the commissioner of the bureau of labor statistics.

H. L. SPAULDING,  
*Chairman House Committee.*  
D. W. TURNER,  
*Chairman Senate Committee.*

### 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 bill in which the concurrence of the House asked:

Senate file No. 279, a bill for an act appropriating annually \$750 to assist in defraying the expenses of the headquarters, department of Iowa, Grand Army of the Republic, at Des Moines, Iowa.

GEO. A. NEWMAN,  
*Secretary.*

Speaker announced that he had signed in the presence of the House the following bills: House files No. 102, No. 112, No. 61, No. 193, No. 222, No. 244, No. 235, No. 59, House joint resolution No. 4.

Skinner of Union offered the following concurrent resolution and moved that the rule be suspended and the resolution be adopted:

WHEREAS, On the 3d day of September, 1863, there occurred the hardest conflict between white soldiers of the War of the Rebellion and rebellious Indians of the northwestern outbreak of that year, which said battle was fought at the locality known as White Stone Hill within the present limits of Dickey county, North Dakota, and

WHEREAS, The white troops engaged in said battle consisted of the Sixth Iowa Volunteer Cavalry, a portion of the Seventh Iowa Volunteer Cavalry and the Second Nebraska Cavalry, under the command of Brigadier-general Alfred Sully, of which troops more than one hundred (100) men were killed or wounded in said fight, and

WHEREAS, No provision has ever been made for commemorating the said fight by dedication of the grounds where same took place or the erec-

tion of a monument or other memorial thereon, and nothing has ever been done to protect and permanently mark the graves of the Iowa soldiers who were killed in such fight and buried upon the battlefield, and

WHEREAS, There is now pending in the Congress of the United States a bill by Representative Marshall of North Dakota, providing and setting aside the said battle field for a public park and making an appropriation for the improvement thereof, and the marking and care of the graves of the soldiers killed and buried upon such battle field, therefore,

*Be it resolved by the House of Representatives of the thirtieth General Assembly of Iowa, the Senate of such Assembly concurring*, That the said bill be heartily endorsed and the passage thereof urged, and that the Senators and Representatives of the State of Iowa be urged to exert their influence to secure the passage of said bill.

Adopted.

#### BILLS ON THEIR PASSAGE.

On motion of Hart of Allamakee, House file No. 309, a bill for an act to amend section 3474 of the supplement to the code by repealing a portion thereof, and for the enactment of a new section additional to and amendatory of chapter 4, title XVIII of the code, and of the supplement to the code, relative to place of bringing suit upon official and judicial bonds, with report of committee recommending passage as amended by substitute, was taken up, substitute amendment read and considered and the report of the committee adopted.

Mr. Hart moved the adoption of the following substitute amendment recommended by the committee:

A BILL for an act to repeal section thirty-four hundred ninety-four (3494) of the code and of the code supplement, and to enact a substitute therefor, relating to the place of bringing certain actions.

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

Section 1. That section 3494 of the code and of the code supplement be and the same is hereby repealed and re-enacted to read as follows:

“Actions for the following causes must be brought in the county where the cause, or some part thereof arose:

1. Those for the recovery of a fine, penalty or forfeiture imposed by the statute; but when the offense for which the claim is made was committed on a water course or road which is the boundary of two counties, the action may be brought in either of them.

2. Those against a public officer or person specially appointed to execute his duties, for an act done by him in virtue or under color of his office, or against one who by his command or in his aid shall do anything touching the duties of such officer, or for neglect of official duty.

3. Actions upon official bonds, or bonds or undertakings given in any probate or court proceedings, or required by law to be given to, or filed with any public or court official other than in the supreme court, may be brought in the county of defendant's residence or in which defendant has an office or agency, from, through or by application to which said bond was obtained, or in the district court of the county where such bond or undertaking was filed or delivered, as the case may be. Actions upon bonds or undertakings given in the supreme court may be brought in the county of defendant's residence, or where such office or agency, as above referred to, is located, or in the district court of the county from which the appeal was taken, in which such bond or undertaking was given. Any stipulation contained in any such bond or undertaking, contrary to the provisions of this section shall be void."

Adopted.

Kendall of Monroe moved to amend by inserting the figures "3494" immediately preceding the words "three thousand four hundred and ninety-four" and that the figures be placed in parentheses.

Adopted.

Mr. Hart moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buckingham, Calderwood, Carden, Cassel, Cheney, Christianson, Clary, Coburn, Colclo, Conn, Crose, Dashiell, Davie, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greene, Gregory, Hakes, Hanna, Harris, Hart, Head, Heles, Hollembeak, Jacobson, Jepsen, Kendall, Kennedy, Kling, Laird, Langan, Lundt, McAlister, McClurkin, McCulloch, McDole, McNie, Maben, Manning, Martin, Mattes, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Teachout, Teter, Washburn, Weeks, Whiting, Whitmer, Willson, Wright, Wyland, Mr. Speaker—76.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Carstensen, Chassell, Cobb, Cummings, DeLano, Greeley, Hambleton, Hume, Jones, Koontz, Lamkin,



Leech, Lister, Lowrey, McCreary, McElrath, Morris, Pritchard, Springer, Summers, Temple, Welden, Wise—24.

So the bill passed and the title was agreed to.

On motion of Bealer of Linn, House file No. 307, a bill for an act authorizing the Executive Council to sell the property known as the "State Square," being block 27 in Stewart's addition to the city of Des Moines, Iowa, and use the proceeds of the sale in the purchase of other property, 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, 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, Bealer, Bixby, Boland, Buckingham, Calderwood, Carden, Cassel, Cheney, Christianson, Clary, Coburn, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Frudden, Geneva, Greene, Gregory, Hakes, Hanna, Harris, Head, Heles, Hollembeak, Jacobson, Jepson, Kennedy, Kling, Laird, Langan, Lundt, McAllister, McCulloch, McDole, McNie, Maben, Manning, Martin, Mattes, Mott, Nichols, Offill, Olson, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—72.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Carstensen, Chassell, Cobb, Colclo, Cummings, Freeman, Greeley, Hambleton, Hart, Hume, Jones, Kendall Koontz, Lamkin, Leech, Lister, Lowrey, McClurkin, McCreary, McElrath, Morris, Peet, Pritchard, Saylor, Springer, Weeks, Welden—28.

So the bill passed and the title was agreed to.

On motion of English of Polk, House file No. 226, a bill for an act to repeal section 1832 of the code, as amended by chapter 47, acts of the Twenty-seventh General Assembly, and providing a

substitute therefor, 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, 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, Bealer, Bixby, Boland, Buckingham, Carden, Cassel, Cheney, Clary, Coburn, Colclo, Conn, Crose, Dashiell, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Gregory, Hanna, Harris, Hart, Head, Heles, Hollembeak, Jacobson, Jepson, Kendall, Kennedy, Kling, Laird, Langan, Lundt, McAllister, McClurkin, McCulloch, McNie, Maben, Manning, Martin, Mattes, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Ritter, Robinson, Saylor, Shaffer, Spaulding, Stanbery, Summers, Teachout, Temple, Teter, Washburn, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—69.

The nays were:

Messrs. Calderwood, Christianson—2.

Absent or not voting:

Messrs. Buchanan, Carstensen, Chassell, Cobb, Cummings, Davie, Greeley, Greene, Hakes, Hambleton, Hume, Jones, Koontz, Lamkin, Leech, Lister, Lowrey, McCreary, McDole, McElrath, Morris, Pritchard, Sankey, Skinner, Springer, Stoltenberg, Weeks, Welden, Willson—29.

So the bill passed.

English moved to amend the title by inserting after the word "Assembly" the words "relating to beneficiary associations."

Adopted.

Title as amended agreed to.

On motion of Mattes of Sac, House file No. 322, being a bill by committee on Appropriations, a bill for an act to appropriate money to pay for metal shelving in the new storage building, was taken up and considered.

Mr. Mattes moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buckingham, Calderwood, Carden, Cheney, Christianson, Clary, Coburn, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greene, Gregory, Hakes, Hanna, Harris, Hart, Head, Hollembeak, Jacobson, Jepson, Kendall, Kennedy, Kling, Laird, Langan, Lundt, McAllister, McClurkin, McCulloch, McNie, Maben, Manning, Martin, Mattes, Mott, Nichols, Ofill, Olson, Peet, Powers, Prevo, Ritter, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Teachout, Temple, Washburn, Whiting, Whitmer, Willson, Wise, Wright, Mr. Speaker—72.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Carstensen, Cassel, Chassell, Cobb, Cummings, Greeley, Hambleton, Heles, Hume, Jones, Koontz, Lamkin, Leech, Lister, Lowrey, McCreary, McDole, McElrath, Morris, Pritchard, Robinson, Springer, Summers, Teter, Weeks, Welden, Wyland—28.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, Senate file No. 217, a bill for an act defining the duties and powers of the Secretary of State with reference to the State documents and other State publications, and amending section 126 of the code, with report of committee recommending passage was taken up, considered and the report of the committee adopted.

Mr. Kendall moved to amend by striking out the word "that," the first word in the first line.

Adopted.

Mr. Kendall moved that the rule 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, Bealer, Bixby, Boland, Buckingham, Calderwood, Carden, Cassel, Cheney, Christianson, Clary, Coburn, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, Flenniken, Freeman, Frudden, Geneva, Greene, Gregory, Hanna, Hart, Head, Heles, Hollembeak, Jacobson, Jepson, Kendall, Kling, Laird, Langan, Lundt, McAllister, McClurkin, McCulloch, McNie, Maben, Manning, Martin, Mattes, Mott, Nichols, Offill, Olson, Peet, Powers, Ritter, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Teachout, Temple, Teter, Washburn, Whiting, Whitmer, Willson, Wise, Wright, Wyland  
Mr. Speaker—71.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Carstensen, Chassell, Cobb, Cummings, English, Greeley, Hakes, Hambleton, Harris, Hume, Jones, Kennedy, Koontz, Lamkin, Leech, Lister, Lowrey, McCreary, McDole, McElrath, Morris, Prevo, Pritchard, Robinson, Springer, Summers, Weeks, Welden—28.

So the bill passed and the title was agreed to.

On motion of Teachout of Polk, House file No. 306, a bill for an act to amend chapter 133 of the acts of the Twenty-ninth General Assembly, relating to friendless children, with report of committee recommending passage, was taken up and considered.

Mr. Teachout moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buckingham, Calderwood, Carden, Cheney, Clary, Coburn, Conn, Crose, Dashiell, Davie, Doran, Dow, Flenniken, Freeman, Frudden, Geneva, Greene, Gregory, Hanna, Hart, Head, Heles, Hollembeak, Jacobson, Jepson, Kendall, Kling, Laird, Leech, Lundt, McAllister, McCulloch, McNie, Maben, Manning, Martin, Mattes, Mott, Nichols, Offill, Olson, Powers, Prevo, Ritter, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—66.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Carstensen, Cassel, Chassell, Christianson, Cobb, Colclo, Cummings, DeLano, English, Greeley, Hakes, Hambleton, Harris, Hume, Jones, Kennedy, Koontz, Lamkin, Langan, Lister, Lowrey, McClurkin, McCreary, McDole, McElrath, Morris, Peet, Pritchard, Robinson, Saylor, Springer, Weeks, Welden—34.

So the bill passed.

Wright of Webster moved to amend the title by inserting after the word "chapter" the words "one hundred and thirty-three" and placing the figures "133" in parentheses.

Adopted.

Title as amended agreed to.

On request of Whitmer of O'Brien leave of absence was granted Morris of Sioux until Tuesday.

On request of Conn of Butler leave of absence was granted Lister of Grundy and Lamkin of Lyon until Tuesday.

On request leave of absence was granted McAllister of Linn until Tuesday.

#### 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 herewith returns Senate file No. 200, as requested by the House, and also enrolled copy of same.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Crose of Page the House adjourned until 2 o'clock P.M. Monday.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Iowa, March 7, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. G. J. Nixon of Imogene, Iowa.

Journal of Saturday, March 5th, was corrected and approved.

On request of Robinson of Emmet leave of absence was granted Pritchard of Wright today.

On request of Cheney of Clay leave of absence was granted Buckingham of Buena Vista indefinitely on account of sickness.

On request of Jackson of Winneshiek leave of absence was granted Olson of Worth until Tuesday.

PETITIONS AND MEMORIALS.

Nichols of Muscatine presented petition of citizens of Muscatine county relative to woman suffrage.

Referred to committee on Woman Suffrage.

Kling of Harrison presented petition of citizens of Little Sioux, Harrison county, relative to establishing a woman's reformatory at Knoxville, Iowa.

Referred to committee on Public Charities.

Kling of Harrison presented two petitions of citizens of Harrison county regarding Sabbath observance.

Referred to committee on Public Regulations.

Doran of Boone presented petition from citizens of Boone regarding the gypsum mines.

Referred to committee on Mines and Mining.

Doran of Boone presented petition from citizens of Boone county relative to woman suffrage.

Referred to committee on Woman Suffrage.

Doran of Boone presented petition of citizens of Boone county relative to breach of Sabbath.

Referred to committee on Police Regulations.

Jepson of Woodbury presented petition of citizens of Woodbury county relative to House files No. 23, No. 240 and No. 98.

Referred to committee on Appropriations.

Kling of Harrison presented two petitions of the citizens of Harrison county relative to woman suffrage.

Referred to committee on Woman Suffrage.

Kling of Harrison presented two petitions of citizens of Harrison county relative to woman's reformatory.

Referred to committee on Public Charities.

Bixby of Delaware presented petition of physicians of Delaware county relative to establishing sanatorium for the treatment of the tuberculosis poor.

Referred to committee on Public Health.

Buchanan of Wapello asked unanimous consent to withdraw House file No. 188 from the committee on Municipal Corporations.

Granted.

#### REPORTS OF COMMITTEES.

Jepson of Woodbury, 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. 320, a bill for an act to amend section twenty-seven hundred and seventy-one (2771) of the code, in relation to filling vacancies in school offices, beg leave to report that they have 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. N. JEPSON,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

**Also:**

MR. SPEAKER—Your committee on Schools and Text-Books, to whom was referred House file No. 109, a bill for an act repealing chapter eighty-five (85) acts of the Twenty-seventh General Assembly of the State of Iowa, and section twenty-seven hundred and thirty-four (2734) of the code and enacting a substitute therefor, relating to the qualifications of county superintendents, also Senate committee substitute as amendment to Senate file No. 109, beg leave to report that they have 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. N. JEPSON,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

**Also:**

MR. SPEAKER—Your committee on Schools and Text-Books to whom was referred House file No. 224, a bill for an act repealing chapter eighty-five (85) of the acts of the Twenty-seventh General Assembly of the State of Iowa, and section twenty-seven hundred and thirty-four (2734) of the code, and enacting a substitute therefor, relating to the qualifications 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 be indefinitely postponed.

C. N. JEPSON,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 59, a bill for an act for the protection of live birds, and providing penalties for the violation thereof.

Also, House file No. 61, a bill for an act to appropriate money for the inspection of county and private institutions wherein insane persons are kept.

Also, House file No. 102, a bill for an act to protect employes in garnishment cases.

Also, House file No. 112, a bill for an act making an appropriation for relief of the Iowa National Guard.

Also, House file No. 193, a bill for an act to amend section three thousand six hundred and fifty-six (3656) of the code, relating to the time of trying appeal cases in contested elections.

Also, House file No. 222, a bill for an act defining the duties of clerks of district courts in cases of suspension or revocation of the license of an attorney or counsellor at law to practice, amendatory of chapter ten (10) title III (3) of the code.

Also, House file No. 235, a bill for an act for the relief of the grantees of Charles M. Downs, and for the purpose of having a patent issued in the name of George S. Stall and Frances E. Stall for a certain tract of land.

Also, House file No. 244, a bill for an act to repeal the law relating to the amendment and repeal of statutes, which appears as chapter two (2) of the laws of the Twenty-seventh (27th) General Assembly, and as section forty-one-a (41-a) of the supplement to the code, and to enact a substitute therefor.



Also, House joint resolution No. 4, relative to the duties of the commissioner of the Bureau of Labor Statistics.

H. L. SPAULDING,  
*Chairman.*

Adopted.

INTRODUCTION OF BILLS.

By Powers of Floyd, House file No. 338, a bill for an act to amend section twenty-two hundred and ninety-seven (2297) of the code, making certain persons liable for the support of insane relatives.

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

By Cummings of Marshall, House file No. 339, a bill for an act to authorize the city of Marshalltown to construct and maintain a sewer through land of the State used by the Iowa Soldiers' Home.

Read first and second time and referred to committee on Soldiers' and Orphans' Home.

By Cummings of Marshall, House file No. 340, a bill for an act to provide for the payment of costs and expenses which accrue from the care and investigation of persons found to be insane in counties in which they do not have a legal settlement.

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

By Cassel of Jefferson, House file No. 341, a bill for an act to provide for the erection, control and supervision of fire escapes to public buildings.

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

By Lundt of Tama, House file No. 342, a bill for an act to amend section twenty-one hundred and sixteen (2116) of the code, in relation to the duty of railroads to transport.

Read first and second time and referred to committee on Railroads and Commerce.

By Lundt of Tama, by request, House file No. 343, a bill for an act to amend section twenty-two hundred and sixty-one (2261) of the code, relating to county commissioners of insanity.

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

By Lundt of Tama, House file 344, a bill for an act to amend section four hundred and sixty-nine (469) of the code in relation to the compensation of the boards of supervisors.

Read first and second time and referred to committee on Compensation of Public Officers.

By Buchanan of Wapello, House file No. 345, a bill for an act to regulate civil service in certain cities of the first and second class.

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

By Cheney of Clay, House file No. 346, a bill for an act to amend section one thousand five hundred and thirty-three (1533) of the supplement to the code in relation to the duties of township trustees.

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

Greeley of Story, by request of the Commercial Club of Ames, invited the members of the Thirtieth General Assembly and their families to visit the State College located there on the afternoon of Wednesday, March 9, 1904. Transportation and lunch free.

On motion of Robinson of Emmet the invitation was accepted

Kendall of Monroe introduced the following concurrent resolution and moved that the rule be suspended and the resolution be adopted:

WHEREAS, John H. Merrill, one of the elevator conductors heretofore employed, has tendered his resignation; therefore

*Resolved*, by the House, the Senate concurring, that Chas. H. Turbett, a competent and reliable operator, is hereby appointed to supply the vacancy occasioned by such resignation.

**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:

Substitute for Senate file No. 178, a bill for an act to amend section 2582, title XII, chapter 17 of the code, relating to granting certificates to practice medicine by reciprocity with 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 House is asked :

Senate file No. 158, a bill for an act to amend sections 2540, 2551, chapter 15, code supplement, relative to protection of fish 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 House is asked:

Senate file No. 189, a bill for an act to amend section 771 of the code as amended by section 1, chapter 43, of the acts of the Twenty-ninth General Assembly, relating to construction of viaducts.

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. 146, a bill for an act to amend section 5716 of the code, and provide for the classification and payment of turnkeys and guards of the penitentiaries.

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. 183, a bill for an act amending section 2287 of the code, in relation to the return of patients escaped from 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. 190, a bill for an act relating to the release of liens on attached property (amendatory of chapter 1, title XIX of the code relating to attachments)

GEO. A. NEWMAN  
*Secretary.*

## BILLS ON THEIR PASSAGE.

On motion of English of Polk, House file No. 144, a bill for an act to provide for the examination of insurance companies, with report of committee recommending passage as amended by substitute, was taken up, the substitute amendment read and considered, and the report of the committee adopted:

Mr. English moved the adoption of the following substitute amendment recommended by the committee:

A BILL for an act to provide for the examination of Insurance companies.

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

Section 1. The Auditor of State may, at any time he may deem it advisable, make an examination of or inquire into the affairs of any insurance company authorized or seeking to be authorized to transact business within this state, provided that such examination shall not be less frequent than once during each biennial period.

Sec. 2. When any company is being examined, the officers, employes or agents thereof shall produce for inspection all books, documents, papers or other information concerning the affairs of such company, and shall otherwise assist in such examination so far as they can do. The Auditor of State, or his legally authorized representative in charge of the examination, shall have authority to administer oaths and take testimony bearing upon the affairs of any company under examination.

Sec. 3. For the purpose of carrying into effect the provisions of this act, the Auditor of State is hereby authorized to appoint an insurance examiner, who shall also be a competent actuary, who shall receive for his services a salary of two thousand dollars per year, and who, while conducting examinations, shall possess all the powers conferred upon the Auditor of State for such purposes. Said examiner shall give bond to the state conditioned upon the faithful performance of his duties, in the sum of five thousand dollars, which bond shall be filed with and approved by the Auditor of State. The entire time of the examiner shall be under the control of the Auditor of State, and shall be employed as he may direct. The Auditor of State may, when in his judgment it is advisable, appoint assistants to aid in making examinations. Such assistants shall receive as compensation for their services not to exceed five dollars per day each. Said examiner and assistants shall receive no other or further compensation than as above provided, except that they and the Auditor of State shall receive actual and necessary traveling, hotel and other expenses while engaged in conducting examinations away from their respective places of residence. Such expenses, together with the compensation of the assistants, shall be paid by the Treasurer of State, upon warrants drawn by the Auditor of State, bills for the same having first been approved by the Executive Council. Such bills shall be filed under oath of the party incurring the expense and shall be approved by the person in charge of the examination. The salary of the examiner shall be paid as are the salaries of other employes of the Auditor's office. All bills for expenses of any examination, together with the compensation of the assistants, shall

be charged to and paid by the companies examined, and upon failure or refusal of any company examined to pay such bill or bills, the same may be recovered in an action brought in the name of the State under the direction of the Executive Council, and the Auditor may also revoke the certificate of authority of such company to transact business within this State. All fees collected under the provisions of this chapter shall be paid to the Auditor of State and shall be by him turned into the state treasury as are other fees of his office.

Sec. 4. If upon investigation or examination, it shall appear that any company is insolvent or in an unsound condition, or is doing an illegal or unauthorized business, or that it has refused or neglected for more than thirty days to pay final judgment rendered against it in the courts of this state, the Auditor of State may suspend its authority to transact business within this state until it shall have complied in all respects with the laws applicable to such company or has paid such judgment, or he may revoke its certificate of authority to transact business within this state and having revoked the certificate of any company organized under the laws of this state, he shall at once report the same to the Attorney General, who shall apply to the district court or any judge thereof for the appointment of a receiver to close up the affairs of said company; provided, that in the case of companies organized on the stock plan under the provisions of chapter four, title IX of the code, the above named officers shall proceed as provided in sections seventeen hundred thirty-one (1731) and seventeen hundred thirty-two (1732) of the code; and in case of companies organized under the provisions of chapter six, title IX of the code, said officers shall proceed as provided in sections seventeen hundred seventy-seven (1777) and seventeen hundred seventy-eight (1778) of the code, and no receiver shall be appointed for any company contemplated by this chapter except upon application of the Attorney General, unless five days' notice shall have been served upon the Auditor of State and Attorney General, stating the time and place of the hearing of such application, at which time and place said officers shall have the right to appear and be heard as to such application and appointment.

The results of any examination shall be published in one or more newspapers of the state or in pamphlet form, when in the opinion of the Auditor of State the interests of the public require it.

Sec. 5. Any transfer of stock of any company, pending an investigation, shall not release the party making the transfer from any liability for losses that may have occurred previous to such transfer.

Sec. 6. Any officer, manager, agent or representative of any insurance company contemplated by this act, who, with knowledge that its certificate of authority has been suspended or revoked, or that it is insolvent, or is doing an unlawful or unauthorized business, solicits insurance for said company, or receives applications therefor, or does any other act or thing toward receiving or procuring any new business for said company, shall be deemed guilty of a misdemeanor and shall be subject to the penalties provided in section eighteen hundred fourteen (1814) of the code and the provisions of said section are hereby extended to all companies contemplated by this act.

Sec. 7. Should any company decline or refuse to submit to an examination as in this act provided, the Auditor of State shall at once revoke its certificate of authority, and if such company is organized under the laws of this state, he shall report his action to the Attorney General, who shall at once apply to the district court or a judge thereof for the appointment of a receiver to wind up the affairs of the company.

Sec. 8. Examination of insurance companies not located within this state shall only be made by order of the Executive Council, and at such time as it may direct.

Sec. 9. The word "company" as used in this act shall mean all companies or associations organized under the provisions of chapters four, five, six, seven or eight of title IX of the code, except county mutuals, and all companies or associations admitted or seeking to be admitted to this state under the provisions of any of the chapters herein referred to.

Sec. 10. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

Sec. 11. This act, being deemed of immediate importance, shall take effect and be in force from and after the date of its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa.

Adopted.

Mr. English moved that the rule 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. Bailey, Bixby, Buchanan, Calderwood, Carden, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Davie, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Hakes, Hambleton, Hanna, Hart, Heles, Hume, Jacobson, Jepson, Kendall, Kling, Laird, Lamkin, Langan, Lundt, McDole, McNie, Maben, Manning, Martin, Mott, Nichols, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wright, Wyland, Mr. Speaker—68.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Boland, Buckingham, Carstensen, Cummings, DeLano, Freeman, Greene, Gregory, Harris, Head, Hollembeak,

Jones, Kennedy, Koontz, Leech, Lister, Lowrey, McAllister, McClurkin, McCreary, McCulloch, McElrath, Mattes, Morris, Offill, Olson, Saylor, Skinner, Springer, Wise—32.

So the bill passed and the title was agreed to.

On motion of English of Polk, House file No. 331, being a bill by the committee on Insurance, a bill for an act to provide for the examination of fraternal beneficiary associations, was taken up and considered.

English of Polk moved that the rule 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. Bailey, Bixby, Calderwood, Carden, Chassell, Cheney, Christianson, Clary, Cobb, Colclo, Conn, Crose, Davie, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Heles, Hume, Jacobson, Jepson, Kendall, Kling, Laird, Lamkin, Lundt, McDole, McNie, Manning, Martin, Mott, Nichols, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Spaulding, Stanbery, Stoltenberg, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wright, Wyland, Mr. Speaker—63.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Boland, Buchanan, Buckingham, Carstensen, Cassel, Coburn, Cummings, Dashiell, DeLano, Freeman, Gregory, Head, Hollembeak, Jones, Kennedy, Koontz, Langan, Leech, Lister, Lowrey, McAllister, McClurkin, McCreary, McCulloch, McElrath, Maben, Mattes, Morris, Offill, Olson, Pritchard, Saylor, Skinner, Springer, Summers, Wise—37.

So the bill passed and the title was agreed to.

On motion of Jacobson of Winneshiek, House file No. 316, a bill for an act repealing chapter 18, title XXI of the code, and enacting a substitute therefor, relative to change of names, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Jacobson moved that the following amendments recommended by the committee be adopted:

Amend by inserting after the word "chapter" in line one of section 1 the word "eighteen" and after the word "title" in the same line and section the word "twenty-one."

**Adopted.**

Hart of Allamakee moved that the rule 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. Bailey, Bixby, Buchanan, Calderwood, Carden, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Davie, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Hart, Heles, Hume, Jacobson, Jepson, Kendall, Kling, Laird, Lamkin, Langan, Lundt, McClurkin, McDole, McNie, Maben, Manning, Martin, Mott, Nichols, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wright, Wyland, Mr. Speaker—70.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Boland, Buckingham, Carstensen, Cummings, DeLano, Freeman, Gregory, Hollembeak, Jones, Kennedy, Koontz, Leech, Lister, Lowrey, McAllister, McCreary, McCulloch, McElrath, Mattes, Morris, Offill, Olson, Pritchard, Saylor, Skinner, Springer, Wise—30.

So the bill passed.

Lamkin of Lyon moved to amend title by inserting after the word "chapter" the word "eighteen" and the figure "18" be placed in parentheses; and by inserting after the word "title" the words "twenty-one" and the figures "21" be placed in parentheses.

Title as amended agreed to.

On motion of Hambleton of Mahaska, unanimous consent having been given, House file No. 340, a bill for an act to amend



section 2479-a of the supplement to the code, relating to mines and mining, was read first and second time as follows:

A BILL for an act to amend section twenty-four hundred and seventy-nine-a (2479-a) of the supplement to the code relating to mines and mining.

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

Section 1. That section twenty-four hundred and seventy-nine-a (2479-a) of the supplement to the code be and the same is hereby amended by striking out of the third and fourth lines of said section the following words: "at least one of whom shall also hold a certificate of competency as hoisting engineer".

Sec. 2. This act, being deemed of immediate importance, shall be in effect from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

Unanimous consent being granted, same was taken up and considered without reference to a committee.

Mr. Hambleton moved that the rule be suspended, that the bill be considered engrossed and read a third time now, which motion prevailed unanimously, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Bixby, Buchanan, Calderwood, Carden, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Conn, Crose, Dashiell, Davie, Doran, English, Flenniken, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Heles, Hume, Jacobson, Jepson, Kendall, Kling, Laird, Lamkin, Langan, Lundt, McClurkin, McDole, McNie, Maben, Manning, Martin, Mott, Nichols, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wright, Wyland, Mr. Speaker--69.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Boland, Buchanan, Carstensen, Colclo, Cummings, DeLano, Dow, Freeman, Gregory, Head, Hollembeak, Jones, Kennedy, Koontz, Leech, Lister, Lowrey, McAllister, McCreary, McCulloch, McElrath, Mattes, Morris, Offill, Olson, Pritchard, Saylor, Skinner, Springer, Wise--31.

So the bill passed and the title was agreed to.

On motion of Stoltenberg of Scott, House file No. 283, a bill for an act to amend section 835 of the code relating to refunding the cost of pavement removed by street railway companies, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Kendall of Monroe moved to amend by striking out the words "from such determination" in lines three and four and inserting in lieu thereof the word "therefrom."

Adopted.

Stoltenberg of Scott moved that the rule 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. Bailey, Bixby, Buchanan, Calderwood, Carden, Cassel, Chassell, Cheney Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Davie, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Greene, Hakes, Hanna, Harris, Hart, Heles, Hume, Jacobson, Jepson, Kendall, Kling, Laird, Lamkin, Lundt, McClurkin, McDole, Maben, Manning, Martin, Mott, Nichols, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wright, Wyland, Mr. Speaker—67.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Boland, Buckingham, Carstensen, Cummlngs, DeLano, Freeman, Gregory, Hambleton, Head, Hollembeak, Jones, Kennedy, Koontz, Langan, Leech, Lister, Lowrey, McAllister, McCreary, McCulloch, McElrath, McNie, Mattes, Morris, Offill, Olson, Pritchard, Saylor, Skinner, Springer, Teter, Wise—33.

So the bill passed and the title was agreed to.

On motion of Bixby of Delaware, House file No. 255, a bill for an act relating to road tax, and amending sections 1383 and

1533 of the code, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Bixby moved that the rule 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. Bailey, Bixby, Buchanan, Calderwood, Carden, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Davie, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Green, Hakes, Hambleton, Hanna, Harris, Hart, Heles, Hume, Jacobson, Jepson, Kendall, Kling, Laird, Lamkin, Langan, Lundt, McDole, McNie, Maben, Manning, Martin, Mott, Nichols, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Wright, Wyland, Mr. Speaker—69.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Boland, Buckingham, Carstensen, Cummings, DeLano, Freeman, Gregory, Head, Hollembeak, Jones, Kennedy, Koontz, Leech, Lister, Lowrey, McAllister, McClurkin, McCreary, McCulloch, McElrath, Mattes, Morris, Offill, Olson, Pritchard, Saylor, Skinner, Springer, Willson, Wise—31.

So the bill passed and the title was agreed to.

#### SENATE MESSAGES CONSIDERED.

Senate file No. 189, a bill for an act to amend section 771 of the code as amended by section 1, chapter 43, of the acts of the Twenty-ninth General Assembly, relating to construction of viaducts.

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

Senate file No. 178, a bill for an act to amend section 2582, title XII, chapter 17 of the code relating to granting certificates to practice medicine by reciprocity with other states.

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

Senate file No. 158, a bill for an act to amend sections 2540, 2551, chapter 15, code supplement, relative to protection of fish and game.

Read first and second time and referred to committee on Fish and Game.

Senate file No. 146, a bill for an act to amend section 5716 of the code, and provide for the classification and payment of turnkeys and guards of the penitentiaries.

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

Senate file No. 190, a bill for an act relating to the release of liens on attached property (amendatory of chapter 1, title XIX of code, relating to attachments).

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

Senate file No. 279, a bill for an act appropriating annually \$750 to assist in defraying the expenses of the headquarters, department of Iowa, Grand Army of the Republic, at Des Moines, Iowa.

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

On motion of Jepson of Woodbury the House adjourned until 9:30 A.M. tomorrow.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 8, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by Rev. F. B. Palmer of Chariton, Iowa.

Journal of Monday, March 7th, was corrected and approved.

On request of Frudden of Dubuque leave of absence was granted Sankey of Decatur until Thursday.

On request of Clary of Chickasaw leave of absence was granted Springer of Buchanan until tomorrow.

On request of Robinson of Emmet leave of absence was granted Pritchard of Wright on account of sickness.

On request of Martin of Pottawattamie leave of absence was granted Freeman of Pottawattamie on account of sickness.

PETITIONS AND MEMORIALS.

Cobb of Taylor presented petition of citizens of Taylor county asking passage of House file No. 7.

Referred to committee on Railroads and Commerce.

Maben of Hancock presented petition of practicing physicians and others of Hancock county, Iowa, in reference to establishing a sanatorium for the treatment of tuberculosis poor.

Referred to committee on Public Health.

Wright of Webster presented petition of citizens of Webster county relative to State control of gypsum mines.

Referred to committee on Mines and Mining.

Carden of Henry presented twenty-four petitions of members of the Corn Belt Meat Producers Association of Henry county,

Iowa, favoring two-cent passenger fare, denouncing discrimination in freight rates and demanding reduction of same, favoring the abolition of the State Railway Commission, and favoring House file No. 7.

Referred to committee on Railroads and Commerce.

Teter of Marion presented petitions of citizens of Wright county relative to gypsum mines.

Referred to committee on Mines and Mining.

#### REPORTS OF COMMITTEES.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 325, a bill for an act to legalize the incorporation of the town of Hamilton, Marion county, Iowa, the election of its officers and ordinances passed and all official acts of 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 335, a bill for an act to legalize certain actions of the board of supervisors of Clayton county, Iowa, relating to the purchase 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 336, a bill for an act to legalize the acts and proceedings of Brookfield Creamery Association of Worth county, Iowa, and legalize the title to the real estate acquired by such creamery association, and to authorize its incorporation under the provisions of chapter one (1) title IX of the code, and of the supplement to 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

**Also:**

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 310, a bill for an act amendatory of chapter five-a (5-a) of title III of the supplement to the code, relating to the appointment of trustees by district court, to manage, control and invest cemetery 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 amended by adopting the following substitute therefor:

## SUBSTITUTE FOR HOUSE FILE NO. 310.

"Section 1. That chapter five-a (5-A) of title III of the supplement to the code, is hereby amended by adding thereto the following:

Section 254-1. In case no trustee is appointed by said court, or qualified, as provided in this chapter, then such funds as are therein mentioned, or any funds devoted by any person or estate to the purpose of keeping and maintaining cemetery lots and for the improvement of cemeteries, shall be placed in the hands of the county auditor, whose duty it shall be to invest the same in good and sufficient securities by loan on real estate, or otherwise; and the annual income or profits thereof shall be used for the purpose of such improvement. In case there is in such town a duly incorporated cemetery association, such proceeds may be used for said purpose through such association, which shall from year to year report to the auditor a full account of all such moneys and the manner of expenditure thereof."

And that when so amended the same do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

**Also:**

MR. SPEAKER—Your committee on Judiciary, to whom was referred substitute for Senate file No. 206, a bill for an act to amend section sixteen hundred and twenty-six (1626) of title IX (9) chapter one (1) of the code, and to determine the right to vote shares of corporate stock when the same has been pledged or levied upon under attachment or other proceeding, beg leave to report that they have 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. 206.

Section 1. Every executor, administrator, guardian or trustee, shall represent the stock in his hands at all corporate meetings, and may vote the same as a stockholder, and every person who shall pledge his stock, in the absence of a written agreement to the contrary, may represent the same at all such meetings and vote accordingly. The owner of corporate stock levied upon by attachment or other proceeding, shall have the right to vote the same at all corporate meetings, until such time as that he shall have been divested of his title thereto by execution sale. But nothing contained

in this section shall in any manner conflict with any provision in the articles of incorporation, or the by-laws of the corporation issuing the stock.

And that when so amended the same do pass.

N. E. KENDALL,  
*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 to amend section twenty-two hundred and sixty-one (2261) of the code, relating to county 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 be indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 337, a bill for an act to amend section thirty-one hundred and forty-one (3141), chapter one (1), title XVI of the code, relating to the granting of marriage license, and regulating the granting of such licenses to persons who have obtained decree of 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Harris of Poweshiek, 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. 210, a bill for an act to amend sections twenty-four hundred and thirty-seven (2437) and twenty-four hundred and thirty-eight (2438) of the code, relating to mulct 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.

THOMAS HARRIS,  
*Chairman.*

Ordered passed on file.

Bailey of Ringgold, 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. 195, a bill for an act to amend chapter fifty-three (53)



acts of the Twenty-ninth (29th) General Assembly, relative to the duties of township trustees; the election, duties and compensation of road superintendents; the division and consolidation of road districts; and the collection of property 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 be indefinitely postponed.

M. Z. BAILEY,  
Chairman.

Ordered passed on file.

BY THE MINORITY.

MR. SPEAKER—We, the undersigned members of the committee on Roads and Highways, to whom was referred House file No. 195, beg leave to report that we have had the same under consideration, and, being in the minority, we do hereby dissent from the action of the majority in recommending that said bill be indefinitely postponed, we being of the opinion that said bill should pass. We therefore reserve our right to object to the majority report and to move a consideration of said bill upon its merits, and to have the same placed upon the House Calendar for consideration. The minority of said committee recommend that the bill be amended by the adoption of a substitute therefor, and that when so amended that the bill do pass:

SUBSTITUTE FOR HOUSE FILE NO. 195.

A BILL for an act to amend chapter fifty-three (53) acts of the Twenty-ninth (29th) General Assembly, relative to the duties of township trustees; the election, duties and compensation of road superintendents; the division and consolidation of road districts, and the collection of property road tax.

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

Section 1. The board of township trustees, at the regular April meeting of an even numbered year, may divide the township into two or more road districts, said division to take effect on the first of January of the succeeding, or odd numbered, year. When the township is so divided the electors of each road district, at the regular annual election of the even numbered year, shall elect a road superintendent for the term of two years. The several road superintendents shall be entitled to receive salaries as fixed by the Board of Township Trustees. The salaries of the road superintendents shall be determined at the November meeting of the board of trustees for the year beginning on the first of the succeeding January, not exceeding three dollars (\$3) per day for services actually performed.

The board of township trustees, after a trial of two or more years of this plan, may, at the April meeting in the even numbered years, consolidate the road districts of the township and return to the one district plan, said change to take effect on January first of the succeeding, or odd numbered, year.

Sec. 2. The township trustees of each township where road superintendents are to be elected shall cause to be prepared for each election precinct

in such township a separate ballot box to receive the votes for superintendents of roads, with as many different compartments as there are road districts in the township or election precinct, and numbered accordingly. The vote for road superintendent shall be on a separate ballot, and the judges of election shall place such ballot in the department of such ballot box numbered to correspond with the number of the road district in which the voter resides.

Sec. 3. In townships which are divided into two or more districts the township trustees shall permit resident property owners to work out all or part of their property road tax for the year in which said tax is assessed, and shall, at their annual meeting in April, determine the amount of tax to be paid in labor and the amount to be paid in cash. The township clerk shall make out lists of property and tax for each superintendent of roads. The property road tax worked out shall be certified by the township clerk to the county auditor on or before the second Monday of November of each year. The county auditor shall credit the amount of tax worked out upon the tax lists before delivering the tax lists to the county treasurer.

Sec. 4. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

G. R. WHITMER,  
 THOMAS GENEVA,  
 M. HAKES,  
 W. A. DAVIE,  
 J. F. MORRIS,  
 J. F. LUNDT,  
 C. C. COLCLO,  
 R. M. PEET,  
 P. H. POWERS,  
 E. W. WEEKS,  
 F. M. LAIRD,  
 WM. COBB,  
 A. JACOBSON.

#### INTRODUCTION OF BILLS.

By Wright of Webster, House file No. 348, a bill for an act providing for the appointment of a commission to re-locate the School for the Deaf, and authorizing the Board of Control of State institutions to purchase land and erect buildings and other improvements for said school, and to use furniture, machinery, and other property now at the school in Council Bluffs in the new institution, and making an appropriation for land, buildings and improvements.

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

By Langan of Clinton, House file No. 349, a bill for an act to provide for a uniform contract or policy of fire insurance to be made and used in this State by all insurance companies taking fire risks on property within this State.

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

By Mattes of Sac, House file No. 350, a bill for an act to legalize the incorporation of the town of Wall Lake, Sac county Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

WHEREAS, Doubts have arisen as to the legality of the incorporation of the town of Wall Lake, Sac county, Iowa, the acts done and the ordinances passed by the council of said town; therefore,

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

Section 1. VALID AND BINDING. That the incorporation of the said town of Wall Lake, Sac county, Iowa, the election of its officers, the official acts done, and the ordinances passed by the council of said town, are hereby legalized and the same are hereby declared to be valid and binding, the same as though the law had in all respects been strictly complied with in the incorporation of said town, the election of its officers and the passing of its ordinances.

Sec. 2. PENDING LITIGATION. Nothing in this act shall in any manner affect any pending litigation.

Sec. 3. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader, a newspaper published in the city of Des Moines, Iowa, and in the Wall Lake Blade, a newspaper published in the town of Wall Lake, Iowa. Both publications to be without expense to the State.

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

By Bailey of Ringgold (by request), House file No. 351, a bill for an act to provide for the coloring of kerosene and coal oil and providing a penalty for the violation thereof, and making it a misdemeanor to color gasoline the same color.

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

By Mattes of Sac, House file No. 352, a bill for an act in relation to objectional advertisements in the vicinity of public school buildings.

Read first and second time and referred to committee on Suppression of Intemperance.

By Mott of Audubon, House file No. 353, a bill for an act to amend sections fifty-five (55), fourteen hundred and nineteen (1419), fourteen hundred and forty-one (1441), fourteen hundred and ninety-five (1495), eighteen hundred and forty-two (1842), eighteen hundred and forty-three (1843), twenty-three hundred and eighty-eight (2388), thirty hundred and seventy-four (3074), thirty-one hundred and nine (3109), thirty-one hundred and thirty-one (3131), thirty-two hundred and eighty-four (3284) and forty-four hundred and seventy-four (4474) of the code and the law which appears as section sixteen hundred and eighteen (1618) of the supplement to the code, relating to the publication of legal notices.

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

By Greene of Madison, House file No. 354, 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.

Chassell of Plymouth presented the following resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved*, That the chief clerk be authorized to deliver to the Secretary of the Senate, seventy-five copies of the pocket edition of the rules of the Thirtieth General Assembly.

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 requested the return of House joint resolution No. 2, for the purpose of correcting the title.

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:

Relative to the appointment of Chas. H. Turbett as elevator conductor to fill vacancy occasioned by the resignation of John H. Merrill.

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. 217, a bill for an act defining the duties and powers of the Secretary of State with reference to the State documents and other State publications, and amending section 126 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. 347, a bill for an act to amend section 2479-a of the supplement to the code, relating to mines and mining.

GEO. A. NEWMAN,  
*Secretary.*

Temple of Clarke offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved*, That as the Senate has asked the return of joint resolution No. 2, for the purpose of correcting the title thereof, that the clerk be instructed to return said joint resolution in compliance with the request of the Senate.

Adopted.

#### BILLS ON THEIR PASSAGE.

Chassell of Plymouth called up the motion to reconsider the vote whereby House file No. 180 was lost, and the vote whereby same passed to its third reading.

Motion prevailed.

Colclo of Carroll offered the following amendment to the bill and moved its adoption:

Amend by striking out all of line five in the printed bill and inserting in lieu thereof the following: "As one in which the proceedings of the board of supervisors may be published in a foreign language and shall pay the same compensation therefor as is paid for the same publication in an official paper of the county."

Adopted.

Colclo of Carroll moved to re-refer House file No. 180 to committee on Printing.

Motion prevailed.

On motion of Chassell of Plymouth, House file No. 141, a bill for an act making an appropriation for the department of agriculture for the purpose of erecting a permanent fire-proof building for agricultural, horticultural and dairy exhibits, with reports of committees recommending passage, was taken up, considered and the reports of the committees adopted.

Mr. Chassell moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Colclo, Conn, Crose, Dashiell, Davie, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Green, Gregory, Hakes, Hambleton, Hanna, Harris, Heles, Hollembek, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—87.

The nays were:

None.

Absent or not voting:

Messrs. Buckingham, Carstensen, Coburn, Cummings, DeLano, Freeman, Hart, Head, Koontz, Lowrey, Pritchard, Sankey, Springer—13.

So the bill passed and the title was agreed to.

On request of Hambleton of Mahaska, unanimous consent having been given, House file No. 347, a bill for an act to amend section twenty-four hundred and seventy-nine-a (2479-a) of the supplement to the code relating to mines and mining, with Senate amendment, was taken up and the amendment read and considered.

Mr. Hambleton moved that the House concur in the Senate amendment.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Colclo, Conn, Crose, Dashiell, Davie, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Ritter, Robinson, Saylor, Shaffer, Spaulding, Stanbery, Stoltenberg, Summers, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—83.

The nays were:

None.

Absent or not voting:

Messrs. Buckingham, Carstensen, Coburn, Cummings, DeLano, Freeman, Hart, Head, Koontz, Lowrey, Peet, Pritchard, Sankey, Skinner, Springer, Teachout, Wright—17.

So the House concurred.

On motion of Kendall of Monroe, House file No. 215, being a bill by the Military committee, a bill for an act for the erection of a monument at the site of the Confederate military prison at Andersonville, Georgia, in commemoration of the patriotism, suffering and martyrdom of the Iowa soldiers who were imprisoned and died in such military prison, and creating a commission to have charge of the erection thereof and providing an appropriation therefor, was taken up and considered.

Langan of Clinton moved to amend by inserting the word "non-partisan" after the words "that a" in line one of section 1.

Lost.

Weeks of Guthrie moved to amend by adding to section 1, after the word "Georgia" in line eight thereof, the following: "That said monument shall be erected upon the capital grounds

or upon the lot upon which the Iowa Historical Building is located in Des Moines, Iowa.”

Amendment withdrawn.

Bealer of Linn moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Colclo, Conn, Crose, Dashiell, Davie, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Prevo, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Mr. Speaker—84.

The nays were: .

None.

Absent or not voting:

Messrs. Buckingham, Carstensen, Coburn, Cummings, DeLano, Freeman, Greene, Head, Koontz, Lowrey, Powers, Pritchard, Sankey, Springer, Stanbery, Wyland—16.

So the bill passed and the title was agreed to.

Calderwood of Scott, called up the motion to reconsider the vote whereby House file No. 189 was lost and whereby same passed to its third reading.

Motion prevailed.

Mr. Calderwood moved that the bill, House file No. 189, be referred to the committee on Labor.

Motion prevailed.



On motion of McDole of Jackson House file No. 249, a bill for an act to amend section 2552 of chapter 15 of the code, relative to the protection of fish and game, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. McDole moved the adoption of the following amendment recommended by the committee:

Amend by striking out the fifth word (any) in the fourth line thereof and inserting in its place the word 'of.'

Adopted.

Mr. McDole moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Cassel, Chassell, Cheney, Christianson, Cobb, Colclo, Conn, Crose, Dashiell, Doran, English, Flenniken, Frudden, Greeley, Greene, Gregory, Hambleton, Hanna, Harris, Hart, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Leech, Lister, McAllister, McClurkin, McCulloch, McDole, McElrath, McNie, Maben, Manning, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stoltenberg, Summers, Teachout, Temple, Weeks, Welden, Whiting, Wise, Wright, Wyland, Mr. Speaker—70.

The nays were:

Messrs. Clary, Dow, Geneva, Lundt, McCreary, Prevo, Teter, Washburn—8.

Absent or not voting:

Messrs. Buckingham, Carstensen, Coburn, Cummings, Davie, DeLano, Freeman, Hakes, Head, Heles, Koontz, Langan, Lowrey, Martin, Powers, Pritchard, Ritter, Sankey, Springer, Stanbery, Whitmer, Willson—22.

So the bill passed and the title was agreed to.

Kennedy of Lee asked unanimous consent to withdraw Senate file 146 from the committee on Penitentiaries.

Granted.

On motion of Mr. Kennedy, unanimous consent having been given, Senate file No. 146, a bill for an act to amend section 5716 of the code, and providing for the classification and payment of turnkeys and guards of the penitentiaries, was taken up and considered.

Mr. Kennedy moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Cassel, Chassell, Cheney, Clary, Cobb, Colclo, Crose, Dashiell, Davie, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Moit, Nichols, Offill, Olson, Peet, Prevo, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Messrs. Buckingham, Carstensen, Christianson, Coburn, Conn, Cummings, DeLano, Freeman, Head, Koontz, Lowrey, McDole, Powers, Pritchard, Ritter, Sankey, Springer, Stanbery, Willson—19.

So the bill passed and the title was agreed to.

Kennedy of Lee moved that House file No. 108 be indefinitely postponed.

Motion prevailed and the bill was indefinitely postponed.

Carden of Henry moved to adjourn until 9:30 A. M. tomorrow.

Wise of Black Hawk moved to amend by making the time 2 P. M. today.

Amendment lost

Manning of Lucas moved to amend by making the hour 9 A. M.

Amendment adopted.

Original motion as amended, prevailed, and the House adjourned until 9 A. M. tomorrow.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, March 9, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. Thomas Rowe of Strawberry Point, Iowa.

Journal of Tuesday, March 8th, was corrected and approved.

On request of Robinson of Emmet, Pritchard of Wright was excused on account of sickness.

#### PETITIONS AND MEMORIALS.

Welden of Hardin presented two petitions of citizens of Hardin county protesting against the passage of House files No. 18 and No. 33.

Referred to committee on Schools and Text-Books.

Robinson of Emmet presented petition of physicians of Emmet county asking the establishment of a State sanatorium for the tuberculosis poor.

Referred to committee on Public Health.

Hanna of Kossuth presented petition of physicians of Kossuth county asking the establishment of a State sanatorium for the tuberculosis poor.

Referred to committee on Public Health.

#### 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. 190, a bill for an act to amend title seven (7) chapter four (4) of the code and chapter thirty-seven (37) acts of the Twenty-seventh (27th) General Assembly, and chapter fifty-seven (57) acts of the Twenty-eighth (28th) General Assembly, and chapter sixty-three (63) acts of the Twenty-ninth (29th) General Assembly, providing that part of the collateral inheritance taxes collected by the State shall be paid to the counties from whence they are collected, beg leave to report that they 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. 317, a bill for an act to amend section 4011 of the code, relating to the exemption from liability for debts for 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 by adding thereto the following:

If the personal earnings of any such debtor shall be levied upon by any person, firm or corporation with knowledge that the full amount of such personal earnings were exempt from liability for debt or with knowledge of any prior levy which would exhaust all of such personal earnings in excess of the exemption provided for in this act, then all the costs incurred by reason of such levy shall be taxed against such person, firm or corporation.

And that when so amended the same do pass.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Mattes of Sac, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 263, a bill for an act to prevent wrongs to children and dumb animals and to establish a bureau of child and animal protection, beg leave to report that they have 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.

JOS. MATTES,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 296, a bill for an act providing for placing a statue in bronze of Samuel J. Kirkwood, ex-governor of Iowa, in the National statuary hall in the capitol building at Washington, D. C., and appropriating money to pay 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.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

Also:

**MR. SPEAKER**—Your committee on Appropriations, to whom was referred Senate file No. 279, a bill for an act appropriating annually seven hundred and fifty dollars (\$750), to assist in defraying the expenses of the headquarters, department of Iowa, Grand Army of the Republic, 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 do pass.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

Also:

**MR. SPEAKER**—Your committee on Appropriations, to whom was referred Senate file No. 215, a bill for an act making an appropriation to provide for an existing deficit in the contingent fund 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 do pass.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

Buchanan of Wapello, from the committee on Municipal Corporations, submitted the following report:

**MR. SPEAKER**—Your committee on Municipal Corporations, to whom was referred Senate file No. 189, a bill for an act to amend the law relating to the construction of viaducts, appearing as section seven hundred and seventy-one (771) of the code supplement, beg leave to report that they 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 Municipal Corporations, to whom was referred House file No. 231, a bill for an act to amend section seven hundred and seventy-one (771) of the code as amended by section one (1) chapter forty-three (43) acts of the Twenty-ninth General Assembly, relating to the construction of viaducts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that that the same be indefinitely postponed.

A. W. BUCHANAN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 328, a bill for an act to amend section eight hundred and fifty-two (852) of the supplement to the code and sections eight hundred and fifty three (853) and eight hundred and fifty-eight (858) of the code, relating to park commissioners, their power and 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 do pass.

A. W. BUCHANAN,  
*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. 199, a bill for an act relating to the safety of the traveling public, by requiring corporations operating railroads in the State of Iowa to employ none but persons as signal men or telegraph operators who receive and deliver orders or operate signals for the movement 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 be indefinitely postponed.

C. A. WISE,  
*Chairman.*

Mr. Wise moved the adoption of the report of the committee.

Doran of Boone and Carstensen of Clinton demanded a roll call.

On the question, Shall the report of the committee be adopted and House file No. 199 be indefinitely postponed?

The yeas were:

Messrs. Bealer, Bixby, Buckingham, Clary, Conn, Crose, Flenniken, Frudden, Geneva, Hambleton, Hume, Jones, Lamkin, Leech, Lister, McCreary, McCulloch, McDole, Martin, Mattes, Morris, Nichols, Prevo, Skinner, Spaulding, Stanbery, Teachout, Temple, Washburn, Weeks, Welden, Willson, Wise, Wright, Wyland, Mr. Speaker—36.

The nays were:

Messrs. Bailey, Calderwood, Carstensen, Cassel, Cheney, Cobb

Dashiell, Davie, Doran, Dow, Gregory, Hakes, Hanna, Harris, Heles, Hollembeak, Kendall, Kling, Laird, Lundt, McAllister, McClurkin, McElrath, McNie, Maben, Manning, Mott, Offill, Olson, Peet, Robinson, Saylor, Shaffer, Summers, Teter, Whiting, Whitmer—37.

**Absent or not voting:**

Messrs. Boland, Buchanan, Carden, Chassell, Christianson, Coburn, Colclo, Cummings, DeLano, English, Freeman, Greeley, Greene, Hart, Head, Jacobson, Jepson, Kennedy, Koontz, Langan, Lowrey, Powers, Pritchard, Ritter, Sankey, Stoltenberg, Springer—27.

So the report was not adopted.

McNie of Benton, from the committee on Claims, submitted the following report:

MR. SPEAKER—Your committee on Claims, to whom was referred House file No. 300, a bill for an act to indemnify H. W. Tapley for loss of valuable coins taken from the State Historical building and 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.

MALCOLM F. MCNIE,  
*Chairman.*

**Adopted.**

**Also:**

MR. SPEAKER—Your committee on Claims, to whom was referred House file No. 314, a bill for an act to compensate Frank J. Young for money paid out and services rendered while State Oil Inspector, beg leave to report that they 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. We further recommend that it be referred to the committee on Appropriations.

MALCOLM F. MCNIE,  
*Chairman.*

**Adopted.**

**Also:**

MR. SPEAKER—Your committee on Claims, to whom was referred House file No. 265, a bill for an act to make an appropriation to return to the State Veterinary Medical Examiners of Iowa money paid by them into the treasury of 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 do pass.

MALCOLM F. MCNIE,  
*Chairman.*

Adopted.

Bailey of Ringgold, 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. 289, a bill for an act to amend section fifteen hundred and twenty-eight (1528), supplement of the code, relating to powers and duties of 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 be indefinitely postponed.

M. Z. BAILEY,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House file No. 246, a bill for an act to amend section one thousand five hundred and thirty-three (1533) of the supplement to the code, in relation 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.

M. Z. BAILEY,  
*Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By Nichols of Muscatine, House file No. 355, a bill for an act to amend sections 2739, 2757, 2764, 2765, 2769, 2773, 2785, 2793 and 2801 of the code, relating to the school year, regular meeting of school boards, school census and the annual reports of school officers.

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

By Robinson of Emmet, House file No. 356, a bill for an act to provide for the establishment of a board of good roads and drainage commissioners for the State of Iowa, and defining the method and terms of their employment by counties and townships and their compensation, duties and terms of office.

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

Kendall of Monroe offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved*, That the Pioneer Law Makers' Association of Iowa, now in session in Des Moines, be invited to visit the House of Representatives on Thursday morning, March 10th, at 10 o'clock; and that a committee of three be appointed to communicate this invitation, to prepare a suitable program, and to perfect general arrangements for the reception of the Association.

Adopted.

Speaker appointed as committee provided for in above resolution, Kendall of Monroe, Maben of Hancock, Willson of Washington.

Maben of Hancock asked unanimous consent to have House file No. 265 referred to the Appropriations committee.

Granted, and the bill was so referred.

Doran of Boone moved that 1,000 additional copies of House file No. 332 be printed.

Teter of Marion moved to amend to make it 500 copies.

Amendment adopted.

Original motion as amended prevailed.

Chassell of Plymouth moved that House file No. 195, with minority report, be made special order for 10 o'clock Friday, March 11th.

#### BILLS ON THEIR PASSAGE.

On motion of Temple of Clarke, House file No. 302, a bill for an act to amend section 212 of the code, relating to the salary of the Assistant Attorney General and fixing his compensation, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Temple moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Cheney, Clary, Cobb, Colclo, Conn, Crose, Davie, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Gregory, Hakes, Hambleton, Hanna, Harris, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Leech, Lister, McClurkin, McCreary, McCulloch, McDole, McElrath, Maben, Manning, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Prevo, Ritter, Robinson, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—75.

The nays were:

Mr. Lundt—1.

Absent or not voting:

Messrs. Cassel, Christianson, Coburn, Cummings, Dashiell, DeLano, Greeley, Greene, Hart, Head, Heles, Koontz, Langan, Lowrey, McAllister, McNie, Martin, Powers, Pritchard, Sankey, Saylor, Springer, Teachout, Willson—23.

So the bill passed and the title was agreed to.

On motion of Cobb of Taylor, House file No. 197, a bill for an act to amend sections 2389 and 2387 of the code, relative to the sale of intoxicating liquors by permit holders, with report of committee recommending passage as amended by substitute, was taken up, the substitute amendment read and considered and the report of the committee adopted.

Mr. Cobb moved the adoption of the following substitute recommended by the committee:

A BILL for an act to amend section two thousand three hundred eighty-nine (2389) of the code, relative 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 two thousand three hundred eighty-nine (2389) of the code, be and the same is hereby amended by adding to said section the following words: "And whenever a remonstrance containing the names of a majority of the voters as shown by the last preceding general election of the city or town in which said permit holder's place of business is situated, is filed, said application shall be refused and only one application shall be

made by the same person within one (1) year and no permit shall be granted for longer than two (2) years."

**Adopted.**

Cobb of Taylor moved that the rule 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. Bailey, Bealer, Carden, Cheney, Cobb, Hambleton, Harris, Hollembeak, Jacobson, Jones, Kling, Laird, McAllister, McClurkin, McCreary, Nichols, Stanbery, Summers, Washburn, Weeks, Wright—21.

The nays were:

Messrs. Bixby, Boland, Buchanan, Calderwood, Carstensen, Chassell, Clary, Coburn, Colclo, Conn, Crose, Cummings, Davie, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greene, Gregory, Hakes, Hanna, Heles, Hume, Jepson, Kendall, Lamkin, Langan, Leech, Lister, Lundt, McCulloch, McElrath, Maben, Manning, Mattes, Morris, Mott, Offill, Peet, Prevo, Ritter, Robinson, Shaffer, Skinner, Spaulding, Stoltenberg, Teachout, Temple, Teter, Welden, Whiting, Whitmer, Willson, Wyland, Mr. Speaker—58.

Absent or not voting:

Messrs. Buckingham, Cassel, Christianson, Dashiell, DeLano, Greeley, Hart, Head, Kennedy, Koontz, Lowrey, McDole, McNie, Martin, Olson, Powers, Pritchard, Sankey, Saylor, Springer, Wise—21.

The bill having failed to receive a constitutional majority was declared lost.

On motion of Powers of Floyd, House file No. 313, being a bill by committee on Schools and Text-Books, a bill for an act providing for the closing of schools and for the transportation of children to adjoining rural schools, was taken up and considered.

Crose of Page moved to amend by substituting the word "may" for the word "shall" in the ninth line of the printed bill.

**Adopted.**

McAllister moved to amend by substituting the word and figure "five (5)" for the word and figure "ten (10)" where reference is made to the number of pupils in lines eight and thirteen of the printed bill.

Lost.

Robinson of Emmet moved to amend by inserting in lines eight and thirteen, between the words "not" and "exceed", the words "equal or", and by striking out the word and figure "ten (10)" and substituting in lieu thereof the word and figure "eight (8)".

Lost.

Powers of Floyd moved that the rule 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. Bailey, Bealer, Bixby, Buchanan, Carstensen, Chassell, Christianson, Colclo, Cummings, Dow, English, Freeman, Frud-den, Hakes, Hambleton, Hanna, Hollebeak, Hume, Jacobson, Jones, Kennedy, Kling, Lamkin, Langan, McCreary, McElrath, Manning, Mattes, Mott, Nichols, Olson, Powers, Prevo, Robinson, Saylor, Shaffer, Spaulding, Stanbery, Summers, Weeks, Welden, Whitmer, Wise, Wyland, Mr. Speaker—45.

The nays were:

Messrs. Boland, Buckingham, Calderwood, Carden, Cassel, Cheney, Clary, Coburn, Conn, Crose, Davie, Doran, Geneva, Hart, Jepson, Kendall, Laird, Leech, Lister, Lundt, McAllister, McClurkin, McCulloch, McDole, Maben, Morris, Offill, Peet, Ritter, Skinner, Stoltenberg, Temple, Teter, Washburn, Whiting, Will-son—36.

Absent or not voting:

Messrs. Cobb, Dashiell, DeLano, Flenniken, Greeley, Greene, Gregory, Harris, Head, Heles, Koontz, Lowrey, McNie, Martin, Pritchard, Sankey, Springer, Teachout, Wright—19.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Kendall of Monroe, House file No. 310, a bill for an act amendatory of chapter 5-a, title III of the supplement to the code relating to appointment of trustees by district courts to manage, control and invest cemetery funds, with report of committee recommending passage as amended by substitute, was taken up, the substitute amendment read and considered and the report of the committee adopted.

Mr. Kendall, moved the adoption of the following substitute, recommended by the committee:

“Section 1. That chapter five-a (5-a) of title III of the supplement to the code, is hereby amended by adding thereto the following:

Section 254-L. In case no trustee is appointed by said court, or qualified, as provided in this chapter, then such funds as are therein mentioned, or any funds devoted by any person or estate to the purpose of keeping and maintaining cemetery lots and for the improvement of cemeteries, shall be placed in the hands of the county auditor, whose duty it shall be to invest the same in good and sufficient securities by loan on real estate, or otherwise; and the annual income or profits thereof shall be used for the purpose of such improvement. In case there is in such town a duly incorporated cemetery association, such proceeds may be used for said purpose through such association, which shall from year to year report to the auditor a full account of all such moneys and the manner of expenditure thereof.”

Adopted.

Mr. Kendall moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Clary, Coburn, Colclo, Conn, Crose, Davie, Doran, English, Flenniken, Freeman, Frudden, Geneva, Hakes, Hambleton, Hanna, Harris, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, Maben, Manning, Martin, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stoltenberg, Summers, Teachout, Teter, Washburn Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker

The nays were:

Mr. Morris—1.

Absent or not voting:

Messrs. Cassel, Cobb, Cummings, Dashiell, DeLano, Dow, Greeley, Greene, Gregory, Hart, Head, Koontz, Lowrey, McElrath, McNie, Mattes, Pritchard, Sankey, Springer, Stanbery, Temple, Weeks, Wright—23.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, House file No. 336, a bill for an act to legalize the acts and proceedings of the Brookfield Creamery Association of Worth county, Iowa, and legalize the title to the real estate acquired by such creamery association, and to authorize its incorporation under the provisions of chapter one (1) of title IX (9) of the code, and of the supplement to the code, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Kendall moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Cassell, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, Maben, Martin, Morris, Mott, Offill, Olson, Peet, Powers, Prevo, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Mr. Speaker—79.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Cummings, Dashiell, Greeley, Greene,

Head, Koontz, Lowrey, McElrath, McNie, Manning, Mattes, Nichols, Pritchard, Sankey, Springer, Teachout, Temple, Wise, Wright, Wyland—21.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, House file No. 325, a bill for an act to legalize the incorporation of the town of Hamilton, Marion county, Iowa, the election of its officers, and ordinances passed and all official acts of the council of said town, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Teter of Marion moved to amend the publication clause by inserting the word "Knoxville" between the words "the" and "Journal."

Adopted.

Mr. Teter moved that the rule 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. Bailey, Bealer, Bixby, Buchanan, Buckingham, Cars-  
tensen, Cassel, Cheney, Christianson, Clary, Cobb, Coburn, Col-  
clo, Conn, Crose, Cummings, Davie, Dow, English, Flenniken,  
Freeman, Frudden, Geneva, Gregory, Hakes, Hambleton, Hanna,  
Harris, Hart, Heles, Hollembeak, Hume, Jacobson, Jepson,  
Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech,  
Ljster, Lundt, McAllister, McCreary, McCulloch, McDole,  
McElrath, Manning, Martin, Morris, Mott, Nichols, Olson, Peet,  
Powers, Prevo, Ritter, Robinson, Saylor, Shaffer, Skinner,  
Spaulding, Stoltenberg, Teter, Washburn, Weeks, Welden, Whit-  
mer, Willson, Wyland, Mr. Speaker—73.

The nays were:

None.

Absent or not voting:

Messrs. Boland, Calderwood, Carden, Chassell, Dashiell,  
DeLano, Doran, Greeley, Greene, Head, Koontz, Lowrey, Mc-  
Clurkin, McNie, Maben, Mattes, Offill, Pritchard, Sankey,  
Springer, Stanbery, Summers, Teachout, Temple, Whiting, Wise,  
Wright—27.

So the bill passed and the title was agreed to.



On motion of Kendall of Monroe, House file No. 335, a bill for an act to legalize certain actions of the board of supervisors of Clayton county, Iowa, relating to the purchase of land, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Flenniken of Clayton moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Carstensen, Cassel, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Davie, Dow, English, Flenniken, Freeman, Geneva, Greeley, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Heles, Hollembeak, Hume, Jacobson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, Maben, Martin, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Temple, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Mr. Speaker—75.

The nays were:

None.

Absent or not voting:

Messrs. Calderwood, Carden, Chassell, Dashiell, DeLano, Doran, Frudden, Greene, Head, Jepson, Koontz, Langan, Lowrey, McNie, Manning, Mattes, Morris, Pritchard, Sankey, Springer, Teachout, Whiting, Wise, Wright, Wyland—25.

So the bill passed and the title was agreed to.

On motion of Gregory of Adams, House file No. 260, a bill for an act to amend section 2564 of the code as amended by section 2564 of the code supplement, relating to the appointment of physicians on the State Board of Health, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Gregory moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Carstensen, Cassel, Cheney, Christianson, Clary, Colclo, Conn, Crose, Cummings, Davie, Dow, English, Flenniken, Greeley, Gregory, Hakes, Hambleton, Harris, Heles, Hollembeak, Hume, Jacobson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, Maben, Manning, Martin, Morris, Mott, Nichols, Olson, Peet, Powers, Prevo, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Temple, Teter, Washburn, Weeks, Welton, Whitmer, Mr. Speaker—70.

The nays were:

None.

Absent or not voting:

Messrs. Calderwood, Carden, Chassell, Cobb, Coburn, Dashiell, DeLano, Doran, Freeman, Frudden, Geneva, Greene, Hanna, Hart, Head, Jepson, Koontz, Lowrey, McNie, Mattes, Offill, Pritchard, Sankey, Springer, Teachout, Whiting, Willson, Wise, Wright, Wyland—30.

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 indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House file No. 270, a bill for an act to amend section 590 of the code, relative to township trustees and the compensation they shall receive.

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. 34, a bill for an act to amend section 2405 of the code relating to the sale of intoxicating liquors and abatement of nuisance.

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. 64, a bill for an act to amend section 431 of the code of Iowa relative to the soldiers' relief commission.

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. 168, a bill for an act to amend section 1570 of the code relating to the trimming of hedges along the public highway.

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. 99, a bill for an act making an appropriation for the purchase of 25,000 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. 45, a bill for an act relating to the construction of permanent sidewalks and providing for the assessment and collection of the cost thereof.

GEO. A. NEWMAN,  
*Secretary.*

**SENATE MESSAGES CONSIDERED.**

Senate file No. 168, a bill for an act to amend section 1570 of the code, relating to the trimming of hedges along the public highway.

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

Senate file No. 34, a bill for an act to amend section 2405 of the code, relating to the sale of intoxicating liquors and abatement of nuisance.

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

Kendall of Monroe asked unanimous consent that Senate file No. 45 be placed upon the Calendar without reference to a committee.

Granted.

On motion of Offill of Jasper, the House adjourned until 9:30 A. M. tomorrow.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Iowa, March 10, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by Representative Cobb of Taylor county.

Journal of Wednesday, March 9th, was corrected and approved.

McAllister of Linn desired the Journal to show that had he been present when the vote was taken on House file No. 182, he would have voted aye.

On request of Martin of Pottawattamie leave of absence was granted Morris of Sioux until Monday.

On request of Robinson of Emmet leave of absence was granted Pritchard of Wright on account of sickness.

PETITIONS AND MEMORIALS.

Wright of Webster presented petition of citizens of Webster county asking that House file No. 332 be enacted.

Read and referred to committee on Railroads and Commerce.

Kling of Harrison presented petition of citizens of Harrison county asking that House file No. 332 be enacted.

Referred to committee on Railroads and Commerce.

Robinson of Emmet presented memorial of citizens of Emmet county relative to the road law.

Referred to committee on Roads and Highways.

Nichols of Muscatine presented petition of citizens of Muscatine relative to the mulct law.

Referred to committee on Suppression of Intemperance.

Weeks of Guthrie presented petition of physicians of Guthrie county asking the establishment of a State sanatorium for the treatment of tuberculosis poor.

Referred to committee on Public Health.

Carden of Henry presented petition of citizens of Henry county, relative to House file No. 52 and House file No. 47.

Referred to committee on Animal Industry.

#### REPORTS OF COMMITTEES.

Teachout of Polk, from the committee on Mines and Mining, submitted the following report:

MR. SPEAKER—Your committee on Mines and Mining, to whom was referred Senate file No. 193, a bill for an act to confer jurisdiction over the gypsum mines of this State on the State Mine Inspectors, and providing for the enforcement of chapter nine (9) title XII (12) in reference 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 by inserting after the word "applicable" in line No. 3, of section No. 1 of the original bill, the words "to the health and safety of the employes," and by striking out sections two (2) and three (3) of the bill, and that when so amended the same do pass.

H. E. TEACHOUT,  
*Chairman.*

Report adopted.

Amendments adopted.

Leech of Cedar, 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 repeal section twenty-five hundred and sixty-six (2566) and section twenty-five hundred and sixty-seven (2567) of the code, relating to registration of births and deaths, and to enact in lieu thereof the following, beg leave to report that they have 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.

L. J. LEECH,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 173, a bill for an act to provide for the establishment and maintenance of a bacteriological laboratory and for the appointment of a director therefor, (additional to chapter 16, title XII 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 and when so amended, that the same do pass and be further recommended to committee on Appropriations.

L. J. LEECH,  
*Chairman.*

Adopted, and the bill was so referred.

Also:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 194, a bill for an act to amend section twenty-five hundred and seventy-three (2573) of the code, relating to the enforcement of the rules and regulations of the 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 be referred to Judiciary committee.

L. J. LEECH,  
*Chairman.*

Adopted, and the bill was so referred.

Hart of Allamakee, from the committee on Military, submitted the following report:

MR. SPEAKER—Your committee on Military, to whom was referred House file No. 174, a bill for an act to amend section one thousand three hundred and four (1304), subdivision seven (7) of the code supplement, beg leave to report that they have 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 therefor:

A BILL for an act to amend section thirteen hundred and four (1304) of the supplement to the code, relative to exemption of property from taxation.

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

Section 1. Section thirteen hundred and four (1304) of the supplement to the code is hereby amended by inserting in subdivision seven (7) thereof the words "or of the Spanish-American war," after the word "rebellion" in the third (3d) line of said subdivision seven (7).

And that when so amended the same do pass.

WILLIAM S. HART,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Military, to whom was referred House file No. 182, a bill for an act to amend section one thousand three hundred and four (1304) of the supplement to the code of Iowa relating to exemption of property 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, the same measure having this day been recommended for passage in the report of this committee upon House file No. 174.

WILLIAM S. HART,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Military, to whom was referred House file No. 216, a bill for an act to repeal sections twenty-two hundred and twelve (2212), twenty-two hundred and thirteen (2213) and twenty-two hundred and fourteen (2214) of the code and amendments thereto, and to enact substitutes therefor, and to amend section twenty-one hundred and seventy-eight (2178) of the code relating to the 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 amended by substituting the following therefor:

SUBSTITUTE AS AMENDMENT FOR HOUSE FILE NO. 216.

A BILL for an act additional to and amendatory of chapter one (1) of title IX of the code and supplement to the code, relative to the State military force and Iowa National Guard.

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

Section 1. That section twenty-one hundred and sixty-nine-a (2169-a) of the supplement to the code be and the same is hereby repealed and re-enacted to read as follows:

When a requisition shall be made by the President of the United States for troops, the Governor, as commander-in-chief, shall order into service the national guard of the State, or such portion thereof as may be necessary, and if insufficient so many of the militia as is required, designating the same by draft if a sufficient number do not volunteer, and shall commission officers therefor; and while so in the service, the national guard and militia shall be subject to the same regulations as those of the United States army, and receive the same compensation and subsistence as when in active service of the State until mustered into the United States service, and the same compensation, subsistence and allowances as officers and men of like rank and service in the United States army thereafter. The State shall pay for such service only that part not paid by the United States.

Sec. 2. Section twenty-one hundred and seventy-three-a (2173-a) of the supplement to the code is hereby repealed and re-enacted to read as follows:

All enlistments in the Guard shall be for three (3) years and re-enlistments, if within thirty (30) days from date of discharge, shall be considered continuous service and may be for one, two or three years as the soldier may elect, and made by signing the enlistment prescribed by the adjutant



general and taking the following oath or affidavit which may be administered by the enlisting officer, to wit; "You do solemnly swear (or affirm) that you will bear true allegiance to, and that you will support the constitution of the United States and that of the State of Iowa, and will, as a member of the National Guard, serve the United States and the State of Iowa faithfully through your term of service, unless sooner discharged, and that you will obey the orders of the commander-in-chief and such officers as may be placed over you, and the laws and regulations governing the military forces."

Sec. 3. Section twenty-one hundred and seventy-five (2175) of the supplement to the code is hereby repealed and re-enacted to read as follows:

The adjutant general shall issue and transmit all orders of the commander-in-chief, and shall keep a record of appointments of all officers commissioned by the Governor, of all general and special orders and regulations, and of such matters as pertain to the organization of the military force and his duties. He shall reside at the Capitol and hold his office at the pleasure of the Governor, and shall perform the duties of quartermaster-general. He shall have charge of the State arsenal and grounds and all other property of the State kept or used for military purposes, and receive and issue all quartermaster and ordnance stores and camp equipage upon the order of the commander-in-chief. The adjutant general shall furnish at the expense of the State such blanks and forms as shall be approved by the commander-in-chief. He shall in each year preceding a regular session of the General Assembly, make out a detailed report of the transactions of his office, the expenses thereof and such other matters as shall be required by the commander-in-chief for the period since the last preceding report, and the Governor may at any time require a similar report, and upon the recommendation of the adjutant general, there may be appointed as assistant adjutant general with the rank of major, who shall hold his office at the pleasure of the Governor.

Sec. 4. Section twenty-one hundred and seventy-six-a (2176-a) of the supplement to the code is hereby repealed and re-enacted to read as follows:

When a requisition shall be made by the President of the United States for troops upon the State, the adjutant general shall also act as quartermaster general, and as full compensation as adjutant general and acting quartermaster general, shall receive a salary from the State during the period said troops are in such service equal to the compensation of colonel of the army of the United States, without increase, additions or allowances on account of length of service.

Sec. 5. Section twenty-one hundred and seventy-eight (2178) of the supplement to the code is hereby repealed and re-enacted to read as follows:

The regimental staff shall be appointed and commissioned by the Governor upon recommendation of the regimental commander, and shall consist of an adjutant, a chaplain, a quartermaster, a commissary, each of which officers shall have the same rank as corresponding officers in the United States army; an Adjutant with rank of first lieutenant for each battalion. The

commander of each regiment shall appoint by warrant from the enlisted men of his regiment a non-commissioned staff, consisting of a regimental sergeant-major, a sergeant-major for each battalion, a quartermaster sergeant, a commissary sergeant, two color sergeants. The commissions of regimental staff officers shall expire when the officer nominating them, or his successor, shall make new nominations for their respective offices, and such nominations shall be confirmed by the Commander-in-chief. Each regimental commander subject to the approval of the Commander-in-chief may cause to be enlisted and organized a band, composed of one chief musician, one principal musician, one drum major, four sergeants, eight corporals, one cook and not more than sixteen privates. The members of such band except as otherwise provided, shall be subject to the same regulations and receive the same compensation as other enlisted men of like grade. The regimental commander shall appoint the non-commissioned officers of band and upon recommendation of the company commander appoint the non-commissioned officers of each company and issue warrants to the persons so appointed.

Sec. 6. Section twenty-one hundred and seventy-nine-a (2179-a) of the supplement to the code is hereby repealed and re-enacted to read as follows:

A company of infantry shall consist of a captain, a first lieutenant, a second lieutenant, a first sergeant, a quartermaster sergeant, four sergeants, six corporals, two cooks, two musicians, an artificer, and not less than forty or more than sixty-four privates and non-commissioned officers.

A signal company shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, eight sergeants, sixteen corporals, two cooks, two musicians, an artificer, and not less than forty or more than sixty-four privates and non-commissioned officers.

A cavalry troop or battery of light artillery shall have the same officers, non-commissioned officers and number of enlisted men as an infantry company, and a farrier, a blacksmith and a saddler.

In time of war or public danger the Commander-in-Chief may increase the enlisted strength of such organizations as he may deem necessary.

Company officers shall be elected by the officers and enlisted men of the company and shall hold office for five (5) years, unless their resignation shall have been accepted or they are dismissed by sentence of court-martial.

Sec. 7. Section twenty-one hundred and eighty-one-a (2181-a) of the supplement to the code is hereby repealed and re-enacted to read as follows:

The medical department, in addition to the surgeon general, shall consist of a deputy surgeon general with rank of lieutenant colonel, and for each regiment, a surgeon with rank of major and two assistant surgeons; assistant surgeons, for the first five years of commission, shall have rank of first lieutenant and that of captain thereafter.

The enlisted men of the medical department shall consist of a first-class sergeant for each regiment and one sergeant for each assistant surgeon and such number of privates as the Commander-in-chief may prescribe.

The other staff officers and enlisted men, in addition to the heads of departments and personal aids and regimental staff, shall be as follows: Assistant inspector general, with rank of major; an assistant general inspector of small arms practice, with rank of major; all of whom shall possess the same qualifications for appointment as the heads of departments, and such officers, non-commissioned officers and enlisted men as the Commander-in-chief may prescribe, for the engineer departments.

All staff officers, excepting heads of departments, aides to Commander-in-chief and regimental staff shall be appointed and commissioned by the Commander-in-chief for five years on the recommendation of the chiefs of their respective departments, selected by examination, under such rules as the chiefs may prescribe.

Sec. 8. Section twenty-one hundred and eighty-three (2183) of the code is hereby repealed and re-enacted to read as follows:

Every officer of the guard shall be held to duty for the full term of his commission, unless his resignation shall have been sooner accepted, or he shall have been dismissed by sentence of court-martial.

Every enlisted man of the guard shall be held to duty for the full term of his enlistment unless regularly discharged for good and sufficient cause by the regimental commander, approved by the Commander-in-chief.

All company officers and members of a company or band permanently removing their place of residence from the station of such company or band, except in time of war or public danger, and all members of the guard who have served the full term for which they were commissioned or enlisted, shall upon application be entitled to honorable discharge exempting them from military duty except in time of war or public danger, and it shall be the duty of a company officer upon permanently removing his place of residence from the station of such company to resign his commission, and upon failure to do so his commission may be revoked by the Commander-in-chief. The term of enlistment of a member of a company shall be deemed to have expired upon such removal and he shall be discharged accordingly.

Sec 9. Section twenty-one hundred and eighty-four (2184) of the code is hereby repealed and re-enacted to read as follows:

The Guard may parade for encampment or drill not less than three nor more than ten days annually, by company, battalion, regiment or brigade as ordered by the Commander-in-chief, and the members thereof, or assignments of details therefrom, at the discretion of the Commander-in-chief, may be called out or detailed for target practice, school of instruction or such other practice or instruction as the Commander-in-chief may order, not exceeding ten days in any one year for any member, except members of the general staff and those detailed upon staff duty, or for such other duties as the exigencies of the service require.

In lieu of the encampments provided in paragraph one of this section, the Commander-in-chief may, in his discretion, order part or all of the Guard to participate in field maneuvers or other exercises for instruction in conjunction with troops of the United States army, for a period of not more than fifteen days.

Sec. 10. Section twenty-one hundred and eighty-eight (2188) of the code is hereby repealed and re-enacted to read as follows:

Any person who shall trespass upon the encampment grounds or the camp grounds of the military force of the State in active service, or of the guard called out for encampment, drill, target practice or other duty, or interrupt, molest or interfere with any member of the guard in the discharge of his duty, or sell any malt or spirituous or other intoxicating liquor within one mile of such encampment, camp or station, except a person engaged in the business prior to the establishment of such encampment, camp or station under permit issued by lawful authority, shall be guilty of a misdemeanor and punishable therefor, and the commanding officer of such force may order the arrest of such person and cause him to be delivered to a peace officer or magistrate as soon as practicable.

Sec. 11. Section twenty-two hundred and three (2203) of the supplement to the code is hereby repealed and re-enacted to read as follows:

There shall be allowed annually for postage, stationery and office incidentals to each regimental headquarters, the sum of twenty-five dollars (\$25) and to each company commander the sum of ten dollars (\$10).

Sec. 12. Section twenty-two hundred and twelve (2212) of the supplement to the code is hereby repealed and re-enacted to read as follows:

The military force, when in active service of the State upon the call of the Governor or sheriff of any county, and the Guard when paraded for drill, encampment, target practice, school of instruction, or other duty under orders of the Commander-in-chief, shall be paid the following compensation for time actually on duty: Each commissioned officer shall receive the pay of his rank in the United States army, at the time of such service, without allowances, increase or additions on account of length of service, and without subsistence or any allowances other than transportation, quarters and stationery.

Enlisted men shall be furnished transportation, subsistence and quarters, and in addition thereto shall receive the following per diem: Chief musicians, three dollars (\$3 00); principal musicians, drum majors, first-class sergeants, regimental sergeant major, commissary sergeant, quartermaster sergeant, color sergeant, first sergeants, two dollars (\$2.00); battalion sergeant major, company quartermaster sergeant, sergeants and cooks, one dollar and seventy-five cents (\$1.75); corporal, farrier, saddler, blacksmith, one dollar and fifty cents (\$1.50); privates, one dollar and twenty-five cents (\$1.25).

Enlisted men who have served continuously for three years and not more than five years, shall receive an added amount of fifteen per cent of the above per diem, and those who have served continuously five years or more, an added amount of twenty-five per cent of the above per diem. When in actual service of the State, pursuant to the order of the Governor, the compensation of the military force shall be paid out of the State treasury, and when such service is rendered upon the call of the sheriff of a county, such compensation shall be paid from the treasury of the county whose sheriff called for such military force. The claims for such services shall be audited

and allowed in the former case by the Executive Council and in the latter by the Board of Supervisors, upon presentment of proper claim therefor, at its next session. Should any part of the compensation above provided be paid from the United States, there shall be paid from the State treasury only that part thereof not paid by the United States.

Section twenty-two hundred and thirteen (2213) of the supplement to the code is hereby repealed and re-enacted to read as follows:

There shall also be paid to each officer and enlisted man for attendance at company drill or band practice at company or band station, the sum of ten cents (10c) per hour and not exceeding twenty cents (20c) in any one week; provided, that from any moneys due any officer or enlisted men for attendance at such drills there shall be deducted the sum of ten cents (10c) per hour and not exceeding twenty cents (20c) in any one week for absence without leave from such drills.

The Commander-in-chief, when sufficient funds are available beyond the other requirements of this chapter, may at his discretion authorize and order the payment of the further sum of ten cents (10c) per hour and not exceeding twenty cents (20c) in one week and not exceeding two dollars (\$2) in one year to each officer or enlisted man for time actually spent in target practice upon the rifle range at the station of such officers or enlisted men.

Sec. 14. That section twenty-two hundred and fourteen (2214) of the code of Iowa as amended by chapter eighty-nine (89) of the acts of the Twenty-ninth (29th) General Assembly is hereby repealed and the following enacted in lieu thereof:

Section 2214. There is appropriated, out of any moneys in the treasury not otherwise appropriated, the sum of seventy-five thousand dollars (\$75,000) per annum, or so much thereof as may be necessary, for the support of the Guard under the provisions of this chapter not applying to active service, which shall be drawn by a warrant, drawn by the Auditor of State on the State Treasurer, upon the certificates of the Adjutant General approved by the Governor, showing for what purpose each draft is to be or has been used, and no indebtedness shall be created in excess of such annual appropriation.

And that when so amended the same do pass. And that the said bill be referred to the committee on Appropriations before final disposition by the House.

WILLIAM S. HART,  
*Chairman.*

Hart of Allamakee moved that the report be adopted and the bill be referred to Appropriations committee.

Motion prevailed.

McElrath of Woodbury asked unanimous consent that House file No. 192 be withdrawn from the committee on Schools and Text-Books and referred to the Judiciary committee.

Granted, and the bill was so referred.

Head of Greene called up the motion to reconsider the vote by which Senate file No. 200 passed the House and by which it passed to its third reading.

Motion prevailed.

Head of Greene moved that Senate file No. 200 be referred to the Appropriations committee for further consideration.

Motion prevailed.

Teter of Marion asked unanimous consent to withdraw House file No. 251 from the committee on Mines and Mining and from further consideration by the House.

Granted.

Powers of Floyd submitted the following report of the joint committee appointed to investigate the advisability of manufacturing binding twine at the State prisons.

#### REPORT OF JOINT COMMITTEE.

*To the House of Representatives and Senate:*

GENTLEMEN: We, your committee to investigate the advisability of the manufacturing of binding twine at the State Prison at Anamosa, and the probable cost of plant, will say, that we have investigated the reports of the Board of Control of the manufacture of twine at the State Prison at Stillwater, Minnesota, and find that they commenced manufacturing twine in 1891 from soft fiber, consisting of flax, etc. Their twine was poor, did not give satisfaction, and much of it was returned to them. They abandoned the soft fiber and made twine from hard fiber. After August 1, 1897, they made money, but their entire profits from the time the factory started, in August, 1891, to August 1, 1896, were only.....\$ 10,516.32

From August 1, 1896 to August 1, 1898, they were . 132,889.68

From August 1, 1898, to August 1, 1899, they were. 68,153.01

Net profits on twine for year 1901..... 32,153.13

Net profits on twine business for year 1902..... 64,065.27

Total profits on twine till 1903.....\$398,420.41

They sold all twine at 1½ cents profit above cost of raw material, regardless of outside prices from the trust.

During this time they have charged against the business the following items:

Fifty cents per day per convict employed.

Cost of fuel and oils.

Repairs of machinery.

Insurance.

Cost of all material

Their present capacity of twine per day is 30,000 pounds. They employ from one hundred to two hundred and twenty-five prisoners.

When the twine plant was established, an appropriation of \$150,000 as a revolving fund was provided by the State legislature, to be used to defray the operating expenses, purchase raw material, etc. A total appropriation of \$100,000 was also provided at various periods for the purchase of binding twine machinery and equipment for the twine plant.

We also find that the State of North Dakota report for the year January 3, 1903, shows a surplus above all expenditures of \$24,742.28 in the manufacture of binding twine. Dakota and Minnesota buy all their sisal and Manilla fiber in Yucatan. New Zealand hemp is used exclusively for the Manilla mixed twine. The Board of Control of the State of Minnesota has made the following prices on binding twine to the farmers for the year 1904:

Sisal 500 feet to the pound, 8½ cents; Standard 500 feet to the pound, 8¼ cents; Standard Manilla 550 feet to the pound, 9 cents; Mixed Manilla 600 feet to the pound, 10 cents; Pure Manilla 650 feet to the pound, 11 cents.

These prices are one-half a cent lower on each grade than the prices of 1903. As the season's output will be about 9,000,000 pounds, the saving to farmers will be \$45,000 more than last year.

There are three state plants now in operation in the United States, namely: Minnesota state prison plant, North Dakota penitentiary at Bismark, and the Kansas penitentiary at Lansing. The maximum capacity of the Minnesota plant is 9,000,000 pounds, North Dakota 3,000,000 pounds, and Kansas 3,000,000 pounds. South Dakota uses about 12,000,000 pounds; North Dakota uses about 12,000,000 pounds; Wisconsin uses about 10,000,000 pounds; Minnesota uses about 18,000,000 pounds; Iowa uses about 12,000,000 pounds.

The Minnesota plant has manufactured to date 48,000,000 pounds at Stillwater, at a saving to the farmers of the State of about 4-cents per pound, making a grand total of \$1,920,000.

The cost of installation of a twine plant of suitable and sufficient capacity to employ two hundred prisoners in the manufacture of binding twine, at the present prevailing prices of fiber and other materials, will require about \$600,000 as a revolving fund to meet the necessary expenses in carrying on the business from one season to another, and about \$125,000 for machinery, belting, shafting and power plant; a total of about \$725,000.

The floor space occupied in the manufacture of twine at Stillwater is about 60,000 square feet, and store room floor space 40,000 square feet. Store room for both the manufactured article and raw material should be single story on account of the great weight to be carried.

In the last annual message of Governor Van Sant to the Minnesota Legislature (1903) he says, "So well has the twine plant been managed that there is now to the credit of the revolving fund \$600,000."

And in a letter to a member of this committee, dated January 19, 1904, the Governor further says: "Our twine plant has certainly been a great success."

We learn from official reports from Kansas, that the State had about \$160,000 invested in a plant the first year of its existence and made over a million pounds of twine and sold 760,000 pounds for \$80,000, having left unsold over 300,000 pounds. Accordingly this year, after making a liberal allowance for expenditures, the State was not a loser. We have not been able to get reports of each year of the workings of the plant. But we learn, it has not, for a few years, been a source of profit, but this is attributed to the State not making sufficient appropriations to get the best results. While Kansas and North Dakota have not been so fortunate in the management of their plants as Minnesota, we have not learned that they wish to abandon them.

Therefore, we conclude that both states are confident that there is a profit in such an institution, both to the farmer and to the State.

We, the undersigned committee, do recommend the installing of a twine plant at the State prison at Anamosa as soon as practicable or possible for the following reasons:

First. It is a business proposition.

Second. It will give employment to 200 convicts continually to manufacture the twine used in this State.

Third. Their work is worth equal to outside labor in the manufacture of twine, and that at \$2 per day will be a revenue to the State of \$400 per day.

Fourth. Their work does not come in competition with outside labor in this State.

Fifth. The buildings can be built by the convicts at a small cost to the State.

Sixth. There is no money poured into a rat hole that will not come to the surface, but will always be in sight in raw material, manufactured twine or money.

Seventh. There will be a saving to the farmers of the State about \$400,000 per annum.

Eighth. Enforced idleness, even for a single day is a calamity, and if long continued, endangers the health of the incarcerated, both mentally and physically.

Ninth. After careful investigation, we find that there is an organization known as the International Harvester Co. of America. That this organization or corporation has destroyed honest competition, not only in the manufacture and sale of binders and mowers, but also binding twines, extorting unreasonable profits from our farmers, and for the purpose of compelling this trust to sell farmers in this State, binding twine at a reasonable profit, we favor the installation of a plant.

Tenth. In regard to the working of prison labor on the highways of the State, it is our opinion that it cannot be made practical, as the cost of transportation, and the guards required to restrain them from desertion, would be equal or more than the value of all work performed.

L. L. DELANO,  
P. H. POWERS,  
HENRY YOUNG,  
FRED N. SMITH,  
*Committee.*

Ordered passed on file.



## INTRODUCTION OF BILLS.

By Summers of Van Buren, House file No. 357, a bill for an act to provide for the registration of trained or graduate nurses and for the issuance of certificates thereto, and to make it a misdemeanor for any person to advertise or profess to be a trained nurse without having first been registered as provided herein.

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

By Kling of Harrison, House file No. 358.

A BILL for an act to legalize the incorporation of the town of Persia, Harrison county, Iowa, the election of its officers, the passages of its ordinances and resolutions, and all acts done by the council of said town.

WHEREAS, Doubts have arisen as to the legality of the incorporation of the town of Persia, Harrison county, Iowa, the election of its officers, the passage of its ordinances and resolutions, the signing of the same by the mayor and the record thereof; therefore,

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

Section 1. Valid and binding pending litigation. That the incorporation of the town of Persia, Harrison county, the election of its officers, the passage of its resolutions and ordinances, the signing of the same by the mayor or the lack thereof, and all the official acts done by said town council not in contravention with the laws of the State, are hereby legalized and the same are declared to be valid and binding the same as though the law had in all respects been strictly complied with in the incorporation of said town, the election of its officers, and all official acts done by said council, the proper signing and record thereof, or the lack of same. But nothing in this act shall in any manner effect pending litigation.

Sec. 2. IN EFFECT. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Council Bluffs Weekly Nonpareil and the Register and Leader, newspapers published at Council Bluffs and Des Moines, Iowa, without expense to the State of Iowa.

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

Kendall of Monroe made the following report:

MR. SPEAKER—Your committee appointed to call upon the Pioneer Law-makers' Association and to extend an invitation to visit this House, beg to report that that duty has been performed.

They further report that said invitation has been accepted, and the visit of said Association will occur at 2:30 o'clock this afternoon.

N. E. KENDALL,  
*Chairman.*

Weeks of Guthrie asked unanimous consent to withdraw House file No. 318 from the committee on Public Lands and Buildings.

Granted.

BILLS ON THEIR PASSAGE.

On motion of Robinson of Emmet, House file No. 277, a bill for an act relating to the meandered lake beds in the State, and authorizing the Executive Council to survey, lease or sell the same, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Mr. Robinson moved the adoption of the following amendment recommended by the committee:

Amend by adding after the word "freeholders" in the second line of section two (2) the following: "twenty of whom shall be actual residents of the township or townships in which said lake beds are situated."

Adopted.

Mr. Robinson moved to amend by inserting after the comma following the first word in the third line of section 6, the following: "and the county auditor of the county in which said lake or lake bed is situated."

Adopted.

Hart of Allamakee moved to amend by striking out section 3 and substituting the following in lieu thereof:

"Upon receipt of the report of the engineer, the Executive Council shall fix a time and place for hearing upon the statement of freeholders and report of engineer, which time shall be within six (6) months and not sooner than sixty (60) days and shall give notice of such hearing by publication for four (4) consecutive weeks in some newspaper published in the county where such lake is located and in each county if in more than one, the last of such publication to be not less than thirty (30) days before the time set for such hearing. At the time of such hearing any resident freeholder of the State may appear personally or by counsel and make objection to the drainage of such lake and the improvement or sale of the bed thereof and be heard by testimony and in argument. At the conclusion of such hearing, the Executive Council shall determine whether such lake or lake bed shall be maintained or preserved as the property of the State or whether same shall be drained or improved, and the land included within the meander lines thereof sold in the manner herein specified, and shall make a complete record of all its doings and proceedings with reference thereto."

Langan of Clinton moved to amend the amendment by inserting after the word "hearing" in the fourth and fifth lines thereof the words, "which hearing shall be in the county or counties where said land is located, but said hearing may be taken before a commission appointed by said Executive Council."

Weeks of Guthrie moved that House file No. 318 and House file No. 277 now under consideration, with pending amendments, be referred to Judiciary committee.

Motion prevailed.

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. 249, a bill for an act to amend section 2552 of chapter 15 of the code relative to the protection of fish and game.

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, joint resolution application to the congress of United States of America in behalf of State of Iowa, for the calling of a convention proposing amendments to the constitution of the United States of America, as provided in article 5 of said constitution.

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. 184, a bill for an act to provide for the classification of teachers' certificates and to limit the number 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:

Substitute for Senate file No. 196, a bill for an act to amend section 2546 of chapter 15 of the code as amended by section 6 of chapter 103 of the acts of the Twenty-ninth General Assembly. Section 2546 of code supplement.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Chassell of Plymouth, House file No. 209, a bill for an act to amend section 1692 of the code, relating to premium notes and the commencement of business by mutual fire insurance company, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Chassell of Plymouth moved that the rule 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. Bailey, Carden, Chassell, Cheney, Clary, Crose, Greeley, Gregory, Hume, Jepson, Kennedy, Laird, Langan, McClurkin, McDole, Manning, Mattes, Prevo, Spaulding, Summers, Teachout, Temple, Mr. Speaker—23.

**The nays were:**

Messrs. Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Cassel, Cobb, Dashiell, Davie, Doran, Dow, English, Freeman, Frudden, Geneva, Greene, Hambleton, Hanna, Harris, Hart, Head, Hollembeak, Jones, Kendall, Kling, Leech, Lundt, McAllister, McCreary, McCulloch, McElrath, McNie, Maben, Martin, Mott, Nichols, Offill, Olson, Peet, Ritter, Saylor, Shaffer, Skinner, Stanbery, Stoltenberg, Teter, Washburn, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland—55.

**Absent or not voting:**

Messrs. Carstensen, Christianson, Coburn, Colclo, Conn, Cummings, DeLano, Flenniken, Hakes, Heles, Jacobson, Koontz, Lamkin, Lister, Lowrey, Morris, Powers, Pritchard, Robinson, Sankey, Springer, Weeks—22.

So the bill, having failed to receive a constitutional majority, was declared lost.

## MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor and read:

*To the Senate and House of Representatives of the Thirtieth General Assembly:*

I beg to call your attention to section 5278 of the compiled statutes of the United States and section 5172 of the code of Iowa, relating to extradition of persons accused of crime, upon the requisition or demand of the executive authority of another State or Territory. These statutes prescribe the power of the Governor of this State to grant a warrant upon demand for extradition.

A case has just been presented to me which, as I think, shows a great deficit in the legislation upon the subject. A woman resident of our State, is accused of the crime of murder which it is alleged was committed in the following manner, viz: By mailing in this State a package of poisoned candy directed to a person in the State of South Dakota. It is alleged the package was duly delivered, the candy eaten, with death as a result. The Governor of South Dakota issued a requisition upon me, asking me to grant a warrant for the arrest of the woman alleged to have mailed the package and cause her to be delivered to an agent appointed by him to receive her.

Under the sections of the law to which I have referred, and as they have been construed by the supreme court of the United States and the supreme court of our own state, and acting upon the advice of the Attorney General, I was compelled to refuse the warrant. It is well established by the authorities that the offense of murder, committed in the way which I have described, is an offense committed not in the State of Iowa, but in the State of South Dakota, and therefore is not punishable in Iowa. I know nothing respecting the guilt or innocence of the person accused, but it is perfectly clear that any system of laws which will allow a guilty person to escape trial under such circumstances, is seriously defective.

The federal statute, which is not enlarged by our own, provides: Whenever the executive authority of any state or territory demands any person as a fugitive from justice of the executive authority of any state or territory to which such person has fled, and produces a copy of an indictment found or an affidavit made before a magistrate of any state or territory, charging the person demanded with having committed treason, felony or other crime, certified as authentic by the governor or chief magistrate of the state or territory from whence the person so charged fled, it shall be the duty of the executive authority of the state or territory to which such person has fled, to cause him to be arrested and secured, etc.

In the case to which I refer, the accused was not in South Dakota when the crime was committed and therefore did not flee from the State nor from its justice, and there can be no adequate administration of the law in such instances, unless the governor of this State is empowered to extradite under other conditions than those now provided.

I have requested the Attorney General to prepare a bill to remedy this obvious defect in the law, and I earnestly recommend its passage.

Respectfully submitted,

ALBERT B. CUMMINS,  
*Governor.*

Referred to committee on Judiciary.

English of Polk moved that the House sit in session this afternoon immediately after the visit of the Pioneer Lawmakers' Association to hear Judge Henley of Chicago on the subject of juvenile courts.

Motion prevailed.

On motion of Kendall of Monroe the House adjourned until 2 P. M. today.

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#### AFTERNOON SESSION.

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House met pursuant to adjournment.

Speaker Clarke in the chair.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 99, a bill for an act making an appropriation for the purchase of twenty-five thousand (25,000) Railroad Commissioners' official maps, to be distributed by the members of the General Assembly and the Railroad Commissioners.

Also, Senate file No. 217, a bill for an act defining the duties and powers of the Secretary of State, and amending section one hundred twenty-six (126) of the code.

Also, substitute for Senate file No. 146, a bill for an act to amend section fifty-seven hundred and sixteen (5716) of the code, relating to the classification and payment of turnkeys and guards of the penitentiaries.

H. L. SPAULDING,  
*Chairman House Committee.*  
D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

Speaker announced that he had signed in the presence of the House, Senate files No. 146, No. 217 and No. 99.

On motion of Kendall of Monroe, Senate file No. 180, a bill for an act to amend section 4134 of chapter 2, title XX of the code, in relation to procedure in Supreme Court, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Wright of Webster moved that Senate file No. 180 be referred to the Judiciary committee.

Motion prevailed, and the bill was so referred.

Leech of Cedar moved that Senate file No. 178 be substituted for House file No. 259.

Motion prevailed.

Mr. Leech moved that Senate file No. 178, a bill for an act to amend section two thousand five hundred and eighty-two (2582), title XII (12), chapter seventeen (17), of the code, relating to granting certificates to practice medicine by reciprocity with other states, be withdrawn from the committee on Public Health and taken up and considered now.

Motion prevailed and the bill was taken up.

Gregory of Adams moved that the rule 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, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, DeLano, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Mott, Nichols, Offill, Olson, Powers, Prevo, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Temple, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—86.

The nays were:

None.

Absent or not voting:

Messrs. Buckingham, Christianson, Davie, Doran, Dow, Koontz, Langan, Lowrey, Morris, Peet, Pritchard, Sankey, Teach out, Whiting--14.

So the bill passed and the title was agreed to.

On motion of Freeman of Pottawattamie, Senate file No. 64, a bill for an act relating to the investigation of complaints as to the management and treatment of inmates of county and private institutions in which insane persons are kept, and of children cared for by associations and societies contemplated by section 10 of chapter 133 of the acts of the Twenty-ninth General Assembly, with report of committee recommending passage, was taken up and considered.

Adopted.

Buchanan of Wapello moved that the bill be indefinitely postponed.

Motion prevailed.

On motion of Hambleton of Mahaska, House file No. 315, a bill for an act to amend section 2232 of the code, relative to county expense, with report of committee recommending passage, was taken up and considered.

Mr. Hambleton moved that the rule 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. Bailey, Bealer, Boland, Buchanan, Buckingham, Carsensen, Cassel, Chassell, Cheney, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Doran, English, Freeman, Frudden, Greeley, Gregory, Hambleton, Hanna, Harris, Head, Hollebeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Leech, Lister, McAllister, McClurkin, McCreary, McCulloch, McElrath, McNie, Maben, Manning, Martin, Mattes, Ofill, Olson, Powers, Ritter, Saylor, Spaulding, Temple, Washburn, Welden, Wise, Wright, Wyland, Mr. Speaker--59.



The nays were:

Messrs. Bixby, Calderwood, Clary, Davie, DeLano, Flenniken, Geneva, Greene, Hakes, Hart, Heles, Hume, Lundt, McDole, Mott, Nichols, Peet, Prevo, Shaffer, Skinner, Springer, Stanbery, Summers, Whiting, Willson—25.

Absent or not voting:

Messrs. Carden, Christianson, Cummings, Dow, Koontz, Langan, Lowrey, Morris, Pritchard, Robinson, Sankey, Stoltenberg, Teachout, Teter, Weeks, Whitmer—16.

So the bill passed and the title was agreed to.

On request of Chassell of Plymouth, unanimous consent having been given, House file No. 138, a bill for an act to amend chapter 64, acts of the Twenty-seventh General Assembly, relating to the protection of game and fish, with Senate amendment, was taken up, and the amendment read and considered.

Mr. Chassell moved that the House concur in the Senate amendment.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Buchanan, Buckingham, Calderwood, Carden, Chassell, Cheney, Clary, Cobb, Coburn, Colclo, Crose, Dashiell, Davie, DeLano, Doran, Flenniken, Freeman, Frudden, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembek, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Mott, Nichols, Offill, Olson, Powers, Prevo, Ritter, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Temple, Teter, Washburn, Welden, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—78.

The nays were:

None.

Absent or not voting:

Messrs. Boland, Carstensen, Cassel, Christianson, Conn, Cummings, Dow, English, Geneva, Koontz, Langan, Lowrey,

Morris, Peet, Pritchard, Robinson, Sankey, Saylor, Springer, Teachout, Weeks, Willson—22.

So the House concurred in the Senate amendments.

On motion of Harris of Poweshiek, Senate file No. 210, a bill for an act to amend sections 2437 and 2438 of the code, relating to mulct tax, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Mr. Harris moved that the rule 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. Bealer, Bixby, Calderwood, Carden, Chassell, Cheney Clary, Cobb, Colclo, Crose, Dashiell, DeLano, Doran, Dow English, Flenniken, Frudden, Geneva, Greeley, Greene, Hakes, Hanna, Harris, Hart, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Mott, Nichols, Ofill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Temple, Teter, Washburn, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—78.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Boland, Buchanan, Buckingham, Carstensen, Cassel, Christianson, Coburn, Conn, Cummings, Davie, Freeman, Gregory, Hambleton, Koontz, Langan, Lowrey, Morris, Sankey, Saylor, Teachout, Weeks—22.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, Senate file No. 206, a bill for an act to amend section 1626 of title IX, chapter I of the code, and to determine the right to vote shares of corporate stock when

the same has been pledged or levied upon under attachment or other proceeding, with report of committee recommending passage as amended by substitute, was taken up by unanimous consent, considered and the report of the committee adopted.

Mr. Kendall moved the adoption of the following substitute as amendment recommended by the committee:

COMMITTEE SUBSTITUTE FOR SUBSTITUTE FOR SENATE FILE NO. 206.

Section 1. Every executor, administrator, guardian or trustee, shall represent the stock in his hands at all corporate meetings, and may vote the same as a stockholder, and every person who shall pledge his stock, in the absence of a written agreement to the contrary, may represent the same at all such meetings and vote accordingly. The owner of corporate stock levied upon by attachment or other proceeding, shall have the right to vote the same at all corporate meetings, until such time as that he shall have been divested of his title thereto by execution sale. But nothing contained in this section shall in any manner conflict with any provision in the articles of incorporation, or the by-laws of the corporation issuing the stock, and that when so amended the same do pass.

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 amended and passed the following bill in which the concurrence of the Senate was asked:

House file No. 138, a bill for an act to amend chapter 64, acts of the Twenty-seventh General Assembly, relating to the protection of game fish.

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. 174, a bill for an act granting to cities and towns authority to regulate the construction of buildings.

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. 70, a bill for an act authorizing cities and towns to levy a tax for the purpose of erecting public buildings and purchasing grounds for the same.

GEO. A. NEWMAN,  
*Chairman.*

SENATE MESSAGES CONSIDERED.

Senate joint resolution No. 3, joint resolution application to the Congress of the United States of America in behalf of State of Iowa, for the calling of a convention proposing amendments to the constitution of the United States of America as provided in article 5 of said constitution.

Read first and second time and referred to committee on Constitutional Amendments.

Senate file No. 196, a bill for an act to amend section 2546 of chapter 15 of the code as amended by section 6 of chapter 103 of the acts of the Twenty-ninth General Assembly. Section 2546 of code supplement.

Read first and second time and referred to committee on Fish and Game.

Senate file No. 184, a bill for an act to provide for the classification of teachers' certificates and to limit the number thereof.

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

Senate file No. 174, a bill for an act granting to cities and towns authority to regulate the construction of buildings.

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

The chief doorkeeper announced the arrival of the honorable body of Pioneer Law Makers of Iowa, who took seats on the west side of the House vacated for their use.

Judge Reed, president of the Pioneer Law Makers' Association, was conducted to a seat at the Speaker's right.

The Speaker, in a few well-chosen words, welcomed the Pioneer Law Makers' Association and introduced Bixby of Delaware, who welcomed the association on behalf of the House.

Response was made by Gen. James B. Weaver of Colfax, Iowa.

Other addresses were made by Colclo of Carroll and Gregory of Adams, on the part of the House, and by Hon. B. F. Clayton, Col. S. A. Moore and Judge Reed on the part of the Pioneer Lawmakers' Association, after which the association withdrew.

On motion of Wise of Black Hawk the House adjourned until 9:30 A.M. tomorrow.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 11, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. W. W. Carlton of Mason City, Iowa.

Journal of Thursday, March 10th, was corrected and approved.

On request of Spaulding of Howard leave of absence was granted Shaffer of Fayette indefinitely on account of sickness.

On request of Robinson of Emmet leave of absence was granted Pritchard of Wright until tomorrow.

House resumed the consideration of Senate file No. 206.

Kendall of Monroe moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buckingham, Calderwood, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, Doran, Dow, Freeman, Frudden, Geneva, Greeley, Gregory, Hambleton, Hanna, Harris, Hart, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Nichols, Offill, Olson, Powers, Prevo, Ritter, Saylor, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—80.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Carden, DeLano, English, Flenniken, Greere, Hakes, Head, Koontz, Lowrey, McClurkin, Morris, Mott, Peet, Pritchard, Robinson, Sankey, Shaffer, Springer, Teachout—20.

So the bill passed.

#### PETITIONS AND MEMORIALS.

Mattes of Sac presented two petitions of meat producers of Sac county asking that House file No. 332 be enacted.

Referred to committee on Railroads and Commerce.

Mattes of Sac presented memorial of Iowa Butter and Egg Shippers relative to House files No. 23, No. 24 and No. 98.

Referred to committee on Appropriations.

Maben of Hancock presented petition of meat producers of Humboldt county asking that House file No. 332 be enacted.

Referred to committee on Railroads and Commerce.

Martin of Pottawattamie presented petition of conductors and motormen of the Council Bluffs Railway Co., asking that House file No. 298 be not enacted.

Referred to committee on Labor.

#### REPORTS OF COMMITTEES.

Harris of Poweshiek, 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. 352, a bill for an act in relation to objectionable advertisements in the vicinity of public school 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.

THOS. HARRIS,  
*Chairman.*

Ordered passed on file.

Nichols of Muscatine, 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. 295, a bill for an act to amend the law as it appears in section 2606-b of the supplement to the code, in regard to the money of the members 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 do pass.

J. I. NICHOLS,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Soldiers' and Orphans' Home, to whom was referred House file No. 339, a bill for an act to authorize the city of Marshalltown to construct and maintain a sewer through land of the State used by 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 do pass.

J. I. NICHOLS,  
*Chairman.*

Ordered passed on file.

Doran of Boone, from the committee on Animal Industry, submitted the following report:

MR. SPEAKER—Your committee on Animal Industry, to whom was referred House file No. 52, a bill for an act against docking horses, beg leave to report that they have 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. R. DORAN,  
*Chairman.*

Ordered passed on file.



## BY THE MINORITY.

MR. SPEAKER—The undersigned, a minority of your committee on Animal Industry, beg leave to report that they have had under consideration House file No. 52, a bill for an act prohibiting the docking of horses.

They further submit that they respectfully dissent from the views of the majority, and they recommend that the said House file be amended by substituting the following:

A BILL for an act to prohibit docking horses, and providing penalties for the violation thereof.

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

Section 1. It shall be unlawful for any person or persons to dock the tail of any colt or horse of any age within the State of Iowa, or to procure the same to be done therein.

Sec. 2. Any person or persons violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed one hundred dollars, or by imprisonment in the county jail not to exceed thirty days.

And that when so amended the same do pass.

R. J. BIXBY,  
JOHN F. OFFILL,  
A. F. CASSEL,  
C. B. LAMKIN.

Ordered passed on file.

## SPECIAL ORDER.

The hour of 10 o'clock having arrived, House file No. 195, a bill for an act to amend chapter 53, acts of the Twenty-ninth General Assembly, relative to the election of township trustees, the election, duties and compensation of road superintendents, the division and consolidation of road districts, and the collection of property road tax, which had been made a special order for this hour, with report of committee recommending indefinite postponement, and minority report recommending passage as amended by substitute, was taken up and considered.

Chassell of Plymouth moved to substitute the recommendations of the minority for the report of the committee.

Davie of Crawford and Whiting of Monona demanded a roll call.

Hollemeak of Adair announced that he and Morris of Sioux were paired on the vote on House file No. 195.

On the question, Shall the recommendations of the minority be substituted for the committee report?

The yeas were:

Messrs. Buckingham, Calderwood, Chassell, Christianson, Cobb, Colclo, Dashiell, Davie, DeLano, Geneva, Gregory, Hakes, Hanna, Hart, Jones, Kendall, Laird, Lamkin, Langan, Lister, Lundt, McCreary, McCulloch, McElrath, Maben, Manning, Mattes, Offill, Peet, Powers, Prevo, Ritter, Saylor, Skinner, Springer, Stoltenberg, Temple, Teter, Washburn, Weeks, Whiting, Whitmer, Wright, Wyland—44.

The nays were:

Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Carden, Cassel, Cheney, Clary, Coburn, Conn, Crose, Cummings, Doran, Dow, English, Flenniken, Freeman, Greeley, Greene, Hambleton, Harris, Head, Heles, Hume, Jacobson, Jepson, Kling, Leech, McAllister, McDole, McNie, Mott, Nichols, Olson, Robinson, Spaulding, Stanbery, Welden, Willson, Mr. Speaker—41.

Absent or not voting:

Messrs. Carstensen, Frudden, Hollembeak, Kennedy, Koontz, Lowrey, McClurkin, Martin, Morris, Pritchard, Sankey, Shaffer, Summers, Teachout, Wise—15.

So the recommendations of the minority were so substituted.

Chassell of Plymouth moved that the recommendations of the minority be adopted.

Motion prevailed.

Mr. Chassell moved the adoption of the following substitute as amendment recommended by the committee:

SUBSTITUTE FOR HOUSE FILE NO. 195.

A BILL for an act to amend chapter fifty-three (53) acts of the Twenty-ninth (29th) General Assembly, relative to the duties of township trustees; the election, duties and compensation of road superintendents; the division and consolidation of road districts, and the collection of property road tax.

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

Section 1. The board of township trustees, at the regular April meeting of an even numbered year, may divide the township into two or more road

districts, said division to take effect on the first of January of the succeeding, or odd numbered, year. When the township is so divided the electors of each road district, at the regular annual election of the even numbered year, shall elect a road superintendent for the term of two years. The several road superintendents shall be entitled to receive salaries as fixed by the Board of Township Trustees. The salaries of the road superintendents shall be determined at the November meeting of the board of trustees for the year beginning on the first of the succeeding January, not exceeding three dollars (\$3) per day for services actually performed.

The board of township trustees, after a trial of two or more years of this plan, may, at the April meeting in the even numbered years, consolidate the road districts of the township and return to the one district plan, said change to take effect on January first of the succeeding, or odd numbered, year.

Sec. 2. The township trustees of each township where road superintendents are to be elected shall cause to be prepared for each election precinct in such township a separate ballot box to receive the votes for superintendents of roads, with as many different compartments as there are road districts in the township or election precinct, and numbered accordingly. The vote for road superintendent shall be on a separate ballot, and the judges of election shall place such ballot in the department of such ballot box numbered to correspond with the number of the road district in which the voter resides.

Sec. 3. In townships which are divided into two or more districts the township trustees shall permit resident property owners to work out all or part of their property road tax for the year in which said tax is assessed, and shall, at their annual meeting in April, determine the amount of tax to be paid in labor and the amount to be paid in cash. The township clerk shall make out lists of property and tax for each superintendent of roads. The property road tax worked out shall be certified by the township clerk to the county auditor on or before the second Monday of November of each year. The county auditor shall credit the amount of tax worked out upon the tax lists before delivering the tax lists to the county treasurer.

Sec. 4. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

Adopted.

Chassell of Plymouth moved to amend by inserting the following after the words "Section 1":

That chapter fifty-three (53), acts of the Twenty-ninth General Assembly, is hereby amended by inserting the following at the close thereof:

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 requests the recall of Senate file No. 200, a bill for an act making \$20,000 additional appropriation for the Iowa exhibit at the Louisiana Purchase Exposition at St. Louis and amendatory of chapter 195 of the laws of the Twenty-ninth General Assembly.

GEO. A. NEWMAN,  
*Secretary.*

## INTRODUCTION OF BILLS.

By McNie of Benton, House file No. 359, a bill for an act to amend section 2575 of the code relating to expenses of the State Board of Health.

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

By Cobb of Taylor (by request), House file No. 360, a bill for an act to amend section 2388 of the code.

Read first and second time and referred to committee on Suppression of Intemperance.

By Clary of Chickasaw, House file No. 361, a bill for an act to repeal chapter 150 of the acts of the Twenty-ninth General Assembly and sections 4999 e, 4999-f, 4999-g, 4999-h, 4999-i, 4999-j, of the supplement to the code, and enact in lieu thereof the following: "relative to the 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, additional to chapter 10 of title XXIV of the code, relating to offenses against the public health.

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

Wyland of Shelby asked unanimous consent to refer House file No. 300 to the Appropriations committee.

Granted, and the bill was so referred.

On motion of Cheney of Clay, the House adjourned until 9 o'clock A. M. tomorrow.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 12, 1904. }

House met pursuant to adjournment.

Speaker pro tem Cummings in the chair.

Prayer was offered by the Rev. E. E. Flint of Creston, Iowa.

Journal of Friday, March 11th, was corrected and approved.

PENDING BUSINESS.

House resumed consideration of House file No. 195, pending at last previous adjournment.

Chassell of Plymouth moved to make a further consideration of this bill a special order for 10 o'clock A. M. Wednesday, March 16th.

Buchanan of Wapello and Jepson of Woodbury demanded a roll call on the question.

The roll call resulted as follows:

The yeas were:

Messrs. Bixby, Boland, Calderwood, Carstensen, Chassell, Cobb, Colclo, Crose, Davie, DeLano, Doran, Dow, Freeman, Geneva, Gregory, Hakes, Hanna, Hume, Jones, Kennedy, Laird, Langan, Lister, Lundt, McCreary, McCulloch, McElrath, Maben, Manning, Mattes, Morris, Mott, Offill, Peet, Powers, Prevo, Ritter, Sankey, Saylor, Skinner, Springer, Teter, Washburn, Weeks, Whiting, Whitmer, Willson, Wright, Wyland—49.

The nays were:

Messrs. Bealer, Buchanan, Conn, Cummings, English, Frudden, Hambleton, Harris, Hart, Head, Heles, Hollembeak, Jacob-

son, Jepson, Kendall, Leech, McAllister, McDole, Nichols, Olson, Robinson, Stanbery, Teachout—23.

Absent or not voting:

Messrs. Bailey, Buckingham, Carden, Cassel, Cheney, Christianson, Clary, Coburn, Dashiell, Flenniken, Greeley, Greene, Kling, Koontz, Lamkin, Lowrey, McClurkin, McNie, Martin, Pritchard, Shaffer, Spaulding, Stanbery, Stoltenberg, Temple, Welden, Wise, Mr. Speaker—28.

Motion prevailed and the bill was made special order as moved by Mr. Chassell.

On request of Hambleton of Mahaska leave of absence was granted Cassel of Jefferson indefinitely.

On request of Springer of Buchanan leave of absence was granted Clary of Chickasaw until Tuesday.

On request of Laird of Fremont leave of absence was granted Welden of Hardin until Tuesday.

On request of Heles of Dubuque leave of absence was granted Saylor until Tuesday.

On request of Hart of Allamakee leave of absence was granted Cheney of Clay until Tuesday.

On request of Kennedy of Lee leave of absence was granted McClurkin of Louisa indefinitely.

On request leave of absence was granted McNie of Benton until Monday.

On request of Kennedy of Lee leave of absence was granted Summers of Van Buren until Tuesday.

On request of Lamkin of Lyon leave of absence was granted Spaulding of Howard until Tuesday.

On request leave of absence was granted Davie of Crawford until Tuesday.

On request leave of absence was granted Peet of Jofes until Monday.

## PETITIONS AND MEMORIALS.

Maben of Hancock presented petition of citizens of Humboldt county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Wyland of Shelby presented petition of citizens of Harlan relative to House file No. 52 and House file No. 47.

Referred to committee on Schools and Text-Books.

DeLano of Cass presented petition of seven engineers of Cass county asking that House file No. 7 be enacted.

Referred to committee on Police Regulations.

Kling of Harrison presented petition of meat producers of Harrison county, relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Lundt of Tama presented petition of seventy-six citizens of Tama county, relative to woman suffrage.

Referred to committee on Woman Suffrage.

Lundt of Tama presented petition of eighty-three citizens of Tama county, relative to the establishment of a woman's reformatory at Knoxville.

Referred to committee on Public Charities.

Mattes of Sac presented two petitions of citizens of Sac county, relative to the pure food bill.

Referred to committee on Public Health.

McCreary of Appanoose presented two petitions of physicians of Appanoose county, relative to the establishment of a State sanatorium for the treatment of the tuberculosis poor.

Referred to committee on Public Health.

Boland of Iowa presented petition of meat producers of Iowa county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Flenniken of Clayton presented petition of physicians of Clayton county asking the establishment of a State sanatorium for the tuberculosis poor.

Referred to committee on Public Health.

REPORTS OF COMMITTEES.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER--Your committee on Judiciary, to whom was referred House file No. 358, a bill for an act to legalize the incorporation of the town of Persia, Harrison county, Iowa, the election of its officers, the passage of its ordinances and resolutions, and all acts done 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.

N. E. KENDALL,  
*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 to amend section thirty-five hundred seventy-three (3573) of the code, relating to the enforcing of the rules and regulations of the 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.

N. E. KENDALL,  
*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 provide for the payment of costs and expenses which accrue from the care and investigation of persons found to be insane in counties in which they do not have a legal settlement, beg leave to report that they 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.



Also:

MR. SPEAKER--Your committee on Judiciary, to whom was referred House file No. 192, a bill for an act to amend section four hundred and three (403) of the code, relating to funding and refunding outstanding county indebtedness, beg leave to report that they 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.

Also:

MR. SPEAKER--Your committee on Judiciary, to whom was referred House file No. 361, a bill for an act to repeal chapter one hundred and fifty (150) of the Twenty-ninth (29th) General Assembly, and sections 4999-e, 4999-f, 4999-g, 4999-h, 4999-i and 4999-j of the supplement to the code, and enact in lieu thereof the following, relative to the 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, additional to chapter 10 of title XXIV (24) of the code, relating to offenses against 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 do pass.

N. E. KENDALL,  
*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 relating to the release of liens on attached property (amendatory of chapter one (1) title XIX (19) of the code, relating to attachments), beg leave to report that they 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.

Also:

MR. SPEAKER--Your committee on Judiciary, to whom was referred House file No. 338, a bill for an act to amend section twenty-two hundred

and ninety-seven (2297) of the code, making certain persons liable for the support of insane relatives, beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 109, a bill for an act to amend section twenty-four hundred seventy-four (2474) of the code, relating to the reporting of accidents to employes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be re-referred to the committee on Labor.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was so referred.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 350, a bill for an act to legalize the incorporation of the town of Wall Lake, Sac county, Iowa, the election of its officers, and all acts done and ordinances passed 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Jepson of Woodbury, 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. 154, a bill for an act to amend section two thousand eight hundred and ten (2810) of the code, in reference to paying over school taxes by 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 amended as follows, and when so amended the same do pass:

That section one (1) be amended by striking out the first three (3) lines thereof and inserting in lieu thereof the following words:

“That section twenty-eight hundred and ten (2810) of the code be repealed and re-enacted so as to read as follows”

And further amended by striking out section two (2).

C. N. JEPSON,  
*Chairman.*

Adopted.

Amendments adopted.

English of Polk, from the committee on Insurance, submitted the following report:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 267, a bill for an act to define and limit the defense of suicide in life insurance cases, additional to chapter 8, title IX of the code, relating to life insurance companies and 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 do pass.

EMORY H. ENGLISH,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 319, a bill for an act to amend section seventeen hundred and eighty-eight (1788) of the code, relating to stipulated premium and assessment life insurance 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 do pass.

EMORY H. ENGLISH,  
*Chairman.*

Ordered passed on file.

Buchanan of Wapello, from the committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate file No. 174, a bill for an act granting to cities and towns authority to regulate the construction of 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 be indefinitely postponed.

A. W. BUCHANAN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Hanna of Kossuth, 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. 196, a bill for an act to amend section 2546 of chapter 15 of the code as amended by section 6 of chapter 103 of the acts of the Twenty-ninth General Assembly (section 2546 of the code supplement), beg leave to report that they 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. HANNA,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Fish and Game, to whom was referred Senate file No. 158, a bill for an act to amend sections 2540 and 2551 of chapter 15 of the code supplement, relative to the protection 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 be amended by striking out all of section four (4), and that as so amended it do pass.

GEO. W. HANNA,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Fish and Game, to whom was referred House file No. 250, a bill for an act to amend section 2546 of chapter 15 of the code, as amended by section 6 of chapter 103 of the acts of the Twenty-ninth General Assembly, (section 2546 of the code supplement,) beg leave to report that they have 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. HANNA,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Calderwood of Scott, from the committee on Labor, submitted the following report:

MR. SPEAKER—Your committee on Labor, to whom was referred House file No. 189, a bill for an act to repeal section twenty-four hundred and seventy-seven (2477) of the code, relating to the expenses of the Bureau of Labor Statistics and to enact in lieu thereof the following, beg leave to report that they have 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:

SUBSTITUTE FOR HOUSE FILE NO. 189.

A BILL for an act to repeal section twenty-four hundred and seventy-seven (2477) of the code, relating to the expenses of the Bureau of Labor Statistics and to enact in lieu thereof the following:

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

Section 1. That section twenty-four hundred and seventy-seven (2477) of the code, be and the same is hereby repealed and the following enacted in lieu thereof:

The Commissioner of the Bureau of Labor Statistics shall receive a salary of fifteen hundred dollars per annum and shall be allowed a deputy at a salary of twelve hundred dollars per annum payable monthly; he shall also be allowed one factory inspector at a salary of one hundred dollars per month, one office clerk at a salary of sixty-five dollars per month. The appointment by the Commissioner of such factory inspector shall be subject to the approval of the Executive Council; he shall be allowed necessary postage, stationery and office expenses; the said salaries and expenses shall be paid as the salaries and expenses of other State officers are provided for. The Commissioner or any officer or employe of the Bureau of Labor Statistics shall be allowed, in addition to his salary, his actual and necessary traveling expenses while in the performance of his duties, said expenses to be audited by the Executive Council and paid out of the general fund of the State upon a voucher verified by the Commissioner or his deputy; but the total of the expense for the officers and employes of said Bureau, other than the salaries of the Commissioner, his deputy, the factory inspector and clerk, shall not exceed fifteen hundred dollars per annum.

And that when so amended the same do pass.

M. H. CALDERWOOD,  
*Chairman.*

Ordered passed on file.

Skinner of Union, from the committee on Police Regulations, submitted the following report:

MR. SPEAKER—Your committee on Police Regulations, to whom was referred House file No. 213, 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; to create a Board of State Examiners therefor, and prescribe 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 be indefinitely postponed.

SCOTT SKINNER,  
*Chairman.*

Ordered passed on file.

Dashiell of Warren, from the committee on Pharmacy, submitted the following report:

MR. SPEAKER—Your committee on Pharmacy, to whom was referred House file No. 203, a bill for an act to amend section 2584 of the code, relative to State Pharmacy Commission, beg leave to report that they have 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. A. DASHIELL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Martin of Pottawattamie, 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. 138, a bill for an act to amend the law which appears as section twenty-five hundred and forty (2540) of the supplement to the code, relating to protection of fish and game.

Also, House file No. 183, a bill for an act amending section twenty-two hundred and eighty-seven (2287) of the code in relation to the return of patients escaped from hospitals for the insane.

Also, House file No. 249, a bill for an act to amend section twenty-five hundred and fifty-two (2552) of chapter fifteen (15) of the code, relative to the protection of fish and game.

Also, House file No. 347, a bill for an act to amend section twenty-four hundred and seventy-nine-a (2479-a) of the supplement to the code, relating to mines and mining.

R. J. MARTIN,  
*Chairman, pro tem.*

Adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Martin of Pottawattamie, from the 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. 138, a bill for an act to amend section twenty-five hundred and forty (2540) of the supplement to the code, relating to protection of fish and game.

Also, House file No. 183, a bill for an act amending section twenty-two hundred and eighty-seven (2287) of the code, in relation to the return of patients escaped from hospitals for the insane.

Also, House file No. 249, a bill for an act to amend section twenty-five hundred and fifty-two (2552) of chapter fifteen (15) of the code relative to the protection of fish and game.

Also, House file No. 347, a bill for an act to amend section twenty-four hundred and seventy-nine-a (2479-a) of the supplement to the code, relating to mines and mining.

R. J. MARTIN,  
*Chairman pro tem, House Committee.*

D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

## INTRODUCTION OF BILLS.

By Wright of Webster, House file No. 362, a bill for an act to amend section 2, chapter 41 of the Twenty-eighth General Assembly, relating to the amount of indebtedness which incorporated towns and cities of the second class may incur for the purpose of erecting water-works and a system of sewers.

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

By McAllister of Linn (by request), House file No. 363, a bill for an act to amend section 2541 of the code, relating to the sale of intoxicating liquors.

Read first and second time and referred to committee on Suppression of Intemperance.

By English of Polk, House file No. 364, a bill for an act relating to the hours of labor of railway employes, and limiting the same, additional to chapter 5, title X of the code.

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

By Dashiell of Warren, House file No. 365, a bill for an act to amend section 738 of the code in relation to sewers in towns and small cities.

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

By Buckingham of Buena Vista, House file No. 366, a bill for an act to legalize the election held in the incorporated town of Alta, Buena Vista county, Iowa, on the 30th day of March, 1903, and the proposition submitted at said election for the purpose of erecting and maintaining a hot water heating plant for municipal purposes in the town of Alta, Buena Vista county, Iowa.

HOUSE FILE NO. 366.

**A BILL** for an act to legalize the election held in the incorporated town of Alta, Buena Vista county, Iowa, on the 30th day of March, 1903, and the proposition submitted at said election for the purpose of erecting and maintaining a hot water heating plant for municipal purposes, in the town of Alta, Buena Vista county, Iowa.

**WHEREAS**, There was, on the 30th day of March, 1903, at the regular town election held in the town of Alta, Buena Vista county, Iowa, submitted to the voters of said town, the following proposition:

“Shall the council of the incorporated town of Alta, Iowa, erect and maintain a hot water heating plant for municipal purposes, under such rules, regulations and ordinances as may hereafter be adopted?” and

**WHEREAS**, At said election the said proposition was voted for by a majority of all the persons voting for and against the same, and

**WHEREAS**, It was declared by the council of said town upon a canvass of the votes cast upon said proposition that the same had been carried and adopted at said election, and

**WHEREAS**, Doubts have arisen respecting the legality and regularity of the proceedings of the town council leading up to said election and respecting the legality and regularity of the notice of said election, and respecting the legality and regularity of the proposition submitted and respecting the legality and regularity of the form of ballot used at said election and respecting the regularity and legality of all subsequent proceedings of said



council relative to said matter and respecting the authority of said council in said matter; therefore,

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

Section 1. That the proceedings of the council of the incorporated town of Alta, Iowa, concerning and providing for the submission of said proposition, the notice of the submission thereof, the form of ballot used at said election and the said proposition and all propositions combined therein and all proceedings of the town council had with reference to said matter before and after the submission of said proposition therein are hereby legalized and validated as fully and completely as though the law had been technically complied with in every respect. But nothing herein shall be construed to 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 Alta Advertiser, a newspaper published at Alta, Buena Vista county, Iowa, and in the Register and Leader, a newspaper published at Des Moines, Iowa, at no expense to the State.

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

By Hambleton of Mahaska, House file No. 367, a bill for an act to amend section 1129 of the code relative to expense of elections.

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

By Carstensen of Clinton, House file No. 368, a bill for an act amending section 2114 of the code of 1897, providing for reports of accidents by railroad companies.

Read first and second time and referred to committee on Railroads and Commerce.

By Conn of Butler, House file No. 369, a bill for an act forbidding a person or company from procuring any unpublished or undedicated dramatic or musical composition, and providing for punishment for violation thereof.

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

By Head of Greene, House file No. 370, a bill for an act to protect individual liberty, to prohibit any persons from doing certain acts to intimidate, coerce or otherwise interfere with any

person, firm or corporation engaged in or carrying on any lawful occupation, profession, business or public service in a lawful manner, and to provide penalties for its violation.

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

By Jones of Montgomery, House file No. 371, a bill for an act to create a highway commission for the State of Iowa, and defining the duties of same.

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

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:

Senate substitute as amendment for House file No. 13, a bill for an act to amend section 2941-f of supplement of code, relating to conveyances of real estate by husband or wife.

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. 144, a bill for an act to provide for the examination of insurance 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:

Substitute for Senate No. 134, a bill for an act to amend section 4807 of the code, with reference to defining an offense of 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 House is asked:

Senate file No. 207, a bill for an act providing for disposition of property of State used at the Louisiana Purchase Exposition and to appropriate money for that purpose.

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. 204, a bill for an act to appropriate money for the inspection of county and private institutions in which insane persons are kept, and associations, societies and homes receiving friendless children.

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. 60, a bill for an act to appropriate money in aid of the quarterly conference of the chief executive officers of the institutions under the management of the Board of Control of State 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. 331, a bill for an act to provide for the examination of fraternal beneficiary associations.

GEO. A. NEWMAN,  
*Secretary.*

Jepson of Woodbury offered the following resolution and the resolution be adopted:

*Resolved*, That the speeches delivered on the occasion of the visit of the Pioneer Lawmakers' Association to the House on March the tenth, be printed in the Journal.

Adopted.

Whiting of Monona offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved by the House of the Thirtieth General Assembly, That the custodian be requested to repair the call bells in the assembly room.*

Adopted.

Prevo of Davis offered the following resolution and moved that the rule be suspended and the resolution be adopted.

WHEREAS, The Hon. Samuel Downing, one of the early pioneers of the territory of Iowa in the year 1837 and the first white settler in Fox River township, of Davis county, Iowa, and a member from said county in the House of Representatives in the Twenty-seventh and Twenty-eighth General Assemblies, died at his home on the 27th day of October, 1903, therefore, be it

*Resolved, That a committee be appointed to draft suitable resolutions expressive of our appreciation of the life and public services of the deceased.*

Adopted.

Speaker appointed as committee in accordance with above resolution, Prevo of Davis, Koontz of Johnson and Springer of Buchanan.

Head of Greene moved that Senate file No. 200 be withdrawn from the Appropriations committee and returned to the Senate.

Motion prevailed.

Teter of Marion moved that House file No. 267 be referred to the Judiciary committee.

Motion prevailed.

#### BILLS ON THEIR PASSAGE.

On motion of Buchanan of Wapello, unanimous consent having been given, Senate file No. 158, a bill for an act to amend section 2540 and section 2551 of chapter 15 of the code supplement, relating to the protection of fish and game, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Buchanan of Wapello moved the adoption of the following amendment recommended by the committee.

Amend by striking out all of section four (4).

Adopted.

Mr. Buchanan moved that the rule 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, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Chassell, Cobb, Conn, Crose, Cummings, Dashiell, DeLano, Doran, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McCulloch, McDole, McElrath, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Powers, Prevo, Robinson, Sankey, Skinner, Springer, Stanbery, Teachout, Washburn, Whiting, Whitmer, Willson, Wise, Wright, Wyland—71.

The nays were:

Messrs. Dow, Stoltenberg—2.

Absent or not voting:

Messrs. Bailey, Carstensen, Cassel, Cheney, Christianson, Clary, Coburn, Colclo, Davie, Dow, Greene, Gregory, Lowrey, McClurkin, McNie, Offill, Peet, Pritchard, Ritter, Saylor, Shaffer, Spaulding, Stoltenberg, Summers, Temple, Teter, Weeks, Welden, Mr. Speaker—27.

So the bill passed and the title was agreed to.

On motion of Jones of Montgomery, Senate file No. 45, a bill for an act relating to the construction of permanent sidewalks and providing for the assessment and collection of the cost thereof, was taken up and considered.

Mr. Jones moved that the rule 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, Bixby, Boland, Buchanan, Buckingham, Carden, Carstensen, Chassell, Cobb, Conn, Crose, Cummings, Dashiell, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Gregory, Hakes, Hambleton, Hanna, Hart, Head, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McCulloch, McDole, McElrath, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Skinner, Stanbery, Stoltenberg, Teachout, Teter, Washburn, Weeks, Whiting, Whitmer, Willson, Wise, Wright, Wyland—74.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Calderwood, Cassel, Cheney, Christianson, Clary, Coburn, Colclo, Davie, Greene, Harris, Heles, Kennedy, Lowrey, McClurkin, McNie, Ofill, Peet, Saylor, Shaffer, Spaulding, Springer, Summers, Temple, Welden, Mr. Speaker—26.

So the bill passed and the title was agreed to.

On motion of Teachout of Polk, Senate file No. 189, a bill for an act to amend section 771 of the code as amended by section 1, chapter 43 of the acts of the Twenty-ninth General Assembly relating to construction of viaducts, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Teachout of Polk moved that the rule 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, Bixby, Boland, Calderwood, Carden, Chassell, Cobb, Conn, Crose, Cummings, Dashiell, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Gregory, Hambleton, Hanna, Hart, Head, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McCulloch, McDole, McElrath, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Skinner, Stoltenberg, Teachout, Temple, Teter, Washburn, Whiting, Willson, Wise, Wright—66.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Buchanan, Buckingham, Carstensen, Cas-  
sel, Cheney, Christianson, Clary, Coburn, Colclo, Davie,  
Greeley, Greene, Hakes, Harris, Heles, Kennedy, Lowrey, Mc-  
Clurkin, McNie, Offill, Peet, Saylor, Shaffer, Spaulding, Springer,  
Stanbery, Summers, Weeks, Welden, Whitmer, Wyland, Mr.  
Speaker—34.

So the bill passed and the title was agreed to.

On motion of Teachout of Polk, House file No. 328, a bill for an act to amend section 852 of the supplement to the code, and sections 853 and 858 of the code, relating to park commissioners, their powers and duties, 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, 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. Bealer, Bixby, Calderwood, Carden, Carstensen, Chas-  
sell, Cobb, Crose, Cummings, Dashiell, DeLano, Doran, Dow,

Flenniken, Freeman, Frudden, Geneva, Greeley, Gregory, Hambleton, Hanna, Hart, Head, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McCulloch, Maben, Manning, Martin, Mattes, Morris, Nichols, Olson, Powers, Prevo, Pritchard, Robinson, Sankey, Skinner, Springer, Teachout, Teter, Washburn, Whiting, Whitmer, Willson, Wise, Wright—62.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Boland, Buchanan, Buckingham, Cassel, Cheney, Christianson, Clary, Coburn, Colclo, Conn, Davie, English, Greene, Hakes, Harris, Heles, Kennedy, Lowrey, McClurkin, McDole, McElrath, McNie, Mott, Offill, Peet, Ritter, Saylor, Shaffer, Spaulding, Stanbery, Stoltenberg, Summers, Temple, Weeks, Welden, Wyland, Mr. Speaker—38.

So the bill passed and the title was agreed to.

On motion of Kling of Harrison, House file No. 358, a bill for an act to legalize the incorporation of the town of Persia, Harrison county, Iowa, the election of its officers, the passage of its ordinances and resolutions and all acts done by the council of said town, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Kling of Harrison moved that the rule be suspended, that the bill be considered engrossed and read a third time now, which motion prevailed unanimously, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bealer, Bixby, Buchanan, Calderwood, Carden, Carstensen, Chassell, Cobb, Colclo, Conn, Crose, Cummings, Dashiell DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Hambleton, Hanna, Hart, Head, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird,



Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McCulloch, McDole, Maben, Manning, Mattes, Morris, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Skinner, Springer, Stoltenberg, Teachout, Temple, Teter, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—67.

**The nays were:**

None.

**Absent or not voting:**

Messrs. Bailey, Boland, Buckingham, Cassel, Cheney, Christianson, Clary, Coburn, Davie, Greene, Gregory, Hakes, Harris, Heles, Kennedy, Lowrey, McClurkin, McElrath, McNie, Martin, Mott, Nichols, Ofill, Peet, Saylor, Shaffer, Spaulding, Stanbery, Summers, Washburn, Weeks, Welden—33.

So the bill passed and the title was agreed to.

On motion of Mattes of Sac, House file No. 350, a bill for an act to legalize the incorporation of the town of Wall Lake, Sac county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town, 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, 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. Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Cobb, Conn, Crose, Cummings, Dashiell, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Hambleton, Hanna, Hart, Head, Jacobson, Jepson, Kendall, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, McAllister, McCreary, McCulloch, McDole, Manning, Mattes, Morris, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Skinner, Springer, Stoltenberg, Teachout, Temple, Teter, Whiting, Whitmer, Willson, Wise, Wright, Wyland—58.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Boland, Cassel, Cheney, Christianson, Clary, Coburn, Colclo, Davie, DeLano, Freeman, Greene, Gregory, Hakes, Harris, Heles, Hollembeak, Hume, Jones, Kennedy, Lowrey, Lundt, McClurkin, McElrath, McNie, Maben, Martin, Mott, Nichols, Offill, Peet, Saylor, Shaffer, Spaulding, Stanbery, Summers, Washburn, Weeks, Welden, Mr. Speaker—42.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, Senate file No. 215, a bill for an act making an appropriation to provide for an existing deficit in the contingent fund of the Supreme Court, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mattes of Sac moved that the rule 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. Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Cobb, Conn, Crose, Cummings, Dashiell, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Hambleton, Hanna, Hart, Head, Jacobson, Jepson, Kendall, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McCulloch, McDole, McElrath, Maben, Manning, Mattes, Morris, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Skinner, Springer, Stoltenberg, Teachout, Temple, Teter, Whiting, Whitmer, Willson, Wise, Wright, Wyland—58.

The nays were:

None.

Absent or not voting :

Messrs. Bailey, Bealer, Boland, Cassel, Cheney, Christianson, Clary, Coburn, Colclo, Davie, DeLano, Freeman, Greene, Gregory, Hakes, Harris, Heles, Hollembeak, Hume, Jones, Kennedy, Kling, Koontz, Langan, Lowrey, McClurkin, McCreary, McNie, Martin, Mott, Nichols, Offill, Peet, Saylor, Shaffer, Spaulding, Stanbery, Summers, Washburn, Weeks, Welden, Mr. Speaker—42.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, Senate file No. 190, a bill for an act relating to the release of liens on attached property (amendatory of chapter 1 title XIX of the code, relating to attachments) with report of committee recommending passage, was taken up, considered, and report of committee adopted.

Mr. Kendall moved the rule 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, Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Cobb, Colclo, Conn, Crose, Cummings, Dashiell, Dow, English, Flenniken, Geneva, Greeley, Hambleton, Hanna, Hart, Jacobson, Jepson, Jones, Kendall, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McCulloch, McDole, McElrath, Maben, Manning, Mattes, Morris, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Skinner, Springer, Stoltenberg, Teachout, Temple, Teter, Whiting, Whitmer, Willson, Wise, Wright, Wyland—60.

The nays were:

None.

Absent or not voting :

Messrs. Bailey, Boland, Cassel, Cheney, Christianson, Clary, Coburn, Davie, DeLano, Doran, Freeman, Frudden, Greene, Gregory, Hakes, Harris, Head, Heles, Hollembeak, Hume, Kennedy,

Kling, Koontz, Lowrey, McClurkin, McNie, Martin, Mott, Nichols, Offill, Peet, Saylor, Shaffer. Spaulding, Stanbery, Summers, Washburn, Weeks, Welden, Mr. Speaker—40.

So the bill passed and the title was agreed to.

Cröse of Page moved that when the House adjourn it be until 2 P. M. Monday.

Motion prevailed.

On motion of Kendall of Monroe, House file No. 194, a bill for an act to amend section 3573 of the code, relating to the enforcing of the rules and regulations of the Board of Health, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Kendall of Monroe moved that the rule 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. Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Cobb, Colclo, Conn, Cröse, Cummings, Dashiell, Doran, Dow, English, Flenniken, Geneva, Greeley, Hambleton, Hanna, Hart, Head, Jacobson, Jepson, Jones, Kendall, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McCreary, McDole, McElrath, Maben, Manning, Mattes, Morris, Olson, Powers, Pritchard, Ritter, Robinson, Sankey, Springer, Stanbery, Teachout, Teter, Whiting, Whitmer, Willson, Wise, Wright, Wyland—56.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Boland, Cassel, Cheney, Christianson, Clary, Coburn, Davie, DeLano, Freeman, Frudden, Greene, Gregory, Hakes, Harris, Heles, Hollembeak, Hume, Kennedy,

Kling, Koontz, Langan, Lowrey, McClurkin, McCulloch, McNie, Martin, Mott, Nichols, Offill, Peet, Prevo, Saylor, Shaffer, Skinner, Spaulding, Stoltenberg, Summers, Temple, Washburn, Weeks, Welden, Mr. Speaker—44.

So the bill passed and the title was agreed to.

Speaker pro tem announced that he had signed, in the presence of the House, House file No. 347, House file No. 138, House file No. 183 and House file No. 249.

#### SENATE MESSAGES CONSIDERED.

Senate file No. 207, a bill for an act providing for disposition of property of State used at the Louisiana Purchase Exposition and to appropriate money for that purpose.

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

Substitute for Senate file No. 134, a bill for an act to amend section 4807 of the code with reference to defining an offense of malicious mischief and trespass.

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

On motion of Jepson of Woodbury, by unanimous consent, House file No. 13, a bill for an act to amend section 2942 of the supplement to the code, relating to conveyances of real estate by husband or wife, with Senate substitute as amendment therefor, was taken up and the substitute amendment read and considered.

Mr. Jepson moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bixby, Buchanan, Calderwood, Carden, Cartensen, Chassell, Cobb, Colclo, Conn, Crose, Cummings, Dashiell, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Hambleton, Hanna, Hart, Head, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin,

Langan, Leech, Lister, Lundt, McAllister, McCreary, McCulloch, Maben, Manning, Mattes, Morris, Nichols, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Skinner, Stoltenberg, Temple, Teter, Whiting, Whitmer, Willson, Wise, Wright, Wyland—63.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Boland, Buckingham, Cassel, Cheney, Christianson, Clary, Coburn, Davie, Greeley, Greene, Gregory, Hakes, Harris, Heles, Kennedy, Lowrey, McClurkin, McDole, McElrath, McNie, Martin, Mott, Offill, Peet, Saylor, Shaffer, Spaulding, Springer, Stanbery, Summers, Teachout, Washburn, Weeks, Welden, Mr. Speaker—37.

So the House concurred in the Senate amendments.

On request of Hambleton of Mahaska, unanimous consent having been given, House file No. 70, a bill for an act authorizing cities and towns to levy a tax for the purpose of erecting public buildings and purchasing grounds for the same, with Senate amendments, was taken up and the amendments read and considered.

Mr. Hambleton moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bealer, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cobb, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCulloch, McDole, McElrath, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Springer, Stanbery, Stoltenberg, Washburn, Whiting, Wright, Wyland—67.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bixby, Boland, Cassel, Chassell, Cheney, Christianson, Clary, Coburn, Colclo, Doran, Greene, Koontz, Lowrey, McClurkin, McCreary, McNie, O'fill, Pritchard, Saylor, Shaffer, Skinner, Spaulding, Summers, Teachout, Temple, Teter, Weeks, Welden, Whitmer, Willson, Wise, Mr. Speaker—33.

So the House concurred in the Senate amendments.

On request of Mattes of Sac, unanimous consent having been given, House file No. 204, a bill for an act to appropriate money for the inspection of county and private institutions in which insane persons are kept, and associations, societies and homes receiving friendless children, with Senate amendment, was taken up, and the amendment read and considered.

Mr. Mattes moved that the House concur in the Senate amendment.

On the question, Shall the House concur?

The yeas were:

Messrs. Bealer, Bixby, Buchanan, Calderwood, Carden, Carstensen, Cobb, Colclo, Crose, Cummings, Dashiell, DeLano, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Hakes, Hanna, Hart, Head, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, McAllister, McCreary, McCulloch, Maben, Manning, Martin, Mattes, Morris, Nichols, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Skinner, Springer, Teachout, Temple, Washburn, Whiting, Whitmer, Willson, Wise, Wright,  
—62.

The nays were:

Mr. Teter—1.

**Absent or not voting:**

Messrs. Bailey, Boland, Buckingham, Cassel, Chassell, Cheney, Christianson, Clary, Coburn, Conn, Davie, Freeman, Greene, Gregory, Hambleton, Harris, Heles, Kennedy, Lowrey, Lundt, McClurkin, McDole, McElrath, McNie, Mott, Offill, Peet, Saylor, Shaffer, Spaulding, Stanbery, Stoltenberg, Summers, Weeks, Welden, Wyland, Mr. Speaker—37.

So the House concurred.

On motion of Calderwood of Scott the House adjourned.



HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, March 14, 1904. }

House met pursuant to adjournment.

Speaker pro tem Cummings in the chair.

Prayer was offered by the Rev. L. K. Billingsley of Des Moines, Iowa.

Journal of Saturday, March 12th, was corrected and approved.

On request of Flenniken of Clayton leave of absence was granted Hanna of Kossuth until Tuesday.

On request of Carstensen of Clinton leave of absence was granted Maben of Hancock until Tuesday.

On request of Calderwood of Scott leave of absence was granted Mott of Audubon until Tuesday.

PETITIONS AND MEMORIALS.

Frudden of Dubuque presented memorial of Lookout Post No. 70 of Dubuque county relative to the establishment of a State park at Davenport.

Referred to committee on Military.

Powers of Floyd presented petition of physicians of Floyd county asking the establishment of a State sanatorium for the treatment of the tuberculosis poor.

Referred to committee on Public Health.

Springer of Buchanan presented petition of citizens of Buchanan county in relation to woman suffrage.

Referred to committee on Woman Suffrage.

Spaulding of Howard presented memorial of Post No. 216 at Cresco, relative to the establishment of a State park at Davenport.

Referred to committee on Military.

Robinson of Emmet presented petition of meat producers of Emmet county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Chassell of Plymouth presented petition of meat producers of Plymouth county, relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Skinner of Union presented petition of citizens of Union county, relative to the road law.

Referred to committee on Roads and Highways.

Skinner of Union presented petition of citizens of Union county, relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Pritchard of Wright presented two petitions of citizens of Wright county, relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Welden of Hardin presented five petitions of citizens of Hardin county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

#### REPORTS OF COMMITTEES.

Chassell of Plymouth, from the committee on Printing, submitted the following report:

MR. SPEAKER—Your committee on Printing, to whom was referred House file No. 180, a bill for an act to amend section four hundred and forty-one (441) of the code, relating to the number 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 be amended by striking out all after the enacting clause and substituting in lieu thereof the following:

Section 1. That section four hundred and forty-one (441) of the code be amended by adding the following words after the word "of" in the last line of said section, to wit:

'And in counties where a newspaper of general circulation is printed in a foreign language, the board may, in addition to those already provided for in this section, select one of such newspapers as one in which the proceedings of the board of supervisors may be published, in a foreign language, and said newspaper shall receive the same compensation therefor as is paid the official papers of said county for such publication, not exceeding thirty-three and one-third (33½) cents per square.'

And that the title be amended by striking out the words "official papers" and inserting in lieu thereof the following: "Papers authorized to publish the proceedings of the board of supervisors."

And when so amended that the same do pass.

E. D. CHASELL,  
*Chairman.*

Ordered passed on file.

#### REPORT OF JOINT INVESTIGATING COMMITTEE.

Wise of Black Hawk submitted the following report and moved its adoption:

*To the General Assembly of the State of Iowa:*

Your joint committee appointed under concurrent resolution to "investigate as to needed repairs caused by the late fire in the capitol building" would respectfully report that we have given careful attention to the work committed to us, investigating as thoroughly as circumstances would permit.

It was made our duty to "make recommendations as to such repairs and submit estimates as to probable cost."

We decided to recommend that all repairs be made as nearly fireproof as approved methods of modern construction would permit; that all partitions between committee rooms and along corridors be replaced so as to leave rooms and corridors the same size and shape as before the fire, and we advise that the repairs upon the hall of the House of Representatives be made with a view to its restoration in appearance both as to architecture and decoration.

With these thoughts to guide them, the Capitol Commissioners were requested to secure estimates on which we could base recommendations as to probable cost of complete restoration of the burned portions of the capitol.

These estimates were obtained from first-class, competent contractors. They were all non-competitive, and we doubt not that when this work is finally done a material saving will be made from these figures, but it also

seems more than likely that there will be unforeseen expenditures necessary, and for that reason we advise an appropriation for the full amount of the appended estimate, approximating \$122,000.

We also recommend that the carrying on of these repairs be placed in the hands of the Capitol Commission, who are thoroughly organized to take up this additional work, believing that it can be done by them more cheaply and expeditiously than through any other agency. Attached hereto are the detailed estimates on which our conclusions are based.

During our investigations we were greatly impressed with the advisability of better fire protection than we have at present. The disaster which occurred on the 4th of January shows that our capitol building is not fireproof, and while another fire is only a remote probability, yet it is a possibility, and we would not consider that we had fulfilled our entire duty did we not call the attention of this General Assembly to this subject. We are aware that it is outside of the resolution under which we were appointed.

We submit, attached hereto and made a part of this report, the recommendations of Prof. G. W. Bissell of the Iowa State College at Ames, and we do so in the belief that his plan is the correct one, and we recommend its adoption.

All of which is respectfully submitted.

JAS. A. SMITH,  
ROBT. C. STIRTON,  
W. C. STUCKSLAGER,  
*On part of Senate.*

C. A. WISE,  
J. C. FLENNIKEN,  
T. C. CLARY.  
*On part of House.*

#### ESTIMATES OF CAPITOL COMMISSION.

In compliance with the request of the joint legislative committee on restoration of north wing of capitol, the Capitol Commission respectfully submits these estimates:

Character of Work.	Estimated Cost.
Structural iron work in attic, galleries, etc.....	\$ 7,225.00
Superintendent's estimate of fire-proofing, plastering, carpenter work, glazing, furniture, etc. (see detailed estimate).....	64,510.00
Metal construction for plaster ceiling.....	7,916.00
Metal construction for "scag" columns and arches.....	1,732.00
Wire lath, erected.....	1,266.00
Roof repairs.....	464.00
Outside copper repairs on small domes.....	820.00

One copper skylight.....	263.00
Underwriters' fire doors in attic at rotunda openings (auto- matic).....	474.00
Galvanized iron ducts in partitions and leading to House floor..	2,046.00
Galvanized iron connections with attic ventilating fans.....	570.00
Automatic temperature control.....	300.00
Steam connections to attic fans.....	350.00
Repairing of attic fans.....	250.00
Electrical wiring.....	3,250.00
Combination light fixtures (brackets).....	350.00
Plumbing and gas piping.....	225.00
Decoration of House and galleries.....	5,000.00
Decoration of Supreme Court and other rooms.....	12,090.00
Contingencies and supervision.....	12,250.00
<b>Total.....</b>	<b>\$121,351.00</b>

The foregoing amount contemplates replacing the ceiling in plaster and leaving partitions (not injured) in their present condition.

If present partitions are to be made fire proof, seven hundred dollars should be added to the above amount.

If a galvanized and pressed zinc ceiling is substituted for the plaster ceiling and present good partitions are allowed to remain, the cost will be \$114,789.00.

ESTIMATE FOR REPAIRING FIRE LOSS ON CAPITOL BUILDING AND  
REPLACING WITH FIRE PROOF MATERIAL.

Character of Work.	Estimated Cost.
Terra cotta fire proof ceiling, 16875 ft. at 20c.....	\$ 3,375.00
Cinder concrete 3 in. thick, 12143 ft. at 10c.....	1,214.30
Terra cotta fire proof walls, 8122 ft. at 15c.....	1,218.30
Plain plaster (Adamant) 6491 ft. at 50c.....	3,245.50
Ornamental plaster caps, consoles, drops, etc..	15,882.00
Scagliola (including re-polishing those over Speaker's rostrum), 4900 ft. at \$2.00.....	9,800.00
Carpenter work and material.....	3,170.00
Millwork, hardware, etc.....	10,207.50
Glass, plain and figured plate.....	1,110.70
Art glass, ceiling skylight, 270 square ft. at \$3.00.....	810.00
Marble, new, repairing and re-polishing.....	800.00
4 bronze ceiling grills 8 ft. diameter at \$300.00.....	1,200.00
4 chandeliers at \$700.00 each.....	2,800.00
30 desks for members at \$50.00.....	1,500.00
30 chairs for members at \$20.00.....	600.00
358 opera chairs (galleries) at \$6.50.....	2,327.00
Painting, patching and varnishing.....	3,000.00
750 yards (superficial) 36 in. wide, \$3.00 per yard.....	2,250.00
<b>Total.....</b>	<b>\$ 64,510.30</b>

If committee rooms Nos. 2 and 3 are fire-proofed, re-plastered and finished, additional..... 700.00

Grand total..... \$ 65,210.00

SUMMARY OF PLASTER WORK ON CEILING IN HOUSE OF REPRESENTATIVES.

Character of Work.	Estimated Cost.
Plain plaster, 1100 yds. at 50c. per yd.....	\$ 650.00
Moulded work, 10550 ft. at \$1.00 per ft.....	10,550.00
132 brackets at \$2.00.....	264.00
128 pilaster caps, bases, etc., at \$5.00.....	640.00
16 consoles at \$20.00.....	320.00
16 pendants, ceiling, at \$5.00.....	80.00
12 beam drops at \$10.00.....	120.00
8 brackets (galleries) at \$5.00.....	40.00
Total.....	\$ 12,664.00

STRUCTURAL IRON WORK.

Character of Work.	Estimated Cost.
Replacing truss in northwest pavilion, structural iron floors for galleries, tie rods in all 6 inch I beams in main trusses, overhauling three main trusses.....	\$ 4,225.00
Auxiliary trusses, if plaster ceiling is used.....	3,000.00
Total.....	\$ 7,225.00

Character of work.	Estimated Cost.
Replacing fire-damaged copper work on roof of north wing.....	\$ 464.00
Replacing of one only copper skylight.....	263.00
Repairs necessary to replace copper and iron work on the two north domes.....	820.00
Galvanized iron work required for mechanical equipment in attic.....	570.00
Main ducts over east and west side of house:	
148 lineal feet No. 20 gauge, size 36x60 in.....	740.00
480 lineal feet No. 24 discharging ducts, 18x30.....	788.00
384 lineal feet No. 24 vent. ducts, 18x24, in walls.....	518.00
Automatic rolling fire doors for openings in division walls of attic, as follows:	
4 sets doors size 4 ft. 6 in.x8 ft.....	216.00
4 sets doors size 4x9 ft.....	216.00
1 set elevator doors size 5 ft.x9 ft. 6 in.....	72.00
The steel skeleton and frame work for suspended ceiling in House Chamber including north and south galleries complete.....	7,916.00

Wire lath for the above applied.....	877.00
Steel skeleton work for all columns, arches, etc., exclusive of ceiling in House Chamber, complete with wire lath applied.....	2,121.00
The reproduction of the former ceiling in the House Chamber and north and south galleries in metal, viz: galvanized iron and zinc ornamentation, except the large plain surfaces which will be plastered.....	9,102.00

CAPITOL BUILDING, ESTIMATE FOR RE-DECORATING ROOMS, ETC., ON ACCOUNT OF FIRE.

Character of Work.	Estimated Cost.
Rooms back of House chamber, to wit No. 1 to No. 9 inclusive. \$	1,125.00
Supreme Court room.....	5,650.00
Restoring pictures.....	1,000.00
Room back of Supreme Court room.....	1,350.00
Paper six rooms in rear of Supreme Court room, and remove paper.....	150.00
Hall decorations.....	200.00
Railroad Commissioners' room.....	850.00
Railroad Commissioners' room, No. 2.....	435.00
Agricultural room, No. 2.....	650.00
Clerk of Supreme Court's room.....	480.00
Clerk of Supreme Court's room, No. 2.....	200.00

RECOMMENDATION OF MR. BISSELL.

AMES, IOWA, March 2, 1904.

*To the Iowa Capitol Commission, Des Moines, Iowa:*

GENTLEMEN—For the fire protection of the capitol I recommend the following:

1. A 10-inch water main laid in the ground around the building: at from twenty-five to fifty feet therefrom, connected at the north by a 12-inch main to the 16-inch pipe at the corner of Des Moines and Ninth streets, and at the south by a 10-inch main to the 8-inch pipe in Walnut street.

2. Four 6-inch two-hose hydrants with cut-off valves, hydrants located within or near the four angles between the principal wings of the building.

3. Four 6-inch branches, with cut-off valves, extending into the building at the extremities of the four principal wings.

4. Within the building, six 5-inch galvanized iron standpipes, one in the end of each wing and two near the center of the building, connected to the four 6-inch mains entering the building, one to each at north and south ends and two to each at east and west ends, with two hose valves at each floor level from basement to attic, one hose valve in each case to be 2½-inch for city fire hose and one 2-inch for house hose.

5. One hundred feet of 2-inch hose with nozzle and rack for each 2-inch house valve.

6. A 3-inch standpipe to circle in dome with some 2-inch hose valves and hose. This pipe to be arranged to be supplied by the elevator pumps.
7. A liberal supply of portable fire extinguishers.

The Des Moines Water Co. have submitted a proposition, which is enclosed herewith, for the outside work, amounting to \$5,459.98, or as much thereof as the actual cost thereof amounts to. Mr. Kurtz estimates that the inside work and cutting can be done for \$2,000. So that the estimated cost of the system exclusive of portable fire extinguishers is \$7,500. The extinguishers cost about \$15 each.

Items 1 to 5 are based upon the guarantee of the water company to furnish a fire pressure of 90 pounds at the level of Grand avenue and Eleventh street.

The system of fire protection above outlined will very thoroughly protect the building. The question of electric fire pumps is out of the question, owing to the tenor of the proposition of the Des Moines Electric Co., which is enclosed herewith.

The system above recommended dispenses with the use of fire pumps except for the special dome standpipe.

Respectfully submitted,

G. W. BISSELL.

#### INTRODUCTION OF BILLS.

By McAllister of Linn, House file No. 372, a bill for an act to amend chapter 6 of title III of the code, relating to superior courts; the number of jurors in said courts and the times and manner of drawing the same; repealing section 273 of the code relating to judgments of said courts and enacting a substitute in lieu thereof, and repealing chapter 10 of the acts of the Twenty-eighth General Assembly relating to changes of venue from said courts.

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

By McAllister of Linn, House file No. 373, a bill for an act to amend section 2685 of the code, relative to the admission of children to the Orphans' Home and Home for Destitute Children, located at Davenport.

Read first and second time and referred to committee on Soldiers' and Orphans' Home.

By Hart of Allamakee, House file No. 374, a bill for an act to amend sections 430 and 433 of the code, relative to the power



and duty of boards of supervisors with regard to indigent soldiers, sailors and marines.

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

By Hart of Allamakee, House file No. 375, a bill for an act to amend sections 2601 and 2606 of the code, relative to qualifications for admission to the State Soldiers' Home.

Read first and second time and referred to committee on Soldiers' and Orphans' Home.

By Temple of Clarke, House file No. 376, a bill for an act to amend section 2579 of the code, relating to the practice of medicine.

By Kendall of Monroe, House file No. 377.

A BILL for an act authorizing the Governor to deliver up and remove to any state or territory of the United States, any person found within this State charged with the commission of treason or felony against such state or territory, who is not extraditable under the laws of the United States, and amending sections fifty-one hundred and sixty-nine (5169), fifty-one hundred and seventy (5170), fifty-one hundred and seventy-two (5172), fifty-one hundred and seventy-three (5173), fifty-one hundred and eighty (5180), and fifty-one hundred and eighty-one (5181) of the code relating to fugitives from justice.

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

Section 1. Any person found in this State charged with treason or felony committed in any other state or territory of the United States, who is not extraditable as a fugitive from justice under the laws of the United States, may, on demand of the executive authority of the state or territory in which such crime is charged to have been committed, be, by the Governor of this State, delivered up and removed to the state or territory having jurisdiction of the crime.

Sec. 2 No executive warrant for the arrest and surrender, under the provisions of this act, of a person demanded by the executive authority of another state or territory for the commission of treason or of a felony within such state or territory, shall be issued unless the requisition from the executive authority of the state or territory in which the crime is charged to have been committed is accompanied by a duly attested copy of the indictment, information or complaint found or made according to the laws of the state or territory in which the crime is charged to have been

committed, and of the warrant of arrest issued upon such indictment, information or complaint, issued under the seal of the court having jurisdiction to try the offense.

Sec. 3. That section fifty-one hundred and sixty-nine (5169) of the code be and the same is hereby amended by inserting after the words "United States" in the second and third lines thereof, the following: "or by the constitution or laws of any other state or territory of the United States;" and by inserting after the word "felony" in the fifth line of said section the following words: "or any person found in any state or territory of the United States, charged with treason or felony committed in this State."

Sec. 4. That section fifty-one hundred and seventy (5170) of the code be and the same is hereby amended by inserting after the word "fugitive" in the fourth line of said section, the following words: "or any person charged with treason or felony against the laws of this State."

Sec. 5. That section fifty-one hundred and seventy-two (5172) of the code be and the same is hereby amended by inserting after the words "United States" in the third line of said section, the following: "or the laws of this State."

Sec. 6. That section fifty-one hundred and seventy-three (5173) of the code be and the same is hereby amended by inserting after the words "United States" in the third line of said section the following: "or the laws of this State."

Sec. 7. That section fifty-one hundred and eighty (5180) of the code be and the same is hereby amended by inserting after the word "of" following the word "arrest" in the second line of said section, the following: "a person charged with treason or felony committed in this State, or."

Sec. 8. That section fifty-one hundred and eighty-one (5181) of the code be and the same is hereby amended by inserting after the word "justice" in the second line of said section, the following: "or persons charged with treason or felony committed in this State."

Sec. 9. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa.

Read first and second time and passed on file.

By Bixby of Delaware, House file No. 378, a bill for an act to legalize the acts of the board of supervisors of Delaware county relating to the levying of a tax for the support of the poor, and legalizing the tax so levied.

WHEREAS, The code of Iowa authorizes the levying of a tax for county purposes, of not to exceed six mills, and a further tax of one mill for the support of the poor when the same is necessary; and,

WHEREAS, The board of supervisors of Delaware county, Iowa, did in the year 1901 levy a tax of three mills for county purposes, and one and one-half

mills for the support of the poor, and did in the year 1902 levy a tax of three and one-half mills for county purposes and one and one-half mills for the support of the poor; and,

WHEREAS, The tax for these years mentioned has been collected and apportioned; and

WHEREAS, The total levy by said board for all taxes not being in excess of the legal limit, the error being in apportioning the levy between the county and poor funds; therefore,

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

Section 1. That the acts of the board of supervisors of the county of Delaware, State of Iowa, in levying a tax of one and one-half mills for the years 1901 and 1902 for the support of the poor, that the taxes so levied are hereby legalized and made as binding as though made in strict conformity with law; providing, however, that nothing in this act shall affect pending litigation.

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

By Offill of Jasper, House file No. 379, a bill for an act to protect persons and property from danger and injury from automobiles, motor cycles or motor vehicles upon public highways.

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

By Head of Greene, joint resolution No. 6, a joint resolution proposing an amendment to the constitution of the State of Iowa, additional to section 18 of article 1 of said constitution.

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

That there be added to section eighteen (18) of article one (1) of the Constitution of the State of Iowa the following:

“The General Assembly, however, may pass laws permitting the owners of lands to construct drains, ditches and levees for agricultural, sanitary or mining purposes, across the lands of others, and provide for the organization of drainage districts, vest the corporate authorities thereof with power to construct and maintain levees, drains and ditches, and to keep in repair all drains, ditches and levees heretofore constructed under the laws of the State, by special assessments upon the property benefited thereby.

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 (3) months previous to the day of such election as provided by law."

Read first and second time and referred to committee on Constitutional Amendments.

BILLS ON THEIR PASSAGE.

On motion of Chassell of Plymouth, House file No. 190, a bill for an act to amend title VII, chapter 4 of the code, and chapter 37, acts of the Twenty-seventh General Assembly, and chapter 57, acts of the Twenty-eighth General Assembly, and chapter 63, acts of the Twenty-ninth General Assembly, providing that parts of the collateral inheritance taxes collected by the State shall be paid to the counties from whence they are collected, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Chassell moved to amend by striking out the word "total" in the fourth line and inserting the word "net" in lieu thereof.

Adopted.

Mr. Chassell moved that the rule 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. Bailey, Bixby, Buchanan, Buckingham, Calderwood, Carstensen, Chassell, Christianson, Clary, Cobb, Colclo, Conn, Crose, Cummings, Dashiell, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Hakes, Hambleton, Harris, Head, Hollembeak, Jacobson, Jepson, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McElrath, Manning, Martin, Mattes, Morris, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Teachout, Temple, Weeks, Welden, Whitmer, Wise, Wright, Wyland—63.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Boland, Carden, Cassel, Cheney, Coburn, Davie, DeLano, Freeman, Greene, Gregory, Hanna, Hart, Heles, Hume, Jones, Kendall, Kennedy, Kling, Koontz, Lowrey, McClurkin, McCulloch, McDole, McNie, Maben, Mott, Nichols, Peet, Saylor, Shaffer, Summers, Teter, Washburn, Whiting, Willson, Mr. Speaker—37.

So the bill passed and the title was agreed to.

English of Polk in the chair.

On motion of Cummings of Marshall, House file No. 339, a bill for an act to authorize the city of Marshalltown to construct and maintain a sewer through land of the State used by the Iowa Soldiers' Home, 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, 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, Bealer, Bixby, Buckingham, Calderwood, Carstensen, Chassell, Christianson, Clary, Cobb, Colclo, Conn, Crose, Cummings, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Hakes, Hambleton, Hart, Head, Hollembeak, Jacobson, Jepson, Kendall, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McDole, McElrath, Manning, Martin, Mattes, Morris, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Teachout, Temple, Weeks, Welden, Whitmer, Willson, Wise, Wright, Wyland—65.

The nays were:

None.

**Absent or not voting:**

Messrs. Boland, Buchanan, Carden, Cassel, Cheney, Coburn, Dashiell, Davie, DeLano, Freeman, Greene, Gregory, Hanna, Harris, Heles, Hume, Jones, Kennedy, Kling, Koontz, Lowrey, McClurkin, McCulloch, McNie, Maben, Mott, Nichols, Peet, Saylor, Shaffer, Summers, Teter, Washburn, Whiting, Mr. Speaker—35.

*So the bill passed and the title was agreed to.*

On motion of Cummings of Marshall, House file No. 295, a bill for an act to amend the law as it appears in section 2606-b of the supplement to the code, in regard to the pension money of the members of the Iowa Soldiers' Home, 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, 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, Bixby, Buckingham, Calderwood, Carstensen, Chassell, Christianson, Clary, Cobb, Colclo, Conn, Crose, Cummings, Dashiell, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Hakes, Hambleton, Harris, Hart, Head, Hollembeak, Jacobson, Kendall, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McDole, Manning, Martin, Mattes, Morris, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Teachout, Temple, Weeks, Welden, Whitmer, Willson, Wise, Wright, Wyland—63.

**The nays were:**

None.

**Absent or not voting:**

Messrs. Bealer, Boland, Buchanan, Carden, Cassel, Cheney, Coburn, Davie, DeLano, Freeman, Greene, Gregory, Hanna,

Heles, Hume, Jepson, Jones, Kennedy, Kling, Koontz, Lowrey, McClurkin, McCulloch, McElrath, McNie, Maben, Mott, Nichols, Peet, Sankey, Saylor, Shaffer, Summers, Teter, Washburn, Whiting, Mr. Speaker—37.

So the bill passed and the title was agreed to.

On motion of Cummings of Marshall, House file No. 340, a bill for an act to provide for the payment of costs and expenses which accrue from the care and investigation of persons found to be insane in counties in which they do not have a legal settlement, 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, 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, Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Christianson, Clary, Cobb, Colclo, Conn, Crose, Cummings, Dashiell, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Hakes, Hambleton, Hart, Head, Hollebeak, Jacobson, Kendall, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McDole, McElrath, Manning, Martin, Mattes, Morris, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Teachout, Temple, Weeks, Welden, Whitmer, Willson, Wise, Wright—65.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Boland, Cassel, Cheney, Coburn, Davie, DeLano, Freeman, Greene, Gregory, Hanna, Harris, Heles, Hume, Jepson, Jones, Kennedy, Kling, Koontz, Lowrey, McClurkin, McCulloch, McNie, Maben, Mott, Nichols, Peet, Saylor, Shaffer, Summers, Teter, Washburn, Whiting, Wyland, Mr. Speaker—35.

So the bill passed and the title was agreed to.

Speaker pro tem Cummings in the chair.

On motion of Mattes of Sac, House file No. 352, a bill for an act in relation to objectionable advertisements in the vicinity of public school buildings, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Kendall of Monroe moved to amend by striking out the word "and" in the second line of section one and inserting in lieu thereof the word "or."

Adopted.

Also, to amend by striking out section two and inserting in lieu thereof the following:

Section 2. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by fine not exceeding one hundred dollars or imprisonment in the county jail not exceeding thirty days.

Adopted.

Mattes of Sac moved that the rule 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. Bailey, Bixby, Buchanan, Buckingham, Calderwood, Carden, Chassell, Cobb, Conn, Crose, Cummings, Dashiell, Doran, Dow, English, Flenniken, Geneva, Greeley, Hambleton, Harris, Hart, Head, Hollembeak, Jacobson, Jepson, Kendall, Laird, Lamkin, Leech, Lister, McAllister, McDole, McElrath, Manning, Martin, Mattes, Morris, Offill, Olson, Powers, Prevo, Pritchard, Robinson, Skinner, Spaulding, Stanbery, Stoltenberg, Teachout, Temple, Weeks, Welden, Whitmer, Wise, Wright—54.

The nays were:

None.



**Absent or not voting:**

Messrs. Bealer, Boland, Carstensen, Cassel, Cheney, Christianson, Clary, Coburn, Colclo, Davie, DeLano, Freeman, Frudden, Greene, Gregory, Hakes, Hanna, Heles, Hume, Jones, Kennedy, Kling, Koontz, Langan, Lowrey, Lundt, McClurkin, McCreary, McCulloch, McNie, Maben, Mott, Nichols, Peet, Ritter, Sankey, Saylor, Shaffer, Springer, Summers, Teter, Washburn, Whiting, Willson, Wyland, Mr. Speaker—46.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 138, a bill for an act to amend the law which appears as section twenty-five hundred and forty (2540) of the supplement to the code, relating to protection of fish and game.

Also, House file No. 183, a bill for an act amending section twenty-two hundred and eighty-seven (2287) of the code in relation to the return of patients escaped from hospitals for the insane.

Also, House file No. 249, a bill for an act to amend section twenty-five hundred and fifty-two (2552) of chapter fifteen (15) of the code, relative to the protection of fish and game.

Also, House file No. 347, a bill for an act to amend section twenty-four hundred and seventy-nine-a (2479-a) of the supplement to the code relating to mines and mining.

H. L. SPAULDING,  
*Chairman.*

Adopted.

INTRODUCTION OF BILLS.

By Sankéy of Decatur (by request), House file No. 380, a bill for an act to abolish the board of Railroad Commissioners and repeal sections 2111, 2112, 2113, 2114, 2115, 2117, 2118, 2119, 2120 and 2121 of the code.

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

By Hart of Allamakee, House file No. 381, a bill for an act to amend section 4807 of the code, making it a crime to maliciously injure or destroy any electric motor, electric light, gas or water plant or any apparatus connected therewith.

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

By Skinner of Union, House file No. 382, a bill for an act making it a crime to willfully take any electric current, gas or water, from the wires, meters, pipes or any apparatus of any electric light, electric motor, gas or water plant with intent to defraud. (Additional to chapter 5, title XXIV of the code.)

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

On motion of Kendall of Monroe the House adjourned until 9 o'clock A. M. tomorrow.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 15, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. William H. Jordan of Carroll, Iowa.

Journal of Monday, March 14th, was corrected and approved.

On request of English of Polk leave of absence was granted Weeks of Guthrie for today and tomorrow.

PETITIONS AND MEMORIALS.

Clary of Chickasaw presented petition of citizens of Chickasaw county, asking the repeal of present road law.

Referred to committee on Roads and Highways.

McNie of Benton presented two petitions of citizens of Benton county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Gregory of Adams presented three petitions of the meat producers of Adams county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Hanna of Kossuth presented petition of citizens of Wright county relative to the fish and game laws.

Referred to committee on Fish and Game.

Kendall of Monroe presented petition of citizens of Monroe county relative to the road law.

Referred to committee on Roads and Highways.

Doran of Boone presented petition of meat producers of Boone county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Clary of Chickasaw presented petition of citizens of Chickasaw county relative to the road law.

Referred to committee on Roads and Highways.

#### REPORTS OF COMMITTEES.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 369, a bill for an act forbidding a person or company from procuring any unpublished or undedicated dramatic or musical composition, and providing for punishment for 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 indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 372, a bill for an act to amend chapter six (6) of title III (3) of the code, relating to superior courts, the number of jurors in said courts, and the times and manner of drawing the same, repealing two hundred and seventy-three (273) of the code, relating to judgments of said courts, and enacting a substitute in lieu thereof, and repealing chapter ten (10) of the acts of the Twenty-ninth General Assembly, relating to changes of venue from said 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 be indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 378, a bill for an act to legalize the acts of the board of supervisors of Delaware 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 376, a bill for an act to amend section twenty-five hundred and seventy-nine (2579) of the code, relating to the practice of medicine, beg leave to report that they 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:

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 362, a bill for an act to amend section two (2), chapter forty-one (41) of the acts of the Twenty-eighth General Assembly, relating to the amount of indebtedness which incorporated towns and cities of the second class may incur, for the purpose of erecting water works and a system of sewers, beg leave to report that they 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.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 180, a bill for an act to amend section four thousand one hundred thirty-four (4134) of chapter two (2) title XX (20) of the code, in relation to procedure in 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 do pass.

N. E. KENDALL,  
*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 to legalize the election held in the incorporated town of Alta, Buena Vista county, Iowa, on the 30th day of March, 1903, and the proposition submitted at said election for the purpose of erecting and maintaining a hot water heating plant for municipal purposes in the town of Alta, Buena Vista 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 by striking out section 2 thereof.

And that when so amended, the same do pass.

N. E. KENDALL,  
*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 abolish the Board of Railroad Commissioners, and repeal sections twenty-one hundred eleven (2111), twenty-one hundred twelve (2112), twenty-one hundred thirteen (2113), twenty-one hundred fourteen (2114), twenty-one hundred fifteen (2115), twenty-one hundred seventeen (2117), twenty-one hundred eighteen (2118), twenty-one hundred nineteen (2119), twenty-one hundred twenty (2120) and twenty-one hundred twenty-one (2121) 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 referred to the committee on Railroads and Commerce.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was so referred.

Mattes of Sac, 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 creating a commission to ascertain and identify the exact location of the Battle of White Stone Hill and the position

of the Iowa troops engaged in such battle, and defining the duties and making an appropriation for the expense of such commission, beg leave to report that they 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.

JOSEPH MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 207, a bill for an act to provide for the disposition of the property of the State used at the Louisiana Purchase Exposition and to appropriate money 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 with the recommendation that the same do pass.

JOSEPH MATTES,  
*Chairman.*

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS,

Spaulding of Howard, 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. 210, a bill for an act to amend sections twenty-four hundred thirty-seven (2437), and twenty-four hundred thirty-eight (2438) of the code, relating to mulct tax.

Also, substitute for Senate file No. 178, a bill for an act to amend the law as it appears in section two thousand five hundred eighty-two (2582) of the code supplement, and to provide for registering, without examination, physicians registered in other states.

H. L. SPAULDING,  
*Chairman House Committee.*

D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

Speaker announced that he had signed in the presence of the House, Senate files No. 178 and No. 210.

## 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. 225, a bill for an act to amend section 1467 of the code, relating to the collection of a tax on collateral inheritances.

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. 19, a bill for an act to amend the law as same appears in section 1618 of the code supplement, relating to the publication of the notice of the renewal of 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. 241, a bill for an act to amend and add to the statute as set out in section 2551 of the supplement to the code and make it unlawful to trap, shoot, or kill any quail before the 1st day of January, 1906.

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 amending section 1129 of the code, relating to elections and the payment of expenses 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. 205, a bill for an act to amend chapter 93 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:

House file No. 295, a bill for an act to amend the law as it appears in section 2606-b of the supplement to the code, in regard to the pension money of the members of the Iowa Soldiers' Home.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

House file No. 227, a bill for an act regulating appointments, employment and removal in the public departments and upon public works in the State of Iowa and the counties, cities and towns thereof.

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. 140, a bill for an act to amend sections 495 and 496 of the code, relating to compensation of county recorders.

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 appointment of a special joint committee to consider the matter of an additional appropriation for the Iowa Exhibit at the Louisiana Purchase Exposition.

## CONCURRENT RESOLUTION.

*Resolved, by the Senate, the House concurring,* That a special joint committee, consisting of three members of the Senate and three members of the House, be appointed to consider the matter of an additional appropriation for the Iowa exhibit at the Louisiana Purchase Commission, and that when appointed, Senate file No. 300 be referred to said committee.

And the president has named on the part of the Senate as members of said committee, Senators Lewis, Maytag, Lambert.

GEO. A. NEWMAN,  
*Secretary.*

## BILLS ON THEIR PASSAGE.

On motion of Hambleton of Mahaska, House file No. 52, a bill for an act against docking horses, with report of committee recommending indefinite postponement, and recommendation of minority recommending passage when amended by substitute, was taken up and considered.

Mr. Hambleton moved to substitute the recommendation of the minority for the committee report.

A roll call was demanded by Doran of Boone and Ritter of Des Moines.

The roll call resulted as follows:

**The yeas were:**

Messrs. Bailey, Bixby, Calderwood, Carden, Carstensen, Christianson, Clary, Cobb, Colclo, Conn, Crose, Cummings, Dashiell, DeLano, English, Freeman, Frudden, Geneva, Hakes, Hambleton, Harris, Hart, Head, Heles, Hollebeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Leech, Lister, McAllister, McCulloch, McDole, McNie, Martin, Mattes, Morris, Mott, Nichols, Ofill, Olson, Powers, Prevo, Pritchard, Ritter, Sankey, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Teachout, Washburn, Welden, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—65.

**The nays were:**

Messrs. Bealer, Boland, Buckingham, Doran, Dow, Greeley, Gregory, Hanna, Hume, Lundt, McCreary, McElrath, Maben, Manning, Peet—15.

Absent or not voting:

Messrs. Buchanan, Cassel, Chassell, Cheney, Coburn, Davie, Flenniken, Greene, Koontz, Langan, Lowrey, McClurkin, Robinson, Saylor, Shaffer, Summers, Temple, Teter, Weeks, Whitmer—20.

So the recommendations of the minority were substituted for the committee report.

Mr. Hambleton moved the adoption of the recommendation of the minority.

Adopted.

Mr. Hambleton moved that the substitute as amended be adopted.

Adopted.

The substitute amendment was then read.

Mr. Hambleton moved that the rule 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. Bailey, Bealer, Bixby, Calderwood, Carden, Carstensen, Christianson, Clary, Cobb, Colclo, Conn, Crose, Cummings, Dashiell, DeLano, English, Freeman, Frudden, Genève, Greeley, Greene, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Lister, McAllister, McCulloch, McDole, McNie, Manning, Martin, Mattes, Morris, Mott, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Sankey, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Teachout, Temple, Washburn, Welden, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—68.

The nays were:

Messrs. Boland, Coburn, Doran, Dow, Hume, Leech, Lundt, McCreary, McElrath, Maben, Peet, Teter—13.

Absent or not voting:

Messrs. Buchanan, Buckingham, Cassel, Chassell, Cheney, Davie, Flenniken, Hakes, Koontz, Langan, Lowrey, McClurkin, Nichols, Robinson, Saylor, Shaffer, Summers, Weeks, Whitmer—19.

So the bill passed and the title was agreed to.

On motion of Hart of Allamakee, Senate file No. 279, a bill for an act appropriating annually \$750 to assist in defraying the expenses of the headquarters, department of Iowa, Grand Army of the Republic, at Des Moines, Iowa, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Hart moved that the rule 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, Bealer, Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, DeLano, Doran, Dow, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Sankey, Skinner, Spaulding, Springer, Stoltenberg, Teachout, Temple, Washburn, Welden, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Cassel, Chassell, Cheney, Dashiell, Davie, English, Koontz, Lowrey, McClurkin, Peet, Robinson, Saylor, Shaffer, Stanbery, Summers, Teter, Weeks, Willson—19.

So the bill passed and the title was agreed to.

On motion of Teter of Marion, Senate file No. 193, a bill for an act to confer jurisdiction over the gypsum mines of this State, on State mine inspectors, and providing for enforcement of chapter 9, title XII, in reference thereto, with report of committee recommending passage as amended, was taken up and considered.

Wright of Webster moved to amend by adding to the bill as section 2 the following:

Sec. 2. Section twenty-four hundred seventy-nine-a (2479-a) of the code supplement is hereby repealed, and there is enacted in lieu thereof, the following:

“The Executive Council shall appoint a board of five examiners, consisting of two practical miners, one of whom shall be a practical gypsum miner, and two mine operators, one of whom shall be a practical gypsum mine operator, all holding certificates of competency as mine foremen and one mining engineer, each of whom shall have had at least five years actual experience in his profession immediately preceding his appointment, who shall hold office for the term of two years. The members of said board shall qualify by taking oath to perform the duties devolving upon them fairly, faithfully and impartially, without fear or favor, uninfluenced by personal or political considerations. No member of said board shall be interested in or connected with any school, scheme, plan or device having for its object the preparation, education or instruction of persons in the knowledge required of applicants for certificates of competency. Any member of said board shall be summarily removed from office by the Executive Council upon due notice and hearing for violation of the law, misfeasance or malfeasance in the performance of his duties, or for other sufficient cause, and his successor shall thereupon be appointed by the said Executive Council for the unexpired term.”

Lost.

Kendall of Monroe moved to re-refer the bill to the committee on Mines and Mining.

Motion prevailed.

On motion of Martin of Pottawattamie, House file No. 174, a bill for an act to amend section 1304, subdivision 7 of the code supplement, with report of committee recommending passage as amended by substitute, was taken up and considered.

Mr. Martin moved that the rule 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. Bixby, Buckingham, Calderwood, Carden, Crose, Dow, Freeman, Frudden, Greene, Jones, Kendall, Kennedy, Kling, Langan, Leech, McAllister, McCreary, McCulloch, McDole, McElrath, Manning, Martin, Morris, Mott, Ofill, Olson, Prevo, Skinner, Spaulding, Springer, Teter—31.

The nays were:

Messrs. Bailey, Boland, Carstensen, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Cummings, DeLano, Doran, English, Flenniken, Geneva, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Laird, Lister, Lundt, McNie, Maben, Mattes, Nichols, Peet, Powers, Pritchard, Ritter, Robinson, Sankey, Stanbery, Stoltenberg, Teachout, Temple, Washburn, Welden, Whiting, Whitmer, Willson, Wise, Wright, Mr. Speaker—51.

Absent or not voting:

Messrs. Bealer, Buchanan, Cassel, Chassell, Cheney, Dashiell, Davie, Greeley, Gregory, Koontz, Lamkin, Lowrey, McClurkin, Saylor, Shaffer, Summers, Weeks, Wyland—18.

So the bill, having failed to receive a constitutional majority, was declared lost.

Hart of Allamakee moved to reconsider the vote by which House file No. 174 was lost and by which same passed to its third reading.

Jepson of Woodbury seconded the motion.

Motion prevailed.

Mr. Hart moved to amend the bill by striking out all after the enacting clause and substituting the following in lieu thereof:

Section 1. Section thirteen hundred and four (1304) of the supplement to the code is hereby amended by substituting a comma for the period after the word "sailor" in the fourth line of the seventh paragraph of said section and adding thereafter the words "or of the widow remaining unmarried

of a soldier, sailor or marine of the Spanish-American war and succeeding insurrection in the Philippine Islands."

**Adopted.**

Mr. Hart moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Christianson, Clary, Cobb, Conn, Crose, Dashiell, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollemeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McCulloch, McElrath, McNie, Maben, Manning, Martin, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Teachout, Temple, Teter, Washburn, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—80.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Cassel, Chassell, Cheney, Coburn, Colclo, Cummings, Davie, Greeley, Gregory, Koontz, Lowrey, McClurkin, McDole, Mattes, Pritchard, Saylor, Shaffer, Summers, Weeks—20.

So the bill passed and the title was agreed to.

On motion of McElrath of Woodbury, House file No. 192, a bill for an act to amend section 403 of the code, relating to the funding and refunding outstanding county indebtedness, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Hambleton moved that the bill be re-referred to Judiciary committee.

Lost.

McElrath of Woodbury moved that the rule 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. Bailey, Bealer, Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Christianson, Cobb, Coburn, Crose, Cummings, Dashiell, DeLano, English, Flenniken, Freeman, Frudden, Greene, Gregory, Hambleton, Hanna, Hart, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Pritchard, Ritter, Robinson, Sankey, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Teachout, Temple, Teter, Washburn, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—72.

The nays were:

Messrs. Geneva, Laird, Prevo—3.

Absent or not voting:

Messrs. Boland, Cassel, Chassell, Cheney, Clary, Colclo, Conn, Davie, Doran, Dow, Greeley, Hakes, Harris, Head, Heles, Kennedy, Koontz, Lowrey, McClurkin, McCreary, Peet, Saylor, Shaffer, Summers, Weeks—25.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, House file No. 377, a bill for an act authorizing the Governor to deliver up and remove to any state or territory of the United States, any person found within this State charged with the commission of treason or felony against such state or territory, who is not extraditable under the laws of the United States, and amending sections fifty-one hundred and sixty-nine (5169), fifty-one hundred and seventy



(5170), fifty-one hundred and seventy-two (5172), fifty one hundred and seventy-three (5173), fifty-one hundred and eighty (5180), and fifty-one hundred and eighty-one (5181) of the code, relating to fugitives from justice, was taken up and considered by unanimous consent.

Teter of Marion moved to amend by adding as section 9 the following:

This act shall apply only to the extradition of persons from this State into such sister states and territories as shall grant like privileges to the Executive of this State. Also to change number of publication clause from No. 9 to No. 10.

On motion of Temple of Clarke the House adjourned until 2 o'clock P. M.

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#### AFTERNOON SESSION.

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House met pursuant to adjournment.

Speaker Clarke in the chair.

House resumed consideration of House file No. 377.

Wright of Webster moved that House file No. 377 be referred to the Judiciary committee for further consideration, together with the amendment offered by Teter of Marion.

Motion prevailed and the bill was so referred.

#### PETITIONS AND MEMORIALS.

Whiting of Monona presented petition of citizens of Ida county, relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Robinson of Emmet presented petition of citizens of Emmet county, relative to House file No. 356 on good roads and drainage.

Referred to committee on Roads and Highways.

## INTRODUCTION OF BILLS.

By Temple of Clarke, House file No. 383, a bill for an act to amend section 860 of the supplement to the code, as the same is found in said section of the code and the supplement thereto, relating to the creation and improvement of parks, in towns and cities having a population of twelve thousand five hundred and less.

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

## SENATE MESSAGES CONSIDERED.

Senate file No. 19, a bill for an act to amend the law as same appears in section 1618 of the code supplement, relating to the publication of the notice of the renewal of corporations.

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

Senate file No. 225, a bill for an act to amend section 1467 of the code, relating to the collection of collateral inheritances.

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

Senate file No. 241, a bill for an act to amend and add to the statute as set out in section 2551 of the supplement to the code and make it unlawful to trap, shoot, or kill any quail before the 1st day of January, 1906.

Read first and second time and referred to committee on Fish and Game.

Senate concurrent resolution relative to appointment of joint committee to consider the matter of an additional appropriation for the Iowa exhibit at the Louisiana Purchase Exposition.

On motion of Frudden of Dubuque, the rule was suspended and the resolution adopted.

Speaker appointed as House members of such committee: Teachout of Polk, Skinner of Union and Frudden of Dubuque.

Senate file No. 205, a bill for an act to amend chapter 93 of the acts of the Twenty-eighth General Assembly.

Read first and second time and referred to committee on Animal Industry.

Senate file No. 243, a bill for an act amending section 1129 of the code, relating to elections and the payment of expenses thereof.

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

On motion of Mattes of Sac the House adjourned until 9 o'clock A.M. tomorrow.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 16, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. William B Gage of Guthrie Center, Iowa.

Journal of Tuesday, March 15th, was corrected and approved.

On request leave of absence was granted Offill of Jasper until tomorrow.

#### PETITIONS AND MEMORIALS.

Buchanan of Wapello presented petition of citizens of Ottumwa who are opposed to redistricting the second judicial district.

Referred to committee on Judicial Districts.

Head of Greene presented petition of citizens of Greene county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Whiting of Monona presented petition of citizens of Monona county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Boland of Iowa presented petition of citizens of Iowa county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Jones of Montgomery presented petition of citizens of Montgomery county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Peet of Jones presented petition of citizens of Jones county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Cassel of Jefferson presented petition of citizens of Jefferson county relative to the road law.

Referred to committee on Roads and Highways.

#### REPORTS OF COMMITTEES.

Mattes of Sac, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 173, a bill for an act to provide for the establishment and maintenance of a bacteriological laboratory and for the appointment of a director thereof, (additional to chapter 16, title XII 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.

JOS. MATTES,  
*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. 266, a bill for an act to require common carriers to issue free transportation to owners shipping live stock, additional to chapter seven (7), title X (10) of the code, relating to the regulation of 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 amended by the following substitute:

#### SUBSTITUTE FOR HOUSE FILE NO. 266.

A BILL for an act to require common carriers to issue free transportation to owners shipping live stock, additional to chapter seven (7), title X (10), of the code, relating to the regulation of common carriers.

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

Section 1. Common carriers of live stock, in car load lots, upon receiving in this State, for shipment one or more car loads of horses or mules or two or more car loads of cattle, hogs, goats or sheep, shall upon demand of

the owner of such animals offered for shipment, issue to such owner, or the actual agent or employe of such owner, free transportation from the place of receiving such shipment to the place of destination, and return, such free transportation to be limited to one person for each shipment, as is above set out. When a single shipment aggregates six cars or more, such owners shall be entitled, on demand, as is above provided, to free transportation for one additional person, such additional person to be an actual agent or employe of such owner and such common carrier shall in like manner and under similar conditions issue free transportation for one person to destination of shipment only to the shipper of one car load of cattle or sheep. The return pass herein provided for is to be delivered, upon demand, at the office of the carrier at the place of destination, upon proper identification of the person so entitled to same, and shall be good for thirty-six hours from the time of the delivery of such shipment at place of destination.

Sec. 2. Any common carrier violating the above provision shall forfeit and pay to the owner of any shipment, as is above provided, three times the amount of the regular fare expended by such owner for himself, or his agent, in going from point of shipment to point of destination, and return, of a shipment of stock, as herein provided.

Sec. 3. Any person other than the owner, his agent or employe, as is described in section 1 hereof, attempting to use, or using, the transportation therein provided for, shall be considered a trespasser upon the trains or premises of such common carrier.

Sec. 4. This act being deemed of immediate importance shall take effect upon publication thereof in the Register and Leader and Des Moines Daily Capital, newspapers published at the city of Des Moines, Polk county, Iowa.

And that when so amended 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 House file No. 243, a bill for an act to require common carriers to issue free transportation to owners shipping live stock, additional to chapter seven (7), title X (10) of the code, relating to the regulation of 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. 10, a bill for an act to regulate and require common carriers to issue free transportation to persons shipping live stock, amendatory of chapter seven (7) title X (10) of the code, relating to the regulation of 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. 332, a bill for an act defining the duties of railroad companies in the shipment and transportation of live 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 be indefinitely postponed.

C. A. WISE,  
*Chairman.*

**Ordered passed on file.**

BY THE MINORITY.

MR. SPEAKER—The undersigned members of the committee on Railroads and Commerce, to whom was referred House file No. 332, a bill for an act defining the duties of railroad companies in the shipment and transportation of live stock, beg leave to report that we have had the same under consideration, and that we do most respectfully dissent from the views of the majority of the said committee in favor of the indefinite postponement thereof; and being in the minority, we do protest against the said action of the majority, and reserve our right to move for the consideration of the said bill upon its merits, and do recommend that the said bill do pass.

J. R. DORAN,  
J. F. LUNDT,  
T. J. PREVO.

**Ordered passed on file.**

Wise of Black Hawk moved that the report of the committee on House files No. 10, No. 243, and No. 332 be adopted.

Adopted and the bills were indefinitely postponed.

Wright of Webster moved that the vote by which House file No. 332 was indefinitely postponed be reconsidered.

Motion prevailed.

Hart of Allamakee moved that further consideration of House file No. 332 be postponed until tomorrow.

Motion prevailed.

Bailey of Ringgold, 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. 356, a bill for an act to provide for the establishment of a board of good roads and drainage commissioners for the State of Iowa, and defining the method and terms of their employment by counties and townships, and their compensation, duties and terms of office, beg leave to report that they have 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. Z. BAILEY,  
*Chairman.*

Adopted and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred House file No. 371, a bill for an act to create a highway commission for the State of Iowa and defining the duties 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.

M. Z. BAILEY,  
*Chairman.*

Ordered passed on file.

#### REPORTS OF COEMITTEES.

Buchanan of Wapello, from the committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate file No. 188, a bill for an act to amend section six hundred and forty-one (641) of the code, in relation to changing the number of wards in cities, or altering and changing the boundaries 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.

A. W. BUCHANAN,  
*Chairman.*

Ordered passed on file.

BY THE MINORITY.

MR. SPEAKER—We, the undersigned members of the committee on Municipal Corporations, to whom was referred Senate file No. 188, beg leave to report that we have had the same under consideration, and, being in the minority, we do hereby dissent from the action of the majority in recommending that said bill be indefinitely postponed, we being of the opinion that said bill should pass. We, therefore, reserve our right to object to the majority report and to move a consideration of said bill upon its merits, and to have the same placed upon the House Calendar for consideration. The minority of said committee recommend that the bill be amended by striking therefrom all after the enacting clause and inserting in lieu of the part so stricken the following, and that when so amended it do pass:

Section 1. That section six hundred forty-one (641) of the code be, and the same is hereby amended by adding thereto the following, viz: If at any time a majority of the qualified electors who voted at the last preceding election, general or municipal, of any city shall petition the city council to increase the number of wards in such city, or shall petition the city council to diminish the number of wards in such city, or shall petition the council of such city to change the boundaries of existing wards therein, the council of such city shall at its next regular meeting after the filing of such petition with the city clerk, proceed to canvass the names upon the same, and may adjourn from time to time if necessary to complete the canvass, and if found to contain the requisite number of names to constitute a majority of those who voted at the last preceding election, general or municipal, such council shall take such action thereon as will carry into effect the prayer of such petition. This question shall be determined by a majority vote of all the members elected to the council, including the mayor, and upon which question the mayor shall be entitled to vote, the yeas and nays shall be entered upon the records. In carrying out the prayer of such petition, the city shall be laid off into the required number of wards as nearly as may be in a rectangular form conforming with lines to the center of streets and alleys and give to each ward an equal population as far as may be practicable.

Sec. 2. The boundaries and descriptions of the wards thus established shall be spread upon the city records and notice thereof published once each week for two consecutive weeks in some paper published in and of general circulation in such city, the last of which publications shall be at least five days before the next regular election.

Sec. 3. If such city council shall fail or refuse to properly canvass such petition, or shall fail or refuse to carry into effect the prayer of such petition,

or shall fail or refuse to make the wards as nearly rectangular as may be, or so that the wards when thus created shall contain an equal population as near as practicable, such council may be compelled by mandamus to fully comply with the provisions of this act.

R. N. WRIGHT,  
F. N. BUCKINGHAM,  
R. J. MARTIN,  
H. E. TEACHOUT,  
C. C. COLCLO.

Wright of Webster, 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. 3, being a 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 proposing amendments to the constitution of the United States of America, as provided in article five (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 it do pass.

R. M. WRIGHT,  
*Chairman.*

Ordered passed on file.

Harris of Poweshiek, 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. 360, a bill for an act to amend section two thousand three hundred and eighty-eight (2388) 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.

THOMAS HARRIS,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Buchanan of Wapello submitted report of special committee appointed to visit the State College at Ames.

Report was referred to Appropriations committee.

#### INTRODUCTION OF BILLS.

By Clary of Chickasaw (by request), House file No. 384 a bill for an act to license and regulate and define business of factors and brokers of real estate in Iowa and to require them to give a bond to the State of Iowa for the benefit of their principals, and

to prescribe a penalty for the violation of any of the provisions of this act.

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

By Skinner of Union, House file No. 385, a bill for an act to amend section 2230 of the code, relating to overseer of the poor.

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

By Sankey of Decatur, House file No. 386, a bill for an act to prevent any fire insurance company from insuring any property for a greater sum than the actual cash value thereof, and providing penalties for violation of the provisions thereof.

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

By Gregory of Adams, House file No. 387, a bill for an act to amend section 2538-i of the supplement to the code and provide for registering without examination veterinaries registered in other states or in foreign countries.

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

#### REPORT ON COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 13, a bill for an act to amend the law, which appears as section twenty-nine hundred and forty-two-f (2942-f) of the supplement to the code, relating to certain conveyances of real estate.

Also, House file No. 60, a bill for an act to appropriate money in aid of the quarterly conferences of the chief executive officers of the institutions under the management of the Board of Control of State Institutions.

Also, House file No. 70, a bill for an act authorizing cities and towns to levy a tax for the purpose of erecting public buildings and purchasing grounds for the same.

Also, House file No. 144, a bill for an act to provide for the examination of insurance companies.

Also, House file No. 204, a bill for an act appropriating money for the inspection of county and private institutions in which insane persons are kept, and associations, societies and homes receiving friendless children.

Also, House file No. 331, a bill for an act to provide for the examination of fraternal beneficiary associations.

H. L. SPAULDING,  
*Chairman.*

### Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 13, a bill for an act to amend the law, which appears as section twenty-nine hundred and forty-two-f (2942-f) of the supplement to the code, relating to certain conveyances of real estate.

Also, House file No. 60, a bill for an act to appropriate money in aid of the quarterly conferences of the chief executive officers of the institutions under the management of the Board of Control of State Institutions.

Also, House file No. 70, a bill for an act authorizing cities and towns to levy a tax for the purpose of erecting public buildings and purchasing grounds for the same.

Also, House file No. 144, a bill for an act to provide for the examination of insurance companies.

Also, House file No. 204, a bill for an act appropriating money for the inspection of county and private institutions in which insane persons are kept, and associations, societies and homes receiving friendless children.

Also, House file No. 331, a bill for an act to provide for the examination of fraternal beneficiary associations.

H. L. SPAULDING,  
*Chairman House Committee.*

D. W. TURNER,  
*Chairman Senate Committee.*

### Adopted.

Speaker announced that he had signed in the presence of the House, House files No. 13, No. 204, No. 60, No. 331, No. 70 and No. 144.

English of Polk offered the following concurrent resolution and moved that the rule be suspended, and the resolution be adopted:

WHEREAS, The work in the document room is being delayed and hindered by reason of the prolonged absence from duty of extra employes assigned by this General Assembly, be it

*Resolved, by the House of Representatives, the Senate concurring,* That the Secretary of State be, and is hereby authorized to fill either temporarily or for the remainder of this session, such vacancies occurring among the extra employes of the document room.

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. 200, a bill for an act making twenty thousand dollars additional appropriation for the Iowa exhibit at the Louisiana Purchase Exposition at St. Louis and amendatory of the law as it appears in chapter 195 of the acts 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 amended the title to the following joint resolution:

House joint resolution No. 2, relative to amending the constitution of the State of Iowa relating to the apportionment of Senators and Representatives in 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 concurrent resolution in which the concurrence of the House is asked:

Concurrent resolution relative to the erection of a monument at the National capital to commemorate the life and public services of Abraham Lincoln.

CONCURRENT RESOLUTION.

*Resolved, by the Senate of the Thirtieth General Assembly of the State of Iowa, the House concurring,* That the government of the United States ought to build at the National capital a monument to commemorate the

life and public services of Abraham Lincoln, and the General Assembly of the State of Iowa hereby memorializes the Congress to erect in the city of Washington, such a monument as in their judgment will most effectively impress upon our own times and upon future generations, the character and achievements of the President who stands next to Washington in the annals of the republic; that a copy of this memorial be transmitted to both Houses of Congress.

GEO. A. NEWMAN,  
*Secretary.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 65, a bill for an act relating to the construction of permanent sidewalks and providing for the assessment and collection of the cost thereof.

Also, Senate file No. 189, a bill for an act to amend the law relating to the construction of viaducts, appearing as section seven hundred and seventy-one (771) of the code supplement.

Also, Senate file No. 190, a bill for an act relating to the release of liens on attached property, (amendatory of chapter one (1), title XIX (19) of the code, relating to attachments).

Also, Senate file No. 215, a bill for an act making an appropriation to provide for an existing deficit in the contingent fund of the Supreme Court.

Also, Senate file No. 279, a bill for an act appropriating annually seven hundred and fifty dollars (\$750), to assist in defraying the expenses of the headquarters, department of Iowa, Grand Army of the Republic, at Des Moines, Iowa.

H. L. SPAULDING,  
*Chairman House Committee.*  
D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 13, a bill for an act to amend the law, which appears as section twenty-nine hundred and forty-two-f (2942-f) of the supplement to the code, relating to certain conveyances of real estate.

Also, House file No. 60, a bill for an act to appropriate money in aid of the quarterly conferences of the chief executive officers of the institutions under the management of the Board of Control of State Institutions.

Also, House file No. 70, a bill for an act authorizing cities and towns to levy a tax for the purpose of erecting public buildings and purchasing grounds for the same.

Also, House file No. 144, a bill for an act to provide for the examination of insurance companies.

Also, House file No. 204, a bill for an act appropriating money for the inspection of county and private institutions in which insane persons are kept, and associations, societies and homes receiving friendless children.

Also, House file No. 331, a bill for an act to provide for the examination of fraternal beneficiary associations.

H. L. SPAULDING,  
*Chairman.*

Adopted.

SENATE MESSAGES CONSIDERED.

On motion of Chassell of Plymouth, by unanimous consent, House file No. 140, a bill for an act to amend sections 495 and 496 of the code, relating to compensation of county recorders, with Senate substitute as amendment therefor, was taken up and the substitute amendment read and considered.

Mr. Chassell moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carstensen, Chassell, Cheney, Clary, Cobb, Crose, Cummings, Dashiell, Davie, DeLano, Dow, Freeman, Frudden, Geneva, Greeley, Hakes, Hambleton, Hanna, Harris, Head, Heles, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, McAllister McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Prevo, Pritchard, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Teachout, Teter, Washburn, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—79.

The nays were:

None.

Absent or not voting:

Messrs. Carden, Cassel, Christianson, Coburn, Colclo, Conn, Doran, English, Flenniken, Greene, Gregory, Hart, Hollembeak, Koontz, Lowrey, Lundt, Powers, Ritter, Summers, Temple, Weeks—21.

So the House concurred.

On request of Bealer of Linn, unanimous consent having been given, House file No. 227, a bill for an act regulating appointments, employment and removal in the public departments and upon public works in the State of Iowa and the counties, cities and towns thereof, with Senate amendment, was taken up and the amendments read and considered.

Mr. Bealer moved that the House concur in the Senate amendment.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carstensen, Chassell, Cheney, Clary, Cobb, Colclo, Crose, Dashiell, Davie, DeLano, Doran, Dow, Freeman, Frudden, Geneva, Hambleton, Hanna, Hart, Heles, Hollembeak, Hume, Jacobson, Jones, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Teachout, Washburn, Welden, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—73.

The nays were:

None.

Absent or not voting:

Messrs. Carden, Cassel, Christianson, Coburn, Conn, Cummings, English, Flenniken, Greeley, Greene, Gregory, Hakes,



Harris, Head, Jepson, Kendall, Koontz, Lister, Lowrey, Peet, Robinson, Springer, Summers, Temple, Teter, Weeks, Willson—27.

So the House concurred.

#### BILLS ON THEIR PASSAGE.

On motion of Cheney of Clay, House file No. 346, a bill for an act to amend section 1533 of the supplement to the code in relation to the duties of township trustees, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Jepson of Woodbury moved to amend by adding after the figures "1533" the words "supplement to the code" in the first line.

Adopted.

Cheney of Clay moved that the rule 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. Bailey, Bealer, Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Dow, English, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Teachout, Temple, Teter, Washburn, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—87.

The nays were:

None.

Absent or not voting:

Messrs. Boland, Christianson, Doran, Flenniken, Freeman, Hanna, Koontz, Laird, Lowrey, Prevo, Springer, Summers, Weeks—13.

So the bill passed and the title was agreed to.

SPECIAL ORDER.

The hour of 10 o'clock having arrived and House file No. 195, a bill for an act to amend chapter 53, acts of the Twenty-ninth General Assembly, relative to the election of township trustees, the election, duties and compensation of road superintendents, the division and consolidation of road districts, and the collection of property road tax, having been made a special order for this hour, further consideration of same was resumed.

Offill of Jasper offered the following amendments and moved their adoption:

Amend by striking out the word "may" where it appears in the second line of section one (1) of the substitute bill and inserting the following words in lieu thereof: "shall, when a written petition is presented to them, signed by a majority of the voters who voted at the last preceding general election."

Amend by striking out the word "may" where it appears in the sixteenth line of section one (1) of the substitute bill, and inserting the following words in lieu thereof: "shall, when a written petition is presented to them, signed by a majority of the voters who voted at the last preceding general election."

Adopted.

Chassell of Plymouth offered the following amendment and moved its adoption:

Amend by striking out the word "resident" where it appears in the second line of section three (3) of the substitute bill and by inserting the words "living within the county" after the word "owners" in second line of the same section.

Lost.

Offill of Jasper announced a pair with Head of Greene on House file No. 195.

Hambleton of Mahaska moved to amend by striking out the word "resident" in the second line of section three.

Lost.

Cassel of Jefferson moved to amend by striking out the words "elect a superintendent" and inserting in lieu thereof the words "to be appointed by the board of trustees."

Jepson of Woodbury moved to lay the amendment on the table.

Whiting of Monona and Colclo of Carroll demanded a roll call.

Greeley of Story announced a pair with Weeks of Guthrie.

The roll call resulted as follows:

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Carden, Cassel, Cheney, Clary, Coburn, Conn, Crose, Cummings, Dow, English, Flenniken, Frudden, Greene, Hambleton, Hanna, Heles, Hollembeak, Jacobson, Jepson, Kling, Leech, McAllister, McDole, McNie, Nichols, Olson, Pritchard, Robinson, Saylor, Shaffer, Spaulding, Stanbery, Teachout, Welden, Mr. Speaker—40.

The nays were:

Messrs. Buckingham, Calderwood, Carstensen, Chassell, Cobb, Colclo, Dashiell, Davie, DeLano, Doran, Freeman, Geneva, Gregory, Hakes, Hart, Hume, Jones, Kendall, Kennedy, Laird, Lamkin, Langan, Lister, Lundt, McClurkin, McCreary, McCulloch, McElrath, Maben, Manning, Mattes, Morris, Mott, Peet, Powers, Prevo, Ritter, Sankey, Skinner, Springer, Stoltenberg, Temple, Teter, Washburn, Whiting, Whitmer, Wise, Wright, Wyland—49.

Absent or not voting:

Messrs. Christianson, Greeley, Harris, Head, Koontz, Lowrey, Martin, Offill, Summers, Weeks, Willson—11.

So the motion to lay on the table was lost.

Buchanan of Wapello moved that the bill be indefinitely postponed.

Chassell of Plymouth and Calderwood of Scott demanded a roll call.

The roll call resulted as follows:

The yeas were:

Messrs. Bailey, Bealer, Bixby, Buchanan, Carden, Cassel, Cheney, Clary, Coburn, Conn, Crose, Cummings, Dow, English, Flenniken, Frudden, Greene, Heles, Hollembeak, Jacobson, Jepson, Kling, Leech, McAllister, McDole, McNie, Martin, Nichols, Olson, Pritchard, Robinson, Saylor, Shaffer, Spaulding, Springer, Stanbery, Teachout, Welden, Mr. Speaker—39.

The nays were:

Messrs. Boland, Buckingham, Calderwood, Carstensen, Chassell, Cobb, Colclo, Dashiell, Davie, DeLano, Doran, Freeman, Geneva, Gregory, Hakes, Hambleton, Hanna, Hart, Hume, Jones, Kendall, Kennedy, Laird, Lamkin, Langan, Lister, Lundt, McClurkin, McCreary, McCulloch, McElrath, Maben, Manning, Mattes, Morris, Mott, Peet, Powers, Prevo, Ritter, Sankey, Skinner, Stoltenberg, Temple, Teter, Washburn, Whiting, Whitmer, Willson, Wise, Wright, Wyland—52.

Absent or not voting:

Messrs. Christianson, Greeley, Harris, Head, Koontz, Lowrey, Offill, Summers, Weeks—9.

So the motion to indefinitely postpone was lost.

The question was then on the adoption of the amendment offered by Cassel of Jefferson.

Lost.

Chassell of Plymouth moved that the bill be ordered engrossed.

Chassell of Plymouth and Davie of Crawford demanded a roll call.

The roll call resulted as follows:

The yeas were:

Messrs. Boland, Buckingham, Calderwood, Chassell, Cobb, Colclo, Dashiell, Davie, DeLano, Doran, Geneva, Gregory, Hakes, Hanna, Hart, Hume, Jones, Kennedy, Laird, Lamkin, Langan, Lister, Lundt, McClurkin, McCreary, McCulloch, McElrath, Maben, Manning, Martin, Mattes, Morris, Mott, Peet, Powers, Prevo, Ritter, Sankey, Skinner, Stoltenberg, Temple, Teter, Washburn, Whiting, Whitmer, Willson, Wise, Wright, Wyland—49.

The nays were:

Messrs. Bailey, Bealer, Bixby, Buchanan, Carden, Cassel, Cheney, Clary, Coburn, Conn, Crose, Cummings, Dow, English, Flenniken, Frudden, Greene, Hambleton, Harris, Heles, Hollembeak, Jacobson, Jepson, Kendall, Kling, Leech, McAllister, McDole, McNie, Nichols, Olson, Pritchard, Robinson, Saylor, Shaffer, Spaulding, Stanbery, Welden, Mr. Speaker—39.

Absent or not voting:

Messrs. Carstensen, Christianson, Freeman, Greeley, Head, Koontz, Lowrey, Offill, Springer, Summers, Teachout, Weeks—12.

So the bill was ordered engrossed, and was referred to the committee on Engrossed Bills.

On motion of Doran of Boone, House file No. 199, a bill for an act relating to the safety of the traveling public by requiring corporations operating railroads in the State of Iowa to employ none but adult persons as signal men or telegraph operators who receive and deliver orders or operate signals for the movement of trains, was taken up and considered.

Hart of Allamakee moved that the bill be indefinite postponed.

Doran and Carstensen demanded a roll call.

Wright of Webster moved the previous question.

Motion prevailed.

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Carden, Cassel, Chassell, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Dow, English, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Lamkin, Leech, Lister, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Nichols, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Temple, Washburn, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—82.

The nays were:

Messrs. Calderwood, Carstensen, Cheney, Doran, Laird, Lundt, Mott—7.

Absent or not voting:

Messrs. Christianson, Flenniken, Koontz, Langan, Lowrey, Offill, Olson, Summers, Teachout, Teter, Weeks—11.

So the bill was indefinitely postponed.

On motion of Kennedy of Lee, House file No. 107, a bill for an act to amend section 227 of the supplement to the code relating to judicial districts, with report of committee recommending passage as amended, was taken up, considered and the report of committee adopted.

Mr. Kennedy moved the adoption of the following amendments recommended by the committee:

Amend by inserting in the tenth line of the bill after the word "Washington" the words "Jefferson and Van Buren" and in the same line strike out the word "three (3)" and insert the word "four (4)" and further amend the bill by inserting at the end of the thirteenth line the following: said section shall further be amended by striking out of the fifth line of section 227 of the code the words "Jefferson and Van Buren" and out of

the fourteenth line the word "Washington", and by striking out of said line the word "four (4)" and inserting the word "three (3)" in lieu thereof.

Adopted.

On motion of Jepson of Woodbury the House adjourned until 2 o'clock P. M.

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### AFTERNOON SESSION.

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House met pursuant to adjournment.

Speaker Clarke in the chair.

House resumed consideration of House file No. 107.

Kendall of Monroe moved to amend the bill by striking out all following the enacting clause and inserting in lieu thereof the following:

Section 1. Section two hundred and twenty-seven (227) of the code is hereby amended by striking out the word "twenty" in the second line thereof and inserting in lieu thereof the word "nineteen;" to strike out the third line and insert in lieu thereof the following: "The first district shall consist of the counties of Des Moines, Henry, Lee and Louisa, and shall have judges;" that the 44th and 45th lines of said section be stricken out.

Lost.

Kennedy of Lee moved that the rule 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. Bailey, Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Cobb, Coburn, Conn, Crose, Cummings, Dashiell, Doran, Dow, Freeman, Gregory, Hanna, Hart, Hollembeak, Hume, Jacobson, Jones, Kennedy, Kling, Lamkin, Leech, Lundt, McAllister, McClurkin, McDole, McNie, Maben, Martin, Mattes, Morris, Mott, Nichols, Olson,

Powers, Pritchard, Robinson, Skinner, Spaulding, Stanbery, Stoltenberg, Temple, Teter, Washburn, Welden, Willson, Wise, Wright, Mr. Speaker—57.

**The nays were:**

Messrs. Buchanan, Clary, Davie, DeLano, Frudden, Geneva, Greene, Hakes, Hambleton, Harris, Head, Kendall, Laird, Langan, McCreary, Manning, Peet, Prevo, Ritter, Sankey, Springer, Teachout, Whiting, Wyland—24.

**Absent or not voting:**

Messrs. Bealer, Christianson, Colclo, English, Flenniken, Greeley, Heles, Jepson, Koontz, Lister, Lowrey, McCulloch, McElrath, Offill, Saylor, Shaffer, Summers, Weeks, Whitmer—19.

So the bill passed and the title was agreed to.

On motion of Mattes of Sac, Senate file No. 196, a bill for an act to amend section 2546 of chapter 15 of the code as amended by section 6 chapter 103 of the acts of the Twenty-ninth General Assembly, section 2546 of code supplement, 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, 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, Bixby, Buchanan, Calderwood, Carden, Cassel, Chassell, Cheney, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, DeLano, Dow, English, Freeman, Frudden, Greeley, Greene, Gregory, Hakes, Hanna, Hart, Heles, Hollembeak, Hume, Jacobson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Powers, Pritchard, Robinson, Shaffer, Skinner, Spaulding, Springer, Stanbery, Teachout, Washburn, Welden, Whiting, Wise, Mr. Speaker—66.



The nays were:

Messrs. Buckingham, Doran, Geneva, Hambleton, Jepson, Lundt, Peet, Prevo, Teter, Wright, Wyland—11.

Absent or not voting:

Messrs. Bealer, Boland, Carstensen, Christianson, Clary, Cobb, Davie, Flenniken, Harris, Head, Koontz, Lowrey, Offill, Olson, Ritter, Sankey, Saylor, Stoltenberg, Summers, Temple, Weeks, Whitmer, Willson—23.

So the bill passed and the title was agreed to.

Speaker announced that he had signed in the presence of the House, Senate files No. 45, No. 189, No. 190, No. 215, No. 279.

REPORTS OF COMMITTEE.

Flenniken of Clayton, from the committee on Elections, submitted the following report:

MR. SPEAKER—Your committee on Elections, to whom was referred House file No. 53, a bill for an act to amend sections 1106, 1109 and 1119 of the code of 1879 and to repeal section 1120 of the code of 1897 and to enact a substitute therefor, relating to the form of official ballot, to the printing thereof and to the manner of marking the same by the voter, beg leave to report that they have 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. C. FLENNIKEN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Elections, to whom was referred House file No. 367, a bill for an act to amend section eleven hundred and twenty-nine (1129) of the code, relative to expense of 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 striking out section two (2), and after such amendment that the bill be recommended for passage.

J. C. FLENNIKEN,  
*Chairman.*

Ordered passed on file.

On motion of Calderwood of Scott, House file No. 189, a bill for an act to repeal section twenty-four hundred and seventy-seven (2477) of the code, relating to the expenses of the Bureau of Labor Statistics and to enact in lieu thereof the following, with report of committee recommending passage as amended by substitute, was taken up, considered and the report of the committee adopted.

Mr. Calderwood moved the adoption of the following substitute as amendment recommended by the committee:

A BILL for an act to repeal section twenty-four hundred and seventy-seven (2477) of the code, relating to the expenses of the Bureau of Labor Statistics and to enact in lieu thereof the following:

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

Section 1. That section twenty-four hundred and seventy-seven (2477) of the code, be and the same is hereby repealed and the following enacted in lieu thereof:

The Commissioner of the Bureau of Labor Statistics shall receive a salary of fifteen hundred dollars per annum and shall be allowed a deputy at a salary of twelve hundred dollars per annum payable monthly; he shall also be allowed one factory inspector at a salary of one hundred dollars per month, one office clerk at a salary of sixty-five dollars per month. The appointment by the Commissioner of such factory inspector shall be subject to the approval of the Executive Council; he shall be allowed necessary postage, stationery and office expenses; the said salaries and expenses shall be paid as the salaries and expenses of other State officers are provided for. The Commissioner or any officer or employe of the Bureau of Labor Statistics shall be allowed, in addition to his salary, his actual and necessary traveling expenses while in the performance of his duties, said expenses to be audited by the Executive Council and paid out of the general fund of the State upon a voucher verified by the Commissioner or his deputy; but the total of the expense for the officers and employes of said Bureau, other than the salaries of the Commissioner, his deputy, the factory inspector and clerk, shall not exceed fifteen hundred dollars per annum.

Adopted.

Clary of Chickasaw in the chair.

Mr. Calderwood moved that the rule 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. Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Cheney, Clary, Coburn, Colclo, Crose, Dashiell, Davie, Doran, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Hakes, Hambleton, Hart, Hollembeak, Jones, Kendall, Kennedy, Kling, Lamkin, Langan, Leech, McClurkin, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Ritter, Robinson, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Teter, Washburn, Whiting, Willson, Wise, Wright—56.

The nays were:

Messrs. Bailey, Cobb, Conn, DeLano, Dow, Greene, Hanna, Harris, Head, Hume, Jacobson, Laird, Lister, Lundt, McAllister, McCreary, Olson, Peet, Powers, Prevo, Sankey, Stanbery, Welden, Wyland—24.

Absent or not voting:

Messrs. Bealer, Cassel, Christianson, Cummings, Gregory, Heles, Jepson, Koontz, Lowrey, McCulloch, McDole, Offill, Pritchard, Saylor, Summers, Teachout, Temple, Weeks, Whitmer, Mr. Speaker—20.

So the bill passed and the title was agreed to:

On motion of Carden of Henry, House adjourned until 9 A. M. tomorrow.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, Iowa, March 17, 1904. }

House met pursuant to adjournment.

Speaker pro tem Cummings in the chair.

Prayer was offered by the Rev. F. L. Moffett of Centerville, Iowa.

Journal of Wednesday, March 16th, was corrected and approved.

MOTION TO RECONSIDER.

The following motion to reconsider was filed:

I move to reconsider the vote by which House file No. 107 was passed and by which same passed to its third reading.

J. F. LUNDT.

I second the motion.

W. H. FREEMAN.

PETITIONS AND MEMORIALS.

Cassel of Jefferson presented petition of citizens of Jefferson county relative to the road law.

Referred to committee on Roads and Highways.

Kendall of Monroe presented remonstrance of citizens of Monroe county against the repeal of the road law.

Referred to committee on Roads and Highways.

Welden of Hardin presented petition of citizens of Hardin county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Boland of Iowa presented petition of citizens of Iowa county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Head of Greene presented two petitions of citizens of Greene county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Robinson of Emmet presented petition of thirty-one citizens of Emmet county relative to the repeal of the road law.

Referred to committee on Roads and Highways.

Robinson of Emmet presented petition of tax payers of Dickinson and Emmet counties, relative to Robinson's bill on good roads and drainage.

Referred to committee on Roads and Highways.

#### REPORTS OF COMMITTEES.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred substitute for Senate file No. 134, a bill for an act to amend the law which appears as section forty-eight hundred and seven (4807) of the supplement to 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 indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 381, a bill for an act to amend section forty-eight hundred and seven (4807) of the code, making it a crime to maliciously injure or destroy any electric motor, electric light, gas or water plant, or any apparatus connected 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 amended by adopting therefor the following substitute:

## SUBSTITUTE AS AMENDMENT FOR HOUSE FILE NO. 381.

A BILL for an act to repeal section four thousand eight hundred and seven (4807) of the code and of the supplement to the code, and to enact a substitute therefor, relating to malicious mischief and trespass.

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

That section four thousand eight hundred and seven (4807) of the code, as the same appears in the code and the supplement to the code, be, and the same is, hereby repealed and re-enacted; and when re-enacted, the same shall read as follows:

“If any person maliciously injure, remove or destroy any electric railway or apparatus thereto belonging, or any bridge, rail or plank road; or place, or cause to be placed, any obstruction on any electric railway, or on any such bridge, rail or plank road; or wilfully obstruct or injure any public road or highway; or maliciously cut, burn, or in any way break down, injure or destroy any post or pole used in connection with any system of electric lighting, electric railway or telephone or telegraph system; or break down and destroy or injure and deface any electric light, telegraph or telephone instrument; or in any way cut, break or injure the wires or any apparatus thereto belonging, or shall wilfully tap, cut, injure, break, disconnect, connect, make any connection with, or destroy, any of the wires, mains, pipes, conduits, meters, or other apparatus belonging to, or attached to, the power plant or distributing system of any electric light plant, electric motor, gas plant or water plant; or shall aid or abet any other person in so doing, he shall be imprisoned in the penitentiary not more than five years, or be fined not exceeding five hundred dollars, or imprisoned in the county jail not more than one year, or by both such fine and imprisonment, at the discretion of the court.”

And that when so amended the same do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 382, a bill for an act making it a crime to wilfully take any electric current, gas or water from the wires, meters, pipes or any apparatus of any electric light, electric motor, gas or water plant with intent to defraud (additional to chapter five (5), title XXIV (24) 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.

N. E. KENDALL,  
*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 enable the State of Iowa to sell and dispose of all drained or reclaimed meandered lake beds and other lands, beg leave to report that they have 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 AS AMENDMENT FOR HOUSE FILE NO. 318.

A BILL for an act to enable the State of Iowa to sell and dispose of all abandoned river channels and all land within such abandoned river channels, and all sand bars or islands in the navigable waters of the State, and authorizing the appointment of a commission to ascertain and establish the boundary lines between the State of Iowa and adjoining states.

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

Section 1. That all land between high water mark and the center of the channel of any former navigable stream, where such channel has been abandoned, so that it is no longer capable of use, and is not likely to again be used, for the purposes of navigation, and all land within such abandoned river channels, and all bars or islands in the channels of navigable streams, not heretofore surveyed or platted by the United States or by the State of Iowa, and all within the jurisdiction of the State of Iowa, shall be sold and disposed of as hereinafter provided.

Sec. 2. Any person desiring to purchase any such land shall be required to file written application therefor with the Secretary of State, which application shall be accompanied with a deposit of not less than fifty cents per acre for the land so desired to be purchased, and which deposit, in the aggregate, shall in no event be less than twenty-five dollars (\$25), the total amount of the deposit to be fixed by the Secretary of State, which sum, or so much thereof as may be necessary, shall be applied in the payment of the necessary expense of survey of such land, and appraisement of the value thereof, as hereinafter provided.

Sec. 3. Upon receiving such application and deposit, it shall be the duty of the Secretary of State to order a complete survey of such land to be made by the county surveyor of the county wherein the land is situated, and in case of the refusal or inability of such county surveyor to make such survey then the Secretary of State shall appoint some other competent surveyor to make such survey. When such survey is made a full report thereof, with field notes, shall be filed with the land commissioner, and recorded in a book prepared and kept for that purpose, in the office of the Secretary of State, which report and field notes shall constitute the official survey of such land.

Sec. 4. Upon the filing of such report, with the accompanying field notes, the Secretary of State shall thereupon appoint a commission of three disinterested freeholders of the county wherein the land is situated, to view the land and make appraisement of the value thereof, which appraisement shall be returned and filed with the land commissioner in the office of the

Secretary of State. Notice of such appraisement shall thereupon be given to such applicant, and upon payment of the balance required, as fixed by the appraised value, such person shall be entitled to a deed or patent therefor.

Sec. 5. The surveyor making such survey shall be entitled to receive the sum of five dollars (\$5) per day for his services as such surveyor, and such additional amount as may be agreed upon and necessary for the expenses of chainmen and other attendants; and the commissioners, for their services in making such appraisement, shall each be entitled to receive the sum of three dollars per day, for the actual time employed.

Sec. 6. None of such land shall be sold for less than the appraised value thereof, except as hereinafter provided. If the person filing the original application shall be unwilling to pay the amount per acre as fixed by the appraisers, he shall be permitted to deposit whatever amount he is willing to pay, in addition to his original deposit for such land so desired to be purchased by him, and, if at the expiration of ninety (90) days no other person has appeared and deposited and offered to pay a larger amount, he shall be entitled to a deed or patent for the land for the total amount deposited by him; but if before the expiration of such ninety (90) days there shall be other applicants and bidders for said land, and the said original applicant shall still be unwilling to increase his total deposit to the amount of the appraisement, or to an amount beyond that of the highest bidder, then the person making the highest bid and depositing the amount therefor shall be entitled to a deed or patent for such land, and the money deposited by the original applicant shall be refunded. If the said original applicant shall increase his total deposit to the amount of the appraisement within said period of thirty (30) days, such original applicant shall thereupon be entitled to a deed or patent for such land.

Sec. 7. Any person who has in fact lived upon any such land and occupied the same, as a home for himself and family, continuously for a period of three or more years immediately prior to the time of the passage of this act, and such occupation has been in good faith for the purpose of procuring title thereto, whenever by law such title could be vested in him by purchase from the proper authority, shall be allowed ninety (90) days from the date this act takes effect within which to file application as a proposed purchaser of such land. When any such application is filed, accompanied with the required deposit, it shall have priority over any or all other applications filed for such land and shall be treated as the first application therefor.

Sec. 8. When, upon full compliance with the provisions of this act, any person shall become entitled to a deed or patent for any such land, a deed or patent shall thereupon be executed and delivered to such person by the Governor, on behalf of the State, duly attested with the seal of the State attached thereto, which deed shall, in addition to the usual formalities, also recite the name of the party making the first application to purchase such land, the amount of his deposit, the appraisement, the name of the party making final payment, and entitled to the deed therefor, whether as original applicant, by assignment, or as the highest bidder, and also that such deed is given for the purpose of conveying such title and interest in



the land as the State may at the time own and possess, and has the right to convey. A record of such conveyance shall be made and kept by the land commissioner in the office of the Secretary of State.

Sec. 9. Whenever any such land shall be found to have been previously surveyed under or by virtue of any order of a court of record, and the record of such survey has been duly made and preserved, then and in that event, in the discretion of the Secretary of State, a duly certified transcript of such record, together with the field notes accompanying the same, if obtainable, may be filed with the land commissioner in the office of the Secretary of State, and when so filed shall obviate the necessity for any further survey of such land except when such survey becomes necessary for the purpose of execution of conveyances thereof, and the record of such transcript, when filed, shall constitute the official survey of such land.

Sec. 10. If, in any proceeding contemplated by the provisions of this act, it shall become necessary to determine the boundary line between the State of Iowa and either of the states adjoining, the matter shall then be at once referred to the Executive Council, who shall thereupon proceed to confer with the proper authority of such adjoining state, and if the co-operation of the proper authority of such adjoining state shall be obtained, then the Executive Council shall appoint a commission of three disinterested, competent persons, who shall, in conjunction with the parties acting for such adjoining state, have authority to ascertain and locate the true boundary line between the State of Iowa and such adjoining state, so far as the particular land under consideration at the time, is concerned. The lines so ascertained and located shall constitute the true and permanent boundary line between the State of Iowa and such other state to the extent such line shall be so ascertained and located.

Sec. 11. The members of such commission shall be selected with reference to their fitness for the duties required, and at least one of them shall be a competent surveyor, and civil engineer. They shall receive for their services such amount as the Executive Council may deem reasonable, to be paid out of the proceeds of the land so surveyed.

Sec. 12. If at any time within ten (10) years from the date of any deed or patent, issued under the provisions of this act, the grantee therein, or his successors, administrators or assigns, shall cause to be filed with the Secretary of State a duly certified transcript of a final decree of a court of record showing that the conveyance by the State passed no title whatever to the land therein described, because title thereto had previously, for any reason, been vested in others, then the money so paid for such conveyance shall be refunded by the State to the person or persons entitled thereto.

Sec. 13. All moneys received for the sale or conveyance of any land under the provisions of this act, after the payment of the necessary expenses of survey and appraisalment thereof, shall be paid into the State treasury.

Sec. 14. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and

Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

And that when so amended the same do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Mattes of Sac, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 297, a bill for an act making appropriations to the State Historical Society 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.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 314, a bill for an act to compensate Frank J. Young for money paid out and services rendered while State Oil Inspector, beg leave to report that they 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.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 293, a bill for an act to indemnify Charles H. Tribby for damages caused by sewage from the State Hospital for the Insane at Mount Pleasant, 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 the adoption of the following substitute:

## SUBSTITUTE AS AMENDMENT FOR HOUSE FILE NO. 293.

A BILL for an act to indemnify Charles H. Tribby, for damages caused by sewage from the State Hospital for the Insane at Mount Pleasant, Iowa.

*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, so much as shall be found due to Charles H. Tribby for payment of damages sustained, if any, by him in consequence of the flow of sewage from the Hospital for the Insane at Mount Pleasant, Iowa, upon land rented by him during the year 1903, provided that the sum appropriated under this act shall not exceed one thousand and fifty dollars (\$1,050).

Sec. 2. The damages sustained, if any, by said Charles H. Tribby, shall be ascertained by the Board of Control of State Institutions of Iowa, and shall be paid on a voucher approved by said Board of Control in the same manner that the ordinary expenses of said institutions are paid; and if the amount found to be due by said board is accepted by said Charles H. Tribby, it shall have the force and effect of full compensation for all damages sustained by him from such flow of sewage.

And that when so amended the same do pass.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

Pritchard of Wright, from the committee on Agriculture, submitted the following report:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House file No. 187, a bill for an act to prevent the adulteration, misbranding and imitation of foods; to change the name of the office of "State Dairy Commissioner" to that of "State Food and Dairy Commissioner" and to define his duties, with substitute as amendment thereto attached, beg leave to report that they have 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. S. PRITCHARD,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House file No. 123, a bill for an act to repeal chapter one hundred and thirty-nine (139) of the laws of the Twenty-eighth General Assembly relative to the cutting of weeds on the public roads 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.

J. S. PRITCHARD,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Leech of Cedar, from the committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 387, a bill for an act to amend section twenty-five hundred and thirty-eight (2538) of the code, and provide for registering without examination veterinarians registered in other states or foreign countries, beg leave to report that they 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.

L. J. LEECH,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 326, a bill for an act to amend section two thousand five hundred and seventy-six (2576), chapter seventeen (17), title XII (12) of the code, relating to the State Board of Medical Examiners, beg leave to report that they have 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.

L. J. LEECH,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 218, a bill for an act to regulate the sale of patent medicines, containing narcotic or any alcoholic preparations, beg leave to report that they have 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.

L. J. LEECH,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Cassel of Jefferson, 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. 287, 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, beg leave to report that they have 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. F. CASSEL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on County and Township Organization to whom was referred House file No. 179, a bill for an act to provide for the erection and maintenance of town clocks by 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 indefinitely postponed.

A. F. CASSEL,  
*Chairman.*

Adopted.

Also:

MR. SPEAKER—Your committee on County and Township Organization, to whom was referred House file No. 329, a bill for an act to amend section five hundred sixty (560) of the code, relating to township clerk and 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

A. F. CASSEL,  
*Chairman.*

Ordered passed on file.

Teachout of Polk, from the committee on Mines and Mining, submitted the following report:

MR. SPEAKER—Your committee on Mines and Mining, to whom was referred Senate file No. 193, a bill for an act to confer jurisdiction over the gypsum mines of this State on the State mine inspectors, and providing for the enforcement of chapter nine (9), title XII (12) in reference 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 by inserting immediately after the word "applicable" in line three (3) of section one (1) of the original bill, the words "to the health and safety of the employes." Also by striking out sections two (2) and three (3), and when so amended that the bill do pass.

H. E. TRACHOUT,

*Chairman.*

Ordered passed on file.

English of Polk, from the committee on Insurance, submitted the following report:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 191, a bill for an act to amend section thirteen hundred and thirty-three (1333) of the code so that certain insurance companies be relieved from the payment of two and one-half (2½) per cent tax upon gross premiums derived from insuring the lives of citizens 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.

EMORY H. ENGLISH,

*Chairman.*

Adopted, and the bill was indefinitely postponed.

#### INTRODUCTION OF BILLS.

By Hart of Allamakee, House file No. 388, a bill for an act to amend chapter 4 of title X of the code, relative to the condemnation of property for public use.

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

By Teter of Marion, House file No. 389, a bill for an act to provide for the approval of policies or contracts of life insurance companies contemplated by chapter 6 of title IX of the code.

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

#### SENATE MESSAGES CONSIDERED.

Senate concurrent resolution relative to memorializing Congress to erect a monument in the city of Washington in memory of Abraham Lincoln.

On motion of Buchanan of Wapello, the House concurred in the resolution.

Senate file No. 200, a bill for an act making twenty thousand dollars (\$20,000) additional appropriation for the Iowa exhibit at the Louisiana Purchase Exposition at St. Louis and amendatory of the law as it appears in chapter one hundred and ninety-five (195) of the acts of the Twenty-ninth General Assembly.

Mattes of Sac asked unanimous consent to take up and consider the bill and Senate amendments thereto at this time.

Granted.

The amendment was read.

Mr. Mattes moved that the House concur in the Senate amendment.

On the question, Shall the House concur ?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Coburn, Colclo, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stoltenberg, Teachout, Temple, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland—86.

The nays were:

None.

Absent or not voting:

Messrs. Buckingham, Chistianson, Conn, English, Flenniken, Hanna, Lowrey, Offill, Robinson, Springer, Stanbery, Summers, Teter, Mr. Speaker—14.

So the House concurred in the Senate amendments.

Powers of Floyd called up the report of joint committee relative to the manufacture of binding twine in the penal institutions of the State.

Kendall of Monroe moved that the report of the committee be received and the committee discharged.

Motion prevailed.

Mattes of Sac moved that the House reconsider the vote by which the House concurred in the Senate amendments to Senate file No. 200.

Motion prevailed.

Senate file No. 200 was then read first and second times.

Head of Greene moved that further consideration of the bill be deferred until 10 A. M. tomorrow.

Motion prevailed.

#### 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 amendment to Senate file No. 158, a bill for an act to amend sections 2540 and 2551 of chapter 15 of the code supplement, relative to the protection of fish and game.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has concurred in House substitute for Senate file No. 206, a bill for an act relating to the right to vote corporate stock, (additional to chapter 1, title IX 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. 223, a bill for an act to amend section 2691 of the code and to repeal section 2692 of the code and enact a substitute therefor, relating to the support of the Iowa Soldiers' Orphans' 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:

Substitute for Senate file No. 155, a bill for an act making an appropriation to reimburse certain officers, teachers and employes of the Iowa School for the Deaf, for the loss of wearing apparel and other property by fire at said school on the 9th day of May, 1902.

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. 159, a bill for an act to appropriate money to reimburse the ex-commissioners of pharmacy for the State of Iowa and their attorneys for moneys paid by them and expenses incurred in the enforcement of 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. 218, a bill for an act making an appropriation to return to the State Board of Veterinary Medical Examiners of Iowa, money paid by them into the treasury 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 House is asked:

Senate file No. 86, a bill for an act to empower boards of supervisors, township trustees and town councils to buy or condemn land for gravel and other materials to improve roads, public highways, streets and alleys.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Weeks of Guthrie, House file No. 317, a bill for an act to amend section 4011 of the code, relating to the exemption from liability for debts for personal earnings, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Weeks of Guthrie moved the adoption of the following amendment recommended by the committee:

Amend by adding thereto the following:

If the personal earnings of any such debtor shall be levied upon by any person, firm or corporation with knowledge that the full amount of such personal earnings were exempt from liability for debt or with knowledge of any prior levy which would exhaust all of such personal earnings in excess of the exemption provided for in this act, then all the costs incurred by reason of such levy shall be taxed against such person, firm or corporation.

**Adopted.**

Kendall of Monroe moved to adjourn until 2 o'clock this afternoon.

Mattes of Sac moved to amend by making the time 9 o'clock tomorrow morning.

Amendment adopted.

Original motion as amended prevailed and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 18, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. Edward M. Hoff of Lenox, Iowa.

Journal of Thursday, March 17th, was corrected and approved.

House resumed consideration of House file No. 317, a bill for an act to amend section 4011 of the code, relating to the exemption from liability for debts for personal earnings.

Jepson of Woodbury moved to amend the bill by striking out the last seven lines of the original bill and substituting in lieu thereof the following:

If the personal earnings of any such debtor shall be levied upon by any person, firm or corporation when such personal earnings were exempt from liability for debt or when any prior levy would exhaust all of such personal earnings in excess of exemption provided for in this act, then such person, firm or corporation shall be liable for all costs incurred by reason of such levy, together with reasonable attorney's fees paid by such debtor in defending against such levy, and such person, firm or corporation shall be liable to such debtor for all damages sustained by him by reason of any wrongful levy.

Lost.

Frudden of Dubuque moved to strike out the figures "\$40.00" and substitute in lieu thereof the figures "\$45.00."

Wyland of Shelby moved to amend the amendment by substituting the figures "\$75.00" for "\$45.00."

Amendment to amendment lost.

Amendment lost.

Temple of Clarke moved to amend by striking out from the committee amendment the words "with knowledge that" after the word "corporation" and insert the word "when" in lieu thereof, and by striking out the words "with knowledge of" and inserting the word "when" in lieu thereof.

**Adopted.**

Mott of Audubon moved the previous question.

Kendall of Monroe and Hart of Allamakee demanded a roll call.

On the question, Shall the previous question be now put?

**The yeas were:**

Messrs. Bixby, Boland, Buckingham, Carden, Cassel, Chas-sell, Cheney, Christianson, Cobb, Colclo, Conn. Crose, Dashiell, Davie, DeLano, Freeman, Frudden, Greene, Gregory, Hakes, Hanna, Harris, Head, Hollembeak, Hume, Jones, Kling, Koontz, Lamkin, Leech, Lister, Lundt, McAllister, McClurkin, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Offill, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Shaffer, Skinner, Spaulding, Stoltenberg, Summers, Teachout, Temple, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Mr. Speaker—66.

**The nays were:**

Messrs. Bailey, Bealer, Calderwood, Carstensen, Clary, Coburn, Doran, Dow, English, Geneva, Greeley, Hambleton, Hart, Heles, Jacobson, Jepson, Kendall, Kennedy, Laird, Langan, Olson, Sankey, Saylor, Springer, Stanbery, Teter, Wright, Wyland—28.

**Absent or not voting:**

Messrs. Buchanan, Cummings, Flenniken, Lowrey, McCreary, Nichols—6.

So the previous question was ordered.

Weeks of Guthrie moved that the rule 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. Bixby, Boland, Carden, Cassel, Chassell, Cheney, Christianson, Cobb, Conn, Crose, DeLano, Freeman, Greene, Gregory, Hakes, Hanna, Harris, Head, Hollembeak, Hume, Jones, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McDole, McElrath, McNie, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Shaffer, Skinner, Spaulding, Stoltenberg, Summers, Teachout, Temple, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wyland—62.

The nays were:

Messrs. Bailey, Bealer, Buckingham, Calderwood, Carstensen, Clary, Coburn, Colclo, Dashiell, Davie, Doran, Dow, English, Frudden, Geneva, Greeley, Hambleton, Hart, Heles, Jacobson, Jepson, Kendall, Kennedy, Langan, McCulloch, Maben, Olson, Sankey, Saylor, Springer, Stanbery, Teter, Wright, Mr. Speaker—34.

Absent or not voting:

Messrs. Buchanan, Cummings, Flenniken, Lowrey—4.

So the bill passed and the title was agreed to.

#### PETITIONS AND MEMORIALS.

Conn of Butler presented memorial of John Braden Post No. 242 G. A. R., relative to the establishment of a State park at Davenport.

Referred to committee on Appropriations.

Hakes of Pocahontas presented petition of citizens of Pocahontas county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Offill of Jasper presented petition of thirty citizens of Colfax relative to the establishment of a woman's reformatory at Knoxville.

Referred to committee on Public Charities.

Wyland of Shelby presented petition of citizens of Shelby county relative to Sunday ball playing.

Referred to committee on Police Regulations.

Conn of Butler presented petition of citizens of Butler county relative to the establishment of a woman's reformatory at Knoxville.

Referred to committee on Public Charities.

Conn of Butler presented petition of citizens of Butler county relative to Sunday ball playing.

Referred to committee on Police Regulations.

Cummings of Marshall presented five petitions of citizens of Marshall county relative to woman suffrage.

Referred to committee on Woman Suffrage.

Cummings of Marshall presented three petitions of citizens of Marshall county relative to Sunday ball playing.

Referred to committee on Police Regulations.

Ritter of Des Moines presented petition of three churches of Des Moines county relative to Sunday ball playing.

Referred to committee on Police Regulations.

Chassell of Plymouth presented petition of citizens of Akron relative to Sunday ball playing.

Referred to committee on Police Regulations.

Conn of Butler presented petition of citizens of Butler county relative to woman suffrage.

Referred to committee on Woman Suffrage.

Hambleton of Mahaska presented petition of citizens of Mahaska county relative to the mulct law.

Referred to committee on Suppression of Intemperance.

Hambleton of Mahaska presented petition of citizens of Mahaska county relative to the establishment of a woman's reformatory at Knoxville.

Referred to committee on Public Charities.

Teachout of Polk presented petition of citizens of Polk county relative to Sunday baseball playing.

Referred to committee on Police Regulations.

Christianson of Hamilton presented petition of citizens of Hamilton county relative to the establishment of a juvenile court.

Referred to the committee on Judiciary.

Wyland of Shelby presented petition of citizens of Shelby county relative to woman suffrage.

Referred to committee on Woman Suffrage.

Welden of Hardin presented petition of citizens of Hardin county relative to the establishment of a woman's reformatory at Knoxville.

Referred to committee on Public Charities.

Clary of Chickasaw presented petition of citizens of Chickasaw county relative to woman suffrage.

Referred to committee on Woman Suffrage.

Cobb of Taylor presented petition of citizens of Taylor county relative to woman suffrage

Referred to committee on Woman Suffrage.

Mattes of Sac presented petition of citizens of Sac county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Koontz of Johnson presented memorial of Kirkwood Post No. 8 in regard to a State park at Camp McClellan, Davenport.

Referred to committee on Appropriations.

Hart of Allamakee presented petition of citizens of Allamakee relative to the establishment of a woman's reformatory at Knoxville.

Referred to committee on Public Charities.

Welden of Hardin presented petition of forty-three citizens of Hardin county relative to woman suffrage.

Referred to committee on Woman Suffrage.

DeLano of Cass presented petition of thirty citizens of Cass county relative to the establishment of a woman's reformatory at Knoxville.

Referred to committee on Public Charities.

DeLano of Cass presented petition of citizens of Cass county relative to woman suffrage.

Referred to committee on Woman Suffrage.

DeLano of Cass presented petition of seventy-six citizens of Cass county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

DeLano of Cass presented petition of citizens of Cass county relative to Sunday ball playing.

Referred to committee on Police Regulations.

Welden of Hardin presented petition of forty-four citizens of Hardin county relative to Sunday ball playing.

Referred to committee on Police Regulations.

Weeks of Guthrie presented petition of citizens of Guthrie county relative to the establishment of a woman's reformatory at Knoxville.

Referred to committee on Police Regulations.



Weeks of Guthrie presented petition of citizens of Guthrie county relative to woman suffrage.

Referred to committee on Woman Suffrage.

Colclo of Carroll presented six petitions of citizens of Carroll county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Laird of Fremont presented two petitions of citizens of Fremont county relative to Sunday ball playing.

Referred to committee on Police Regulations.

Carstensen of Clinton presented petition of citizens of Clinton relative to the establishment of a woman's reformatory at Knoxville.

Referred to committee on Public Charities.

Weeks of Guthrie presented petition of citizens of Guthrie county relative to Sunday baseball playing.

Referred to committee on Police Regulations.

Chassell of Plymouth presented petition of citizens of Plymouth county asking for the establishment of a woman's reformatory at Knoxville.

Referred to committee on Public Charities.

Chassell of Plymouth presented petition of citizens of Plymouth county relative to woman suffrage.

Referred to committee on Woman Suffrage.

Stoltenberg of Scott presented petition of manufacturers of Scott county favoring a permanent yearly tax for the support of Iowa State College of Agriculture.

Referred to committee on Appropriations.

#### 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 Senate file No. 2, a bill for an act to amend section one hundred and thirteen (113) of the code, and to provide for the securing to the State interest on public 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 do pass.

M. L. TEMPLE,  
*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. 380, a bill for an act to abolish the Board of Railroad Commissioners and repeal sections 2111, 2112, 2113, 2114, 2115, 2117, 2118, 2119, and 2120 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.

C. A. WISE,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Railroads and Commerce, to whom was referred House file No. 342, a bill for an act to amend section twenty-one hundred and sixteen (2116) of the code in relation to the duty of railroads 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.*

Adopted, and the bill was indefinitely postponed.

Bailey of Ringgold, 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. 379, a bill for an act to protect persons and property from danger and injury from automobiles, motor cycles, or motor vehicles upon the public 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.

M. Z. BAILEY,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred Senate file No. 168, a bill for an act to amend section fifteen hundred seventy (1570) of the code, relating to the trimming of hedges along the public highway, beg leave to report that they have 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. Z. BAILEY,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Hart of Allamakee, from the committee on Military, submitted the following report:

MR. SPEAKER—Your committee on Military, to whom was referred House file No. 116, a bill for an act providing for the compiling of a roster of Iowa soldiers, sailors and marines of the war of the Rebellion and of the Spanish-American war, beg leave to report that they have 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 AS AMENDMENT FOR HOUSE FILE NO. 116.

A BILL for an act providing for the compiling of a roster of Iowa soldiers, sailors and marines of the war of the Rebellion and of the Spanish-American war.

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

Section 1. That the Adjutant General of the State is hereby authorized and directed to compile in suitable form for publication, from the records and files of his office and of the United States and all other reliable records and information obtainable, a true, accurate and correct roster of all Iowa soldiers, sailors and marines of the war of the Rebellion, which said roster shall contain the name of every such soldier, sailor and marine with such other information and records as hereinafter provided.

Sec. 2. Such compilation shall be under the direction and supervision of a board consisting of the Governor, Secretary of State and one other, whose selection shall be made and certified to the Governor by the commander of the department of Iowa Grand Army of the Republic, which member so

selected shall receive the same compensation as that now paid to trustees of educational institutions, for time actually and necessarily employed in the duties of such board. Said board and the Adjutant General shall determine upon the general plan and scope of such compilation and the form and arrangement thereof.

Sec. 3. The said compilation shall not be limited to the bare facts as disclosed by the muster out rolls or any other separate official record of individuals, but may contain such other and additional facts, both with reference to individuals and organizations, obtainable from official sources as may be of general interest or valuable for preservation, and shall include as far as possible a statement of the campaigns and engagements participated in, confinements in Confederate prisons, and service in different organizations, by reference or otherwise, and there shall be excluded from same, when prepared for general publication, all reference to trials, courts-martial, courts of inquiry and convictions other than for heinous offenses and felonies. All orders, reports and other papers with reference to Iowa troops or Iowa soldiers, sailors or marines, either from the files or records of the Adjutant General's office of the United States or other sources may be included therein at the discretion of the board, together with a complete alphabetical index of all names included in such roster. If found practicable by the supervising board there may be included in such compilation so far as obtainable, the names of all soldiers, sailors and marines of the Civil and Mexican wars who became residents of Iowa subsequent to their service in such wars, with such data and information as may be considered proper with reference thereto.

Sec. 4. A brief sketch or history of the organization and service of each regiment or other organization may also be incorporated therein, and the same may, at the discretion of the board, be prepared and furnished without expense to the State by some survivor of such regiment or other organization, or by an organization of such survivors or someone selected by such organization of such survivors under such limitations and rules as the board may fix.

Sec. 5. The Adjutant General shall also in like manner compile and prepare a separate roster of all Iowa soldiers, sailors and marines of the Spanish-American war and the succeeding insurrection in the Philippine Islands, which compilation shall be of same general scope and plan as herein provided for the war of the Rebellion, and shall be prepared under same conditions, limitations and supervision, except that the member of the supervising board other than the Governor and Secretary of State shall be an ex-Iowa soldier of the Spanish-American war, appointed by the Governor.

Sec. 6. The Adjutant General is hereby authorized and empowered to employ such additional help in his office, at an expense not to exceed five thousand dollars (\$5,000), as may be required for the compilation of the rosters herein provided for, and the sum of five thousand dollars (\$5,000), or as much thereof as may be necessary, is hereby appropriated from any moneys not otherwise appropriated in the treasury of the State of Iowa for the payment of such extra help and the expense of the compilation of the said rosters.

And that when so amended the bill be adopted as a committee measure and referred to the committee on Appropriations.

WILLIAM S. HART,  
*Chairman.*

Adopted, and the bill was referred to committee on Appropriations.

Also:

MR. SPEAKER—Your committee on Military Affairs, to whom was referred Senate file No. 21, a bill for an act to provide for the compiling and publishing of a roster of all Iowa 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, the provisions of such bill having been by the committee incorporated into House file No. 116 and reported as a committee measure.

WILLIAM S. HART,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Bealer of Linn, 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. 344, a bill for an act to amend section four hundred and sixty-nine (469) of the code in relation to the compensation 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 amended by inserting after the figures (469) the words, "of the code", in the first line of section one(1), also by inserting the word "first" after the first word "the" in line two (2) of section one (1) of the printed bill, and when so amended that the same do pass.

E. J. C. BEALER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House file No. 248, 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 be amended by striking out the words "of Iowa" in the title of the bill; also by striking out the words "of Iowa" in line one (1) of section one (1) of the printed bill, and after so amended that the same do pass.

E. J. C. BEALER,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred House file No. 264, a bill for an act to repeal section four hundred and seventy-nine (479) of the code of Iowa, relating to the compensation of county auditors and to enact a substitute therefor; also, to amend section four hundred and eighty-one (481) of the code, relating to the compensation of deputy auditors and auditors' 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 indefinitely postponed.

E. J. C. BEALER,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Compensation of Public Officers, to whom was referred Senate file No. 63, a bill for an act to amend section fifteen hundred and thirty-eight (1538), title VIII, chapter 2 of the code, making compensation of township trustees, in certain cases, payable out of township road 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 amended by striking out all of section two (2), and when so amended that the same do pass,

E. J. C. BEALER,  
*Chairman.*

Ordered passed on file.

Harris of Poweshiek, 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. 286, a bill for an act to amend section five thousand and two of the code in relation to allowing minors in billiard rooms, saloons, 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.

THOMAS HARRIS,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 295, a bill for an act to amend the law as it appears in section twenty-six hundred and six-b (2606-b) of the supplement to the code, in regard to the pension money of members of the Iowa Soldiers' Home.

Also, House file No. 227, a bill for an act regulating appointments, employment, and removals in the public departments and upon public works in the State of Iowa, and the counties, cities and towns thereof.

Also, Senate substitute for House file No. 140, a bill for an act to amend the law as it appears in section four hundred ninety-five (495) of the code and in section four hundred ninety-six (496) of the supplement to the code, relating to the compensation of county recorders.

H. L. SPAULDING,  
*Chairman.*

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 295, a bill for an act to amend the law as it appears in section twenty-six hundred and six-b (2606-b) of the supplement to the code, in regard to the pension money of members of the Iowa Soldiers' Home.

Also, House file No. 227, a bill for an act regulating appointments, employment, and removals in the public departments and upon public works in the State of Iowa, and the counties, cities and towns thereof.

Also, Senate substitute for House file No. 140, a bill for an act to amend the law as it appears in section four hundred ninety-five (495) of the code

and in section four hundred ninety-six (496) of the supplement to the code, relating to the compensation of county recorders.

H. L. SPAULDING,  
*Chairman House Committee.*

D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

Kendall of Monroe presented the following report and on motion same was ordered printed in the Journal.

REPORT OF CODE SUPPLEMENT SUPERVISING COMMITTEE.

*To the Thirtieth General Assembly of Iowa:*

MR. PRESIDENT AND MR. SPEAKER—Your committee appointed to compile 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 compilations and annotations as a supplement to the code, as provided by chapter one hundred and ninety-four (194) of the laws of the Twenty-ninth General Assembly, beg leave to report that they have performed their duties as prescribed by said act. John R. Carter, Esq., editor of the supplement of the code, under the direction of the committee made the compilation, compared the copy with the enrolled bills, prepared the tables, revised, enlarged and materially improved the index, annotated the negotiable instruments law, read all the proof and performed his duties in a most satisfactory manner. The annotations were purchased from Hon. Emlin McClain, one of the Judges of our Supreme Court. Contracts were made and entered into with Hon. Bernard Murphy, State printer, and Hon. Howard Tedford, State binder for the printing and binding of the code supplement and the work was completed about Sept. 30, 1902. Following is an itemized statement of account relating to the expense of the code supplement:

Paid for appropriation under section 14, chapter 194, acts of the Twenty-ninth General Assembly:	
October 6, 1902, to W. K. Barker, expenses as member of commission .....	\$ 76.15
October 6, 1902, to J. H. Trewin, expenses as member of commission .....	68.89
October 6, 1902, to Albert W. Hamann, expenses as member of commission .....	52.05
October 6, 1902, to W. P. Whipple, expenses as member of commission .....	34.90
October 6, 1902, to Claude R. Porter, expenses as member of commission .....	39.00
October 6, 1902, to Frank S. Payne, expenses as member of commission .....	39.40



August and September, 1902, to Emlin McClain, preparing notes for code supplement.....	1,800.00
September 27, 1902, to C. J. Orrel, reading proof.....	12.50
October 31, 1902, to Mrs. C. A. Needing, reading proof.....	20.00
September 4, 1902, to John R. Carter, editing supplement.....	1,500.00
October 18, 1902, to John R. Carter, traveling expenses.....	77.00
October 18, 1902, to John R. Carter, expressage, postage, etc....	15.79
June to September, 1902, to R. P. Brown, clerk hire.....	100.00
June to September, 1902, to R. P. Brown, clerk hire.....	200.00
September 2, 1902, to Don Brown, messenger, eight weeks.....	32.00
October 6, 1902, B. I. Tanner, stenographic work.....	46.80
September 27, 1902, Mutual telephone service.....	15.00
June 14, 1902, Reed, Adams & Co., 3 copies "Citator".....	18.00
October 14, 1902, Lewis E. Bolton, nails for boxes.....	5.30
October to December, 1902, Getchell Martin Lumber Co., code boxes.....	148.60
September 28, 1902, Star Engraving Co., electrotypes for supplement.....	745.10
July, 1902, J. W. Butler Paper Co., *1549 8-21 reams M F book paper at \$3.60 cwt.....	3,849.00
October 6, 1903, Bernard Murphy, printing supplement.....	3,073.10
April 4, 1902, Howard Tedford, binding 14,902 supplements.....	11,176.50
April 4, 1902, Howard Tedford, folding, pasting and cutting....	172.50
March 1, 1904, B. Murphy, locking up forms.....	273.60
March 1, 1904, Claude R. Porter, member of commission.....	12.60
March 1, 1904, J. H. Trewin, member of commission.....	13.60
<b>Total</b> .....	<b>\$22,317.38</b>
Less paper unused.....	828.36
<b>Net cost</b> .....	<b>\$21,489.02</b>
Cost per volume.....	\$ 1.44

\* The Executive Council holds in storage paper unused, due to the fact that the supplement contains fewer pages than estimated, to the cost value of \$828.36.

In accordance with the authority found in section one (1) of chapter two hundred and eleven (211) of the laws of the Twenty-ninth General Assembly, your committee caused to be published seven thousand five hundred (7500) copies of the code. The committee directed the editor of the supplement to the code to prepare for this edition, a table of corresponding sections of the code of 1873, and of the matter contained in the session laws from the Fifteenth to the Twenty-sixth General Assemblies inclusive, also a table of cases giving in alphabetical order under the name of plaintiff only, all the Iowa cases found among the annotations of the code and cited by reference to the North-Western Reporter, showing the volume and page where found in the official reports, also a table giving the sections and parts of the code, which have been amended or repealed by the Twenty-seventh, Twenty eighth and Twenty-ninth General Assemblies, with proper references.

Following is a statement of the expense account for the publication of such authorized edition of the code:

October 15, 1902, Jno. R. Carter, making tables of corresponding sections .....	\$ 350.00
July 31, 1902, J. W. Butler Paper Co., code paper .....	3,231.54
June 26, 1902, Graham Paper Co., end sheets for code .....	188.37
October 31, 1903, B. Murphy, printing code contract price .....	1,998.26
August 31, 1902, Howard Tedford, binding 7,500 copies.....	8,250.00
November 15, 1902, Star Engraving Co., electrotyping .....	55.20
Total.....	\$14,063.37
Cost per volume.....	\$ 1.88

Since completing the work assigned to us, one of our members, Hon. W. K. Barker of Cresco, Iowa, and one of the members of the last General Assembly, has departed this life. We desire here to express our appreciation of the character and services of our deceased brother. He was an old soldier, a patriotic citizen, a good lawyer, a painstaking, industrious and trustworthy servant of the people.

The foregoing is respectfully submitted,

J. H. TREWIN,  
W. P. WHIPPLE,  
CLAUDE R. PORTER,  
W. K. BARKER,  
FRANK S. PAYNE,  
ALBERT W. HAMANN.

#### INTRODUCTION OF BILLS.

By Carden of Henry, House file No. 390, a bill for an act relating to the practice of veterinary medicine and surgery.

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

By Lamkin of Lyon, House file No. 391, a bill for an act to define certain powers of the county superintendent in relation to teachers.

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

By Clary of Chickasaw, House file No. 392, a bill for an act to amend section 2449 of the code relating to statement of consent that mulct law be put in operation.

Read first and second time and referred to committee on Suppression of Intemperance.

By English of Polk, House file No. 393, a bill for an act to provide for the licensing of agents of insurance companies and associations.

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

By Robinson of Emmet, House file No. 394:

A BILL for an act to legalize the incorporation of the town of Arnolds Park, Dickinson county, Iowa, the notices of election and the election of its officers.

WHEREAS, Doubts have arisen as to the legality of the incorporation of the town of Arnolds Park, Dickinson county, Iowa, the notices of election and the election of its officers, therefore,

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

Section 1. That the incorporation of the town of Arnolds Park, Dickinson county, Iowa, the notices of election, election of its officers and all acts done by the commissioners in the incorporation and election of the officers of said town, are hereby legalized and the same declared valid and binding the same as though they had in all respects been in strict compliance with the law, it being provided however that this act shall in no manner affect pending litigation.

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

By Robinson of Emmet, House file No. 395, a bill for an act to authorize and empower the Governor of Iowa to relinquish and re-convey to the United States certain lands in Dickinson county, Iowa, granted to the State of Iowa by the act of Congress entitled, "An act for a grant of land to the State of Iowa in alternate sections to aid in the construction of a railroad in the State of Iowa," approved May 12, A. D. 1864, which have not been earned pursuant to the provisions of said act.

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

By Kennedy of Lee, House file No. 396, a bill for an act authorizing cities and towns in the State of Iowa to institute proceedings against any and all persons, companies, or corporations owning and operating water works in any such cities and towns; to have the franchise, charter, permit and contracts of such persons, companies or corporations declared forfeited; to have a

receiver appointed to operate such water works and to have such water works condemned and sold.

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

By Mott of Audubon, House file No. 397, a bill for an act to establish a juvenile court, and to regulate the treatment and control of dependent, neglected and delinquent children.

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

SENATE MESSAGES CONSIDERED.

Senate file No. 223, a bill for an act to amend section 2691 of the code and to repeal section 2692 of the code and enact a substitute therefor, relating to the support of the Iowa Soldiers' Orphans' Home.

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

Substitute for Senate file No. 155, a bill for an act making an appropriation to reimburse certain officers, teachers and employes of the Iowa School for the Deaf, for the loss of wearing apparel and other property by fire at said school on the 9th day of May, 1902.

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

Substitute for Senate file No. 159, a bill for an act to appropriate money to reimburse the ex commissioners of pharmacy for the State of Iowa and their attorneys for moneys paid by them and expenses incurred in the enforcement of law.

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

Senate file No. 218, a bill for an act making an appropriation to return to the State Board of Veterinary Medical Examiners of Iowa, money paid by them into the treasury of the State.

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

Senate file No. 86, a bill for an act to empower boards of supervisors, township trustees and town councils to buy or condemn land for gravel and other materials to improve roads, public highways, streets and alleys.

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 passed the following bill in which the concurrence of the Senate was asked:

House file No. 339, a bill for an act to authorize the city of Marshalltown to construct and maintain a sewer through land of the State used by 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. 36, a bill for an act providing for the establishment, location, erection and operation for a State hospital for dipsomaniacs, inebriates and for those addicted to the excessive use of narcotics, and providing for its support and for the discipline of persons committed to it and for the repeal of all laws inconsistent herewith.

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. 67, a bill for an act to amend section 2515 of the code, relating to the appointment by dairy commissioners of a deputy and assistants and fixing their compensation.

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 amend section 2823-a of chapter 14-a of the supplement to the code, in relation to the duties of parents and guardians to children, with reference to the length of time they shall attend school during each school year and when that time shall commence.

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. 307, a bill for an act authorizing the Executive Council to sell the property known as "State Square," being block 27 in Stewart's addition to the city of Des Moines, Iowa, and use the proceeds of the sale in the purchase of other property.

GEO. A. NEWMAN,  
*Secretary.*

The following communication was presented and read:

*To the Governor and Members of the Thirtieth General Assembly:*

I am requested by the Iowa City Commercial Club to extend to you a cordial invitation to visit the State University at Iowa City on Thursday, March 24, 1904, as the honored guests of said commercial club; and on behalf of the citizens of Iowa City and said club, I can assure you of a cordial reception, and so far as can be, your visit will be made an enjoyable one, and I trust you will accept the above invitation.

GEO. W. KOONTZ,  
*Representative Forty-first District.*

On motion of Temple of Clarke the invitation was accepted.

Speaker announced that he had signed in the presence of the House, House files No. 227, No. 295, No. 140.

#### BILLS ON THEIR PASSAGE.

On motion of Hart of Allamakee, House file No. 266, a bill for an act requiring common carriers to issue passes to live stock shippers and regulating the issuance and use thereof and providing penalties for violation of this act, with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

Hart of Allamakee moved the adoption of the following substitute amendment recommended by the committee:

A BILL for an act to require common carriers to issue free transportation to owners shipping live stock, additional to chapter seven (7), title X (10) of the code, relating to the regulation of common carriers.

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

Section 1. Common carriers of live stock, in car load lots, upon receiving in this State, for shipment one or more car loads of horses or mules or two or more car loads of cattle, hogs, goats or sheep, shall upon demand of the owner of such animals offered for shipment, issue to such owner, or the actual agent or employe of such owner, free transportation from the place of receiving such shipment to the place of destination, and return, such free transportation to be limited to one person for each shipment, as is above set out. When a single shipment aggregates six cars or more, such owners shall be entitled, on demand, as is above provided, to free transportation for one additional person, such additional person to be an actual agent or employe of such owner and such common carrier shall in like manner and under similar conditions issue free transportation for one person to destination of shipment only to the shipper of one car load of cattle or sheep. The return pass herein provided for is to be delivered, upon demand, at the office of the carrier at the place of destination, upon proper identification of the person so entitled to same, and shall be good for thirty-six hours from the time of the delivery of such shipment at place of destination.

Sec. 2. Any common carrier violating the above provision shall forfeit and pay to the owner of any shipment, as is above provided, three times the amount of the regular fare expended by such owner for himself, or his agent, in going from point of shipment to point of destination, and return, of a shipment of stock, as herein provided.

Sec. 3. Any person other than the owner, his agent or employe, as is described in section 1 hereof, attempting to use, or using, the transportation therein provided for, shall be considered a trespasser upon the trains or premises of such common carrier.

Sec. 4. This act being deemed of immediate importance shall take effect upon publication thereof in the Register and Leader and Des Moines Daily Capital, newspapers published at the city of Des Moines, Polk county, Iowa.

Adopted.

Hart of Allamakee offered the following amendments:

Amend section 1 by striking out the following words in the third line: "cattle, hogs, goats or sheep," and inserting in lieu thereof the words "other live stock;" and by inserting in the fifteenth line of said section after the word "cattle" the word "hogs."

Amend the bill by adding thereto as additional sections the following:

Sec. 4. That the cabooses or cars attached to such stock trains, and in which the holders of such passes are required to ride when accompanying

such live stock to market, shall be provided with suitable water-closets for the use of such persons while in transit, provided that the provisions of this section shall not go into effect until January 1, 1905, and that all such railroads shall be allowed until said time to comply with the requirements of this section.

Sec. 5. Any railroad in this State engaged in the transportation of live stock, and failing or refusing to comply with the requirements of the foregoing section, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than one hundred dollars (\$100.00) for each day's negligence or refusal to comply therewith; and all moneys so collected as fines shall be paid into the public school funds of the State.

Sec. 6. This act, being deemed of immediate importance, shall take effect upon publication thereof in the Register and Leader and Des Moines Daily Capital, newspapers published at the city of Des Moines, Polk county, Iowa.

Adopted.

Davie of Crawford offered the following amendment:

Amend section 1 by striking out of the next to the last line of the bill as printed on page 630 of the House Journal of March 16, the words "thirty-six" and insert in lieu thereof the words "seventy-two."

Davie of Crawford and Sankey of Decatur demanded a roll call on the motion to adopt the amendment.

The roll call resulted as follows:

The yeas were:

Messrs. Bailey, Bixby, Calderwood, Carden, Chassell, Cheney, Clary, Cobb, Davie, DeLano, Doran, Dow, Freeman, Frudden, Hakes, Hanna, Harris, Head, Heles, Hollembeak, Hume, Kling, Langan, Leech, Lundt, McAllister, McCreary, McElrath, Maben, Martin, Olson, Peet, Prevo, Pritchard, Ritter, Sankey, Springer, Washburn, Whiting, Whitmer, Willson, Wright—42.

The nays were:

Messrs. Bealer, Buchanan, Buckingham, Carstensen, Coburn, Colclo, Crose, Dashiell, English, Flenniken, Greeley, Greene, Gregory, Hambleton, Hart, Jacobson, Jepson, Jones, Kendall, Kennedy, Koontz, Lister, McClurkin, McCulloch, McNie, Manning, Mattes, Morris, Nichols, Ofill, Powers, Robinson, Saylor, Shaffer,



Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Weeks, Welden, Wise, Wyland, Mr. Speaker—46.

**Absent or not voting:**

Messrs. Boland, Cassel, Christianson, Conn, Cummings, Geneva, Laird, Lamkin, Lowrey, McDole, Mott, Teter—12.

So the amendment was lost.

Hart of Allamakee moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—96.

The nays were:

None.

**Absent or not voting:**

Messrs. Cummings, Laird, Lowrey, McDole—4.

So the bill passed and the title was agreed to.

On motion of Buchanan of Wapello, Senate file No. 188, a bill for an act to amend section 641 of the code, in relation to changing the number of wards in cities or altering or changing the boundaries thereof, with report of committee recommending indefinite postponement and minority recommending amendments and passage, when so amended, was taken up and considered.

Wright of Webster moved to substitute the minority recommendations for the report of the committee.

On motion of Jepson of Woodbury the House adjourned until 2 o'clock P. M.

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#### AFTERNOON SESSION

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House met pursuant to adjournment.

Speaker Clarke in the chair.

House resumed consideration of Senate file No. 188.

Wright of Webster and Doran of Boone demanded a roll call on the motion to substitute the recommendation of the minority for the committee report.

The roll call resulted as follows :

The yeas were:

Messrs. Buckingham, Chassell, Cheney, Coburn, Colclo, Conn, DeLano, Doran, Dow, English, Freeman, Frudden, Geneva, Greene, Harris, Hart, Heles, Hollebeak, Lister, McAllister, McElrath, Maben, Mott, Nichols, Powers, Pritchard, Sankey, Saylor, Shaffer, Spaulding, Stanbery, Teachout, Welden, Wright, Wyland—35.

The nays were:

Messrs. Bealer, Boland, Calderwood, Carden, Carstensen, Casel, Christianson, Cobb, Crose, Dashiell, Flenniken, Greeley,

Gregory, Hakes, Hambleton, Hanna, Head, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Leech, Lundt, McClurkin, McCreary, McCulloch, McNie, Manning, Mattes, Offill, Olson, Peet, Prevo, Ritter, Robinson, Skinner, Springer, Stoltenberg, Summers, Temple, Teter, Washburn, Weeks, Whiting, Whitmer, Mr. Speaker—51.

Absent or not voting:

Messrs. Bailey, Bixby, Buchanan, Clary, Cummings, Davie, Lamkin, Langan, Lowrey, McDole, Martin, Morris, Willson, Wise—14.

So the motion to substitute was lost.

On motion of Buchanan of Wapello the report of the committee was adopted and Senate file No. 188 was indefinitely postponed.

#### SENATE MESSAGES CONSIDERED.

Senate file No. 40, a bill for an act to amend section 2823-a of chapter 14-a of the supplement to the code, in relation to the duties of parents and guardians to children with reference to the length of time they shall attend school during each school year and when that time shall commence.

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

Senate file No. 76, a bill for an act to amend section 2515 of the code, relating to the appointment by dairy commissioners of a deputy and assistants and fixing their compensation.

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

Senate file No 36, a bill for an act providing for the establishment, location, erection and operation for a State hospital for dipsomaniacs, inebriates and for those addicted to the excessive use of narcotics, and providing for its support and for the discipline of persons committed to it and for the repeal of all laws inconsistent herewith.

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

Jepson of Woodbury moved that 300 copies of Senate file No. 36, as amended, be printed for the use of the House.

Motion prevailed.

Offill of Jasper asked unanimous consent to withdraw House file No. 219 from the committee on Roads and Highways and from the further consideration of the House.

Granted.

Lundt of Tama asked unanimous consent to withdraw House file No. 288 from the committee on Roads and Highways, and also from further consideration by the House.

Granted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 158, a bill for an act to amend the law as it appears in section twenty-five hundred and forty (2540) and section twenty-five hundred and fifty-one (2551) of the code supplement relative to the protection of fish and game.

Also, substitute for Senate file No. 206, a bill for an act relating to the right to vote corporate stock (additional to chapter one (1), title IX (9) of the code).

H. L. SPAULDING,  
*Chairman House Committee.*

D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

Frudden of Dubuque offered the following concurrent resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved by the House, Senate concurring,* That a joint committee consisting of eight members from the House named by the Speaker and four members from the Senate named by the President of the Senate be appointed to go to Council Bluffs to investigate the site owned by the State whereon the buildings for the School for the Deaf are located and report full particulars on their return to this General Assembly.

Adopted.

## REPORTS OF COMMITTEES.

Hart of Allamakee, from the committee on Military, submitted the following report:

MR. SPEAKER—Your committee on Military, to whom was referred House file No. 374, a bill for an act to amend sections four hundred and thirty (430) and four hundred and thirty-three (433) of the code, relative to the power and duty of boards of supervisors with regard to indigent soldiers, sailors and marines, beg leave to report that they 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.

WILLIAM S. HART,  
*Chairman.*

Ordered passed on file.

Lamkin of Lyon, from the committee on Engrossed Bills, submitted the following report:

MR. SPEAKER—Your committee on Engrossed Bills, to whom was referred House file No. 195, a bill for an act to amend chapter fifty-three (53), acts of the Twenty-ninth (29th) General Assembly, relative to the duties of township trustees; the election, duties and compensation of road superintendents; the division and consolidation of road districts, and the collection of property road tax, beg leave to report that they have had the same under consideration, and have instructed me to report to the House that the same is found to be correctly engrossed.

C. B. LAMKIN,  
*Chairman.*

Adopted.

## BILLS ON THEIR PASSAGE.

Chassell of Plymouth moved that House file No. 195 be read a third time.

Motion prevailed and the bill was read.

On the question, Shall the bill pass?

The yeas were:

Messrs. Boland, Buckingham, Calderwood, Carstensen, Chassell, Christianson, Cobb, Colclo, Dashiell, Davie, DeLano, Doran, Freeman, Geneva, Gregory, Hakes, Hanna, Hart, Hume, Jones, Kendall, Kennedy, Koontz, Laird, Lamkin, Langan, Lister,

McClurkin, McCreary, McCulloch, McElrath, Maben, Manning, Martin, Mattes, Morris, Mott, Offill, Peet, Powers, Prevo, Ritter, Sankey, Skinner, Springer, Stanbery, Stoltenberg, Summers, Temple, Teter, Washburn, Weeks, Whiting, Whitmer, Wilson, Wise, Wright, Wyland—58.

The nays were:

Messrs. Bailey, Bealer, Bixby, Buchanan, Carden, Cassel, Cheney, Clary, Coburn, Crose, Dow, English, Flenniken, Frudden, Greeley, Greene, Hambleton, Harris, Head, Heles, Hollembeak, Jacobson, Jepson, Kling, Leech, Lundt, McAllister, McNie, Nichols, Olson, Pritchard, Robinson, Saylor, Shaffer, Spaulding, Teachout, Mr. Speaker—37.

Absent or not voting:

Messrs. Conn, Cummings, Lowrey, McDole, Welden—5.

So the bill passed and the title was agreed to.

On motion of Koontz of Johnson, House file No. 296, a bill for an act providing for placing a statue in bronze of Samuel J. Kirkwood, ex-Governor of Iowa, in the national statuary hall in the capitol building at Washington, D. C., and appropriating money to pay therefor, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Kendall of Monroe moved that the bill be made a special order for Wednesday, March 23rd, at 10 o'clock A. M.

Motion prevailed.

On motion of Buckingham of Buena Vista, House file No. 366, a bill for an act to legalize the election held in the incorporated town of Alta, Buena Vista county, Iowa, on the 30th day of March, 1903, and the proposition submitted at said election for the purpose of erecting and maintaining a hot water heating plant for municipal purposes in the town of Alta, Buena Vista county, Iowa, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Buckingham moved that the following amendment recommended by the committee be adopted:

Amend by striking out section 2.

Adopted.

Mr. Buckingham moved that the rule 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. Bailey, Bealer, Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Colclo, Conn, Crose, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Greeley, Greene, Hakes, Hambleton, Harris, Hart, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Koontz, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McElrath, McNie, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Spaulding, Springer, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—79.

The nays were:

None.

Absent or not voting:

Messrs. Boland, Coburn, Cummings, Dashiell, Davie, Geneva, Gregory, Hanna, Kendall, Kennedy, Kling, Langan, Lowrey, McDole, Maben, Peet, Prevo, Skinner, Stanbery, Stoltenberg, Willson—21.

So the bill passed and the title was agreed to.

On motion of English of Polk, House file No. 319, a bill for an act to amend section 1788 of the code, relative to stipulated

premium and assessment life insurance associations, 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, 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, Bealer, Bixby, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Clary, Colclo, Conn, Crose, Davie, DeLano, Doran, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Hakes, Hambleton, Hanna, Harris, Hart, Head, Hollembeak, Hume, Jacobson, Jepson, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, McAllister, McClurkin, McCreary, McCulloch, McElrath, McNie, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—75.

The nays were:

None.

Absent or not voting:

Messrs. Boland, Buchanan, Buckingham, Cassel, Cobb, Coburn, Cummings, Dashiell, Dow, Greene, Gregory, Heles, Jones, Kendall, Kennedy, Lowrey, Lundt, McDole, Maben, Peet, Saylor, Springer, Stanbery, Stoltenberg, Willson,—25.

So the bill passed and the title was agreed to.

On motion of Bealer of Linn, House file No. 154, a bill for an act to amend section 2810 of the code in reference to paying over school taxes by county treasurer, with report of committee recommending passage as amended, was taken up and considered.



Mr. Bealer moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Colclo, Conn, Crose, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Hollebeak, Hume, Jacobson, Jepson, Jones, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McCulloch, McElrath, McNie, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Prevo, Pritchard, Robinson, Sankey, Shaffer, Skinner, Spaulding, Summers, Teachout, Temple, Washburn, Weeks, Welden, Whitmer, Wise, Wright, Mr. Speaker—75.

The nays were:

None.

Absent or not voting:

Messrs. Christianson, Coburn, Cummings, Dashiell, Davie, Gregory, Heles, Kendall, Kennedy, Koontz, Lowrey, McClurkin, McDole, Maben, Peet, Powers, Ritter, Saylor, Springer, Stanbery, Stoltenberg, Teter, Whiting, Willson, Wyland—25.

So the bill passed and the title was agreed to.

On motion of Skinner of Union, House file No. 378, a bill for an act to legalize the acts of the board of supervisors of Delaware county, 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. Skinner moved that the rule be suspended, that the bill be considered engrossed and read the 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, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Crose, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greene, Hambleton, Hanna, Harris, Hart, Head, Hollembeak, Hume, Jacobson, Jepson, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McNie, Manning, Martin, Morris, Mott, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Wright, Mr. Speaker—74.

The nays were:

None.

Absent or not voting:

Messrs. Buckingham, Christianson, Coburn, Colclo, Conn, Cummings, Dashiell, Greeley, Gregory, Hakes, Heles, Jones, Kendall, Kennedy, Lowrey, McDole, McElrath, Maben, Mattes, Nichols, Saylor, Springer, Stanbery, Stoltenberg, Whiting, Wyland—26.

So the bill passed and the title was agreed to.

On motion of Hart of Allamakee, House file No. 308, a bill for an act creating a commission to ascertain and identify the exact location of the battle of White Stone Hill and the position of the Iowa troops engaged in such battle, and defining the duties and making an appropriation for the expense of such commission, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Mr. Hart moved that the rule be suspended, that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read third time.

On the question, Shall the bill pass?

The yeas were:

Messrs Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Cheney, Clary, Cobb, Crose, Doran, Dow, Flenniken, Freeman, Geneva, Hambleton, Hanna, Harris, Head, Hollebeak, Hume, Jacobson, Jones, Kling, Lamkin, Leech, Lister, Lundt, McAllister, McClurkin, McCulloch, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Prevo, Pritchard, Robinson, Shaffer, Skinner, Spaulding, Stanbery, Summers, Teachout, Temple, Washburn, Weeks, Welden, Whiting, Wise, Mr. Speaker—61.

The nays were:

Messrs. Colclo, Davie, DeLano, English, Greene, Hart, Heles, Wright—7.

Absent or not voting:

Messrs. Cassel, Christianson, Coburn, Conn, Cummings, Dashiell, Frudden, Greeley, Gregory, Hakes, Jepson, Kendall, Kennedy, Koontz, Laird, Langan, Lowrey, McCreary, McDole, McElrath, Peet, Powers, Ritter, Sankey, Saylor, Springer, Stoltenberg, Teter, Whitmer, Willson, Wyland—31.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Crose of Page, Senate file No. 207, a bill for an act providing for disposition of property of State used at the Louisiana Purchase Exposition, and to appropriate money for that purpose, with report of committee recommending passage, was taken up and considered and the report of the committee adopted.

Mr. Crose moved that the rule 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, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Coburn, Colclo, Conn, Crose, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greene,

Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Mr. Speaker—85.

The nays were:

None.

Absent or not voting:

Messrs. Christianson, Cummings, Dashiell, Greeley, Gregory, Kendall, Kennedy, Lowrey, McDole, McElrath, Peet, Robinson, Saylor, Teachout, Wyland—15.

So the bill passed and the title was agreed to.

Mattes of Sac called up Senate file No. 200, further consideration of which was deferred from yesterday, and moved that the rule 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, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Colclo, Crose, Davie, Doran, Dow, Flenniken, Freeman, Frudden, Geneva, Greeley, Hakes, Hambleton, Hanna, Harris, Hart, Heles, Hollembeak, Hume, Jacobson, Jepson, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lundt, McClurkin, McCreary, McCulloch, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—78.

**The nays were:**

Messrs. Conn, Head, Offill—3.

**Absent or not voting:**

Messrs. Buckingham, Christianson, Coburn, Cummings, Dashiell, DeLano, English, Greene, Gregory, Jones, Kendall, Kennedy, Lowrey, McAllister, McDole, McElrath, Saylor, Temple, Teter—19.

So the bill passed and the title was agreed to.

On motion of Wright of Webster, House file No. 362, a bill for an act to amend section 2, chapter 41 of the acts of the Twenty-eighth General Assembly, relating to the amount of indebtedness which incorporated towns and cities of the second class may incur for the purpose of erecting water-works and a system of sewers, 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 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. Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Chassell, Cheney, Clary, Cobb, Conn, Crose, Davie, Doran, English, Flenniken, Freeman, Frudden, Greeley, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whitmer, Wise, Wright, Wyland, Mr. Speaker—75.

**The nays were:**

Mr. Geneva—1.

Absent or not voting:

Messrs. Bailey, Carstensen, Cassel, Christianson, Coburn, Colclo, Cummings, Dashiell, DeLano, Dow, Greene, Gregory, Jones, Kendall, Kennedy, Lowrey, McDole, McElrath, Robinson, Saylor, Springer, Summers, Whiting, Willson—24.

So the bill passed and the title was agreed to.

On motion of Hambleton of Mahaska, House file No. 367, a bill for an act to amend section 1129 of the code, relative to expense of elections, with report of committee recommending passage as amended was taken up, considered and the report of the committee adopted.

Mr. Hambleton moved the adoption of the following amendment recommended by the committee :

Amend by striking out section 2.

Adopted.

Mr. Hambleton moved that the rule 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. Bealer, Bixby, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Clary, Coburn, Conn, Crose, Davie, Doran, English, Flenniken, Freeman, Frudden, Geneva, Hakes, Hambleton, Hanna, Harris, Head, Heles, Hollembeak, Hume, Jacobson, Jones, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McNie, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—74.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Boland, Buckingham, Cheney, Christianson, Cobb, Colclo, Cummings, Dashiell, DeLano, Dow, Greeley, Greene, Gregory, Hart, Jepson, Kendall, Kennedy, Langan, Lowrey, McDole, McElrath, Maben, Sankey, Saylor, Summers—26.

So the bill passed and the title was agreed to.

MOTION TO RECONSIDER.

The following motion to reconsider was filed:

I move to reconsider the vote whereby House file No. 308 was lost on passage and whereby same passed to its third reading.

WM. S. HART.

I second the motion.

EMORY H. ENGLISH.

Laird of Fremont desired the Journal to show that had he been present when the vote was taken on the passage of House file No. 266 he would have voted aye.

On motion of Offill of Jasper the House adjourned until 9 o'clock tomorrow morning,

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 19, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. I. B. Bickford of Radcliffe Iowa.

Journal of Friday, March 18th, was corrected and approved.

On request of Hume of Mitchell leave of absence was granted Olson of Worth until Tuesday.

On request of Cobb of Taylor leave of absence was granted Bailey of Ringgold indefinitely on account of sickness.

On request of Spaulding of Howard leave of absence was granted Welden of Hardin and Lamkin of Lyon until Tuesday.

On request of Heles of Dubuque leave of absence was granted Conn of Butler until Tuesday.

On request of Manning of Lucas leave of absence was granted McDole of Jackson until Monday.

On request Willson of Washington and Peet of Jones were excused until Tuesday.

#### PETITIONS AND MEMORIALS.

Hume of Mitchell presented petition of citizens of Mitchell county relative to woman suffrage.

Referred to committee on Woman Suffrage.

Nichols of Muscatine presented petition of citizens of Muscatine relative to the establishment of a State park at Davenport.

Referred to committee on Appropriations.



Mattes of Sac presented petition of citizens of Sac county relative to woman suffrage.

Referred to committee on Constitutional Amendments.

Lundt of Tama presented petition of meat producers of Iowa county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Doran of Boone presented petition of meat producers of Boone county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Lister of Grundy presented petition of meat producers of Grundy county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

#### REPORTS OF COMMITTEES.

Mattes of Sac, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 223, a bill for an act to amend the law as it appears in section twenty-six hundred and ninety-one (2691) of the code, and to repeal section twenty-six hundred and ninety-two (2692) of the supplement to the code and enact a substitute therefor, relating to the support 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 do pass.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 155, a bill for an act making an appropriation to reimburse certain officers, teachers and employes of the Iowa School for the Deaf, for loss of wearing apparel and other property by fire, at said school on the 9th day of May, 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 substitute for Senate file No. 155 do pass.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 159, a bill for an act to appropriate money to reimburse the ex-commissioners of pharmacy for the State of Iowa and their attorneys for moneys paid by them and expenses incurred in the enforcement of law, beg leave to report that 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 for Senate file No. 159 do pass.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 213, a bill for an act making appropriation to return to the State Board of Veterinary Medical Examiners of Iowa, money paid by them into the treasury of 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 do pass.

JOS. MATTES,  
*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 indemnify H. W. Tapley for loss sustained by him by reason of the loss of valuable coins taken from the State Historical building, 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.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 218, a bill for an act to repeal section twenty-two hundred and twelve (2212), twenty-two hundred and thirteen (2213) and twenty-two hundred and fourteen (2214) of the code and amendments thereto, and to enact substitutes therefor, and to amend section twenty-one hundred and seventy-eight (2178) of the code relating to the militia, with the recommendation that it be amended by the adoption of the substitute as an amendment entitled "a bill for an act additional to and amendatory of chapter one (1) of title IX of the code and supplement to the code relative to the State military force and Iowa National Guard", as recommended by the committee on Military affairs, that bill be amended by adoption of said substitute amendment. beg leave to report that 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 amendment be amended by striking out the words and figures "seventy-five thousand dollars (\$75,000)" in the sixth and seventh lines of section fourteen (14) of the substitute amendment and inserting the words and figures "seventy thousand dollars (\$70,000)" in lieu thereof, and when said substitute amendment is so amended that the bill, House file No. 216, be amended by the adoption of the said substitute amendment and that when said substitute No. 216 is so amended that the same do pass.

JOS. MATES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 281, a bill for an act relating to fish and game, and making appropriation 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 the adoption of the following substitute:

SUBSTITUTE AS AMENDMENT FOR HOUSE FILE NO. 281.

A BILL for an act relating to fish and game, and making appropriation for the Fish and Game Commission of the State of Iowa.

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

Section 1. That there it hereby appropriated, out of any money in the State treasury not otherwise appropriated, for the Fish and Game Commission of the State of Iowa, the sums appearing hereinafter, or so much thereof as may be necessary to be expended for the purposes expressed, viz:

First. Salary for the assistant, who is custodian of the State's property at Spirit Lake for twenty-four months.....	\$	720
--	----	-----

Second. Gathering fish for distribution.....	2,500
Third. For protection of game and pay for deputy wardens other than the custodian above named..	3,280
Fourth. For distribution of fish.....	3,500
Fifth. For rebuilding dam at Milford in the outlet of Lake Okoboji.....	1 000
Sixth. For constructing dam and dikes at Wall Lake	2,500
Making a total appropriation of.....	\$ 13,500

Sec. 2. Any unexpended balance of the money hereby appropriated and not required for the purposes mentioned, shall be returned to the State treasury.

And that when so amended the same do pass.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

Weeks of Guthrie, from the committee on Federal Relations, submitted the following report:

MR. SPEAKER—Your committee on Federal Relations, to whom was referred resolution introduced by Head, relative to the Russian-Japanese war, beg leave to report that they have 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.

E. W. WEEKS,  
*Chairman.*

Adopted, and the resolution was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Federal Relations, to whom was referred preamble and concurrent resolutions for the improvement of the Missouri river and Des Moines river and protection of property along its 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 indefinitely postponed.

E. W. WEEKS,  
*Chairman.*

Adopted, and the resolution was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Federal Relations, to whom was referred Senate concurrent resolution relative to the improvement of the upper Mississippi river, beg leave to report that they have 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.

E. W. WEEKS,  
*Chairman.*

Adopted, and the resolution was indefinitely postponed.

Calderwood of Scott, from the committee on Labor, submitted the following report:

MR. SPEAKER—Your committee on Labor, to whom was referred House file No. 364, a bill for an act relating to the hours of labor of railway employes, and limiting the same, additional to chapter 5, title X, beg leave to report that they 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. H. CALDERWOOD,  
*Chairman.*

Ordered passed on file.

Chassell of Plymouth, from the committee on Printing, submitted the following report:

MR. SPEAKER—Your committee on Printing, to whom was referred House file No. 359, a bill for an act to amend section twenty-five hundred and seventy-five (2575) of the code, relating to the expenses 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.

E. D. CHASELL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Printing, to whom was referred House file No. 353, a bill for an act to amend sections fifty-five (55), fourteen hundred and nineteen (1419), fourteen hundred and forty-one (1441), fourteen hundred and ninety-five (1495), eighteen hundred and forty-two (1842), eighteen hundred and forty-three (1843), twenty-three hundred and eighty-eight (2388), thirty hundred and seventy-four (3074), thirty-one hundred and nine (3109), thirty-one hundred and thirty-one (3131), thirty-two hundred and eighty-four (3284), and forty-four hundred and seventy-four (4474) of the code, and the law which appears as section sixteen hundred

and eighteen (1618) of the supplement to the code, relating to the publication of legal notices, beg leave to report that they 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.

E. D. CHASELL,  
*Chairman.*

Ordered passed on file.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 295, a bill for an act to amend the law as it appears in section twenty-six hundred and six-b (2606-b) of the supplement to the code, in regard to the pension money of members of the Iowa Soldiers' Home.

Also, House file No. 227, a bill for an act regulating appointments, employment, and removals in the public departments and upon public works in the State of Iowa, and the counties, cities and towns thereof.

Also, Senate substitute for House file No. 140, a bill for an act to amend the law as it appears in section four hundred ninety-five (495) of the code and in section four hundred ninety-six (496) of the supplement to the code, relating to the compensation of county recorders.

H. L. SPAULDING,  
*Chairman.*

Adopted.

#### INTRODUCTION OF BILLS.

By Leech of Cedar, House file No. 398, a bill for an act to prevent the loss of life in theatres and public halls and to protect the health and property of the people, providing for the examination and licensing of public civil engineers and public architects.

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

By Bixby of Delaware, House file No. 399, 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 Judiciary.

By Teachout of Polk, House file No. 400, a bill for an act to authorize cities to protect lots, lands and property within their limits from danger and damage from floods and high water by deepening, widening, straightening, altering or changing and otherwise improving water courses within their limits, and by constructing levees, embankments and other works and to provide for the levy of special assessments and other taxes and the issuance of bonds and certificates to defray the expense of such improvements, additional to chapters 7 and 8 of title V of the code.

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

By Calderwood of Scott, House file No. 401, a bill for an act to amend section 999 of the code, relating to the condemnation of land by cities under special charter.

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

Wyland of Shelby offered the following concurrent resolution:

WHEREAS, It now appears that the business of this House will be completed and finished by Saturday, April 2, 1904, therefore, be it

*Resolved, by the House, the Senate concurring,* That we do finally adjourn Saturday, April 2, 1904, at noon.

Laid over under rule 34.

Buchanan of Wapello offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved, by the House,* That the Board of Control be requested to furnish to this House, by Tuesday, March 22, 1904, a statement showing the unexpended balance in each of the separate funds for the different institutions under control of said board remaining in the hands of the Treasurer of State on March 1, 1904; this statement to also include the unexpended balances of the support fund for each institution on the above date, also the date when the appropriations were made for the different amounts of unexpended balances.

Adopted.

English of Polk offered the following concurrent resolution and moved that the rule be suspended and the resolution be adopted:

*Be it resolved by the House, the Senate concurring,* That a joint convention be held in the House chamber on Wednesday, March 23, 1904, at 12 o'clock noon.

Adopted.

Speaker announced as House members of the committee to visit the School for the Deaf, in accordance with concurrent resolution relative thereto, Frudden of Dubuque, Bealer of Linn, Conn of Butler, Kennedy of Lee, Welden of Hardin, Nichols of Muscatine, Langan of Clinton and Peet of Jones.

Speaker announced that he had signed, in the presence of the House, Senate files No. 158 and No. 206.

Weeks of Guthrie moved that five hundred copies of House file No. 266 be printed as it passed the House, and for the use of the House.

Motion prevailed.

#### BILLS ON THEIR PASSAGE.

On motion of Morris of Sioux, House file No. 180, a bill for an act to amend section 441 of the code, relating to number of official papers, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Morris moved that the following amendment recommended by the committee be adopted:

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

Section 1. That section four hundred and forty-one (441) of the code be amended by adding the following words after the word "of" in the last line of said section, to wit:

"And in counties where a newspaper of general circulation is printed in a foreign language, the board may, in addition to those already provided for in this section, select one of such newspapers as one in which the proceedings of the board of supervisors may be published, in a foreign



language, and said newspaper shall receive the same compensation therefor as is paid the official papers of said county for such publication, not exceeding thirty-three and one-third ( $33\frac{1}{3}$ ) cents per square."

Adopted.

Kendall of Monroe moved to amend the bill by inserting therein the following as section 2 :

Sec. 2. That section 441 of the code supplement be further amended by inserting between the words "be" and "thirty-three" in the eighteenth line of said section the words "not to exceed "

Chassell of Plymouth raised the point of order that the amendment was not germane.

Point of order sustained.

Colclo of Carroll moved to amend section 1 by inserting the word "supplement" after the word "code" in the first line thereof.

Adopted.

The yeas were :

Messrs. Bealer, Bixby, Boland, Calderwood, Carden, Carstensen, Chassell, Cheney, Clary, Colclo, Crose, Dashiell, Davie, DeLano, Geneva, Greeley, Hakes, Hanna, Harris, Heles, Hollembeak, Hume, Jacobson, Kendall, Kling, Koontz, Langan, Leech, Lister, Lowrey, Lundt, McClurkin, McCreary, McCulloch, McNie, Maben, Manning, Mattes, Morris, Mott, Nichols, Offill, Peet, Pritchard, Ritter, Robinson, Sankey, Shaffer, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Whiting, Whitmer, Willson, Wise, Wright, Wyland—63.

The nays were :

Messrs. Cobb, Coburn, Doran, Dow, English, Greene, Hambleton, Hart, Head, Jones, Laird, McAllister, Weeks, Mr. Speaker—14.

Absent or not voting :

Messrs. Bailey, Buchanan, Buckingham, Cassel, Christianson, Conn, Cummings, Flenniken, Freeman, Frudden, Gregory, Jepsen, Kennedy, Lamkin, McDole, McElrath, Martin, Olson, Powers, Prevo, Saylor, Skinner, Welden—23.

So the bill passed.

Chassell of Plymouth moved to amend the title to House file No. 180 to read as follows:

A bill for an act to amend the law as it appears in section four hundred and forty-one (441) supplement to the code, relating to the number of papers authorized to publish the proceedings of the Board of Supervisors.

Adopted.

Title as amended agreed to.

On motion of Wright of Webster, Senate file No. 180, a bill for an act to amend section 4134 of chapter 2, title XX of the code, in relation to procedure in Supreme Court, 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, 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, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Cassel, Chassell, Cheney, Cobb, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Geneva, Greeley, Greene, Hambleton, Hanna, Harris, Head, Heles, Hollembeak, Hume, Jacobson, Jones, Kendall, Kling, Koontz, Laird, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McNie, Maben, Manning, Martin, Morris, Mott, Nichols, Offill, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Whiting, Willson, Wise, Wyland—73.

The nays were:

Messrs. Clary, Hart, Sankey, Temple, Mr. Speaker—5.

Absent or not voting:

Messrs. Bailey, Carstensen, Christianson, Coburn, Colclo, Conn, Cummings, Freeman, Frudden, Gregory, Hakes, Jepson,

Kennedy, Lamkin, McDole, McElrath, Martin, Mattes, Olson, Saylor, Welden, Whitmer, Wright—22.

So the bill passed and the title was agreed to.

On motion of Temple of Clarke, House file No. 376, a bill for an act to amend section 2579 of the code, relating to the practice of medicine, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Temple moved that the rule 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. Bealer, Bixby, Boland, Buckingham, Calderwood, Carden, Cassel, Chassell, Cheney, Cobb, Coburn, Colclo, Crose, Dashiell, DeLano, Doran, Dow, English, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Hollembeak, Hume, Jacobson, Jones, Kendall, Kling, Koontz, Laird, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCulloch, McNie, Maben, Manning, Morris, Mott, Nichols, Peet, Powers, Pritchard, Ritter, Robinson, Shaffer, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—70.

The nays were:

Messrs. Clary, Flenniken, McCreary, Prevo, Sankey, Springer—6.

Absent or not voting:

Messrs. Bailey, Buchanan, Carstensen, Christianson, Conn, Cummings, Davie, Freeman, Frudden, Geneva, Gregory, Heles, Jepson, Kennedy, Lamkin, McDole, McElrath, Martin, Mattes, Offill, Olson, Saylor, Skinner, Welden—24.

So the bill passed and the title was agreed to.

On motion of Wright of Webster, Senate joint resolution No. 3, joint resolution application to the congress of the United States of America in behalf of Iowa, for the calling of a convention 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.

Mr. Wright moved that the rule be suspended, 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 pass?

**The yeas were:**

Messrs. Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Cheney, Clary, Cobb, Colclo, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Geneva, Greeley, Greene, Hakes, Hambleton, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jones, Kendall, Kling, Koontz, Laird, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, Maben, Manning, Mattes, Morris, Nichols, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Teachout, Teter, Washburn, Weeks, Whitling, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—70.

**The nays were:**

Messrs. Hanna, McCulloch, Mott, Pritchard, Temple—5.

**Absent or not voting:**

Messrs. Bailey, Bealer, Buckingham, Chassell, Christianson, Coburn, Conn, Cummings, Freeman, Frudden, Gregory, Harris, Jepson, Kennedy, Lamkin, McDole, McElrath, McNie, Martin, Offill, Olson, Saylor, Stanbery, Summers, Welden—25.

So the joint resolution passed and the title was agreed to.

On motion of Kendall of Monroe, House file No. 382, a bill for an act making it a crime to wilfully take any electric current, gas or water from the wires, meters, pipes or any apparatus of any electric light, electric motor, gas or water plant with intent

to defraud, (additional to chapter 5, title XXIV of the code), with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Skinner of Union moved that the rule 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. Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassell, Chassell, Cheney, Clary, Cobb, Coburn, Crose, Dashiell, Davie, DeLano, Dow, English, Flenniken, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jones, Kendall, Kling, Koontz, Laird, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McNie, Manning, Martin, Mattes, Morris, Mott, Nichols, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—75.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Christianson, Colclo, Conn, Cummings, Doran, Freeman, Frudden, Gregory, Jacobson, Jepson, Kennedy, Lamkin, Langan, McDole, McElrath, Maben, Offill, Olson, Peet, Saylor, Stanbery, Welden, Wilson—25.

So the bill passed.

Kendall of Monroe moved to amend the title by striking out the words "making it a crime to wilfully take" and substituting in lieu thereof the words "prohibiting the wilful taking of".

Adopted.

Title as amended agreed to.

On motion of Kendall of Monroe, House file No. 381, a bill for an act to amend section 4807 of the code, making it a crime to maliciously injure or destroy any electric motor, electric light, gas or water plant or any apparatus connected therewith, with report of committee recommending passage as amended by substitute, was taken up, the substitute amendment read and considered and the report of the committee adopted.

Mr. Kendall moved that the following substitute amendment recommended by the committee be adopted:

A BILL for an act to repeal section four thousand eight hundred and seven (4807) of the code and of the supplement to the code, and to enact a substitute therefor, relating to malicious mischief and trespass.

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

That section four thousand eight hundred and seven (4807) of the code as the same appears in the code and the supplement to the code, be, and the same is, hereby repealed and re-enacted; and when re-enacted, the same shall read as follows:

If any person maliciously injure, remove or destroy any electric railway or apparatus thereto belonging, or any bridge, rail or plank road; or place, or cause to be placed, any obstruction on any electric railway, or on any such bridge, rail or plank road; or wilfully obstruct or injure any public road or highway; or maliciously cut, burn or in any way break down, injure or destroy any post or pole used in connection with any system of electric lighting, electric railway or telephone or telegraph system; or break down and destroy or injure and deface any electric light, telegraph or telephone instrument; or in any way cut, break or injure the wires or any apparatus thereto belonging, or shall wilfully tap, cut, injure, break, disconnect, connect, make any connection with, or destroy, any of the wires, mains, pipes, conduits, meters, or other apparatus belonging to, or attached to, the power plant or distributing system of any electric light plant, electric motor, gas plant or water plant; or shall aid or abet any other person in so doing, he shall be imprisoned in the penitentiary not more than five years, or be fined not exceeding five hundred dollars, or imprisoned in the county jail not more than one year, or by both such fine and imprisonment, at the discretion of the court.

**Adopted.**

Hart of Allamakee moved that the rule 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. Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Chassell, Cheney, Clary, Cobb, Coburn, Colclo, Crose, Dashiell, Davie, DeLano, Doran, Dow, Flenniken, Geneva, Hakes, Harris, Hart, Hollembeak, Hume, Jacobson, Jones, Kendall, Kling, Koontz, Laird, Leech, Lister, Lowrey, Lundt, McAllister, McCreary, McCulloch, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Powers, Ritter, Robinson, Shaffer, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Whiting, Wise, Wright, Mr. Speaker—63.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Carstensen, Cassel, Christianson, Conn, Cummings, English, Freeman, Frudden, Greeley, Greene, Gregory, Hambleton, Hanna, Head, Heles, Jepson, Kennedy, Lamkin, Langan, McClurkin, McDole, McElrath, Offill, Olson, Peet, Prevo, Pritchard, Sankey, Saylor, Skinner, Springer, Welden, Whitmer, Willson, Wyland—37.

So the bill passed and the title was agreed to.

On motion of Teachout of Polk, House file No. 329, a bill for an act to amend section 560 of the code, relating to township clerk and trustees, 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, 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. Bixby, Boland, Buchanan, Calderwood, Carden, Cassel, Chassell, Cheney, Coburn, Colclo, Crose, Davie, DeLano, Doran, Dow, English, Flenniken, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jones, Kendall,

Kling, Koontz, Laird, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McNie, Maben, Mattes, Morris, Mott, Nichols, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Summers, Teachout, Temple, Teter, Washburn, Weeks, Whiting, Whitmer, Wise, Wright, Mr. Speaker—68.

**The nays were:**

Mr. Geneva—1.

**Absent or not voting:**

Messrs. Bailey, Bealer, Buckingham, Carstensen, Christianson, Clary, Cobb, Conn, Cummings, Dashiell, Freeman, Frudden, Greeley, Greene, Gregory, Jepson, Kennedy, Lamkin, McDole, McElrath, Manning, Martin, Ofill, Olson, Peet, Saylor, Stanbery, Stoltenberg, Welden, Willson, Wyland—31.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, House file No. 318, a bill for an act to enable the State of Iowa to sell and dispose of all drained or reclaimed inland meandered lake beds and other lands, with report of committee recommending passage as amended by substitute, was taken up, the substitute amendment read and considered, and the report of the committee adopted.

Weeks of Guthrie moved that the following substitute amendment recommended by the committee be adopted :

**SUBSTITUTE AS AMENDMENT FOR HOUSE FILE NO. 318.**

A BILL for an act to enable the State of Iowa to sell and dispose of all abandoned river channels and all land within such abandoned river channels, and all sand bars or islands in the navigable waters of the State, and authorizing the appointment of a commission to ascertain and establish the boundary lines between the State of Iowa and adjoining states.

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

Section 1. That all land between high water mark and the center of the channel of any former navigable stream, where such channel has been abandoned, so that it is no longer capable of use, and is not likely to again be used, for the purposes of navigation, and all land within such abandoned river channels, and all bars or islands in the channels of navigable streams,



not heretofore surveyed or platted by the United States or by the State of Iowa, and all within the jurisdiction of the State of Iowa, shall be sold and disposed of as hereinafter provided.

Sec. 2. Any person desiring to purchase any such land shall be required to file written application therefor with the Secretary of State, which application shall be accompanied with a deposit of not less than fifty cents per acre for the land so desired to be purchased, and which deposit, in the aggregate, shall in no event be less than twenty-five dollars (\$25), the total amount of the deposit to be fixed by the Secretary of State, which sum, or so much thereof as may be necessary, shall be applied in the payment of the necessary expense of survey of such land, and appraisement of the value thereof, as hereinafter provided.

Sec. 3. Upon receiving such application and deposit, it shall be the duty of the Secretary of State to order a complete survey of such land to be made by the county surveyor of the county wherein the land is situated, and in case of the refusal or inability of such county surveyor to make such survey then the Secretary of State shall appoint some other competent surveyor to make such survey. When such survey is made a full report thereof, with field notes, shall be filed with the land commissioner, and recorded in a book prepared and kept for that purpose, in the office of the Secretary of State, which report and field notes shall constitute the official survey of such land.

Sec. 4. Upon the filing of such report, with the accompanying field notes, the Secretary of State shall thereupon appoint a commission of three disinterested freeholders of the county wherein the land is situated, to view the land and make appraisement of the value thereof, which appraisement shall be returned and filed with the land commissioner in the office of the Secretary of State. Notice of such appraisement shall thereupon be given to such applicant, and upon payment of the balance required, as fixed by the appraised value, such person shall be entitled to a deed or patent therefor.

Sec. 5. The surveyor making such survey shall be entitled to receive the sum of five dollars (\$5) per day for his services as such surveyor, and such additional amount as may be agreed upon and necessary for the expenses of chainmen and other attendants; and the commissioners, for their services in making such appraisal, shall each be entitled to receive the sum of three dollars per day, for the actual time employed.

Sec. 6. None of such land shall be sold for less than the appraised value thereof, except as hereinafter provided. If the person filing the original application shall be unwilling to pay the amount per acre as fixed by the appraisers, he shall be permitted to deposit whatever amount he is willing to pay, in addition to his original deposit for such land so desired to be purchased by him, and, if at the expiration of ninety (90) days no other person has appeared and deposited and offered to pay a larger amount, he shall be entitled to a deed or patent for the land for the total amount deposited by him; but if before the expiration of such ninety (90) days there shall be other applicants and bidders for said land, and the said original applicant shall still be unwilling to increase his total deposit to the amount of the appraisement, or to an amount beyond that of the highest bidder, then the person

making the highest bid and depositing the amount therefor shall be entitled to a deed or patent for such land, and the money deposited by the original applicant shall be refunded. If the said original applicant shall increase his total deposit to the amount of the appraisement within said period of ninety (90) days, such original applicant shall thereupon be entitled to a deed or patent for such land.

Sec. 7. Any person who has in fact lived upon any such land and occupied the same, as a home for himself and family, continuously for a period of three or more years immediately prior to the time of the passage of this act, and such occupation has been in good faith for the purpose of procuring title thereto, whenever by law such title could be vested in him by purchase from the proper authority, shall be allowed ninety (90) days from the date this act takes effect within which to file application as a proposed purchaser of such land. When any such application is filed, accompanied with the required deposit, it shall have priority over any or all other applications filed for such land and shall be treated as the first application therefor.

Sec. 8. When, upon full compliance with the provisions of this act, any person shall become entitled to a deed or patent for any such land, a deed or patent shall thereupon be executed and delivered to such person by the Governor, on behalf of the State, duly attested with the seal of the State attached thereto, which deed shall, in addition to the usual formalities, also recite the name of the party making the first application to purchase such land, the amount of his deposit, the appraisement, the name of the party making final payment, and entitled to the deed therefor, whether as original applicant, by assignment, or as the highest bidder, and also that such deed is given for the purpose of conveying such title and interest in the land as the State may at the time own and possess, and has the right to convey. A record of such conveyance shall be made and kept by the land commissioner in the office of the Secretary of State.

Sec. 9. Whenever any such land shall be found to have been previously surveyed under or by virtue of any order of a court of record, and the record of such survey has been duly made and preserved, then and in that event, in the discretion of the Secretary of State, a duly certified transcript of such record, together with the field notes accompanying the same, if obtainable, may be filed with the land commissioner in the office of the Secretary of State, and when so filed shall obviate the necessity for any further survey of such land except when such survey becomes necessary for the purpose of execution of conveyances thereof, and the record of such transcript, when filed, shall constitute the official survey of such land.

Sec. 10. If, in any proceeding contemplated by the provisions of this act, it shall become necessary to determine the boundary line between the State of Iowa and either of the states adjoining, the matter shall then be at once referred to the Executive Council, who shall thereupon proceed to confer with the proper authority of such adjoining state, and if the co-operation of the proper authority of such adjoining state shall be obtained, then the Executive Council shall appoint a commission of three disinterested, competent persons, who shall, in conjunction with the parties acting for such adjoining state, have authority to ascertain and locate the true boundary

line between the State of Iowa and such adjoining state, so far as the particular land under consideration at the time, is concerned. The lines so ascertained and located shall constitute the true and permanent boundary line between the State of Iowa and such other state to the extent such line shall be so ascertained and located.

Sec. 11. The members of such commission shall be selected with reference to their fitness for the duties required, and at least one of them shall be a competent surveyor, and civil engineer. They shall receive for their services such amount as the Executive Council may deem reasonable, to be paid out of the proceeds of the land so surveyed.

Sec. 12. If at any time within ten (10) years from the date of any deed or patent, issued under the provisions of this act, the grantee therein, or his successors, administrators or assigns, shall cause to be filed with the Secretary of State a duly certified transcript of a final decree of a court of record showing that the conveyance by the State passed no title whatever to the land therein described, because title thereto had previously, for any reason, been vested in others, then the money so paid for such conveyance shall be refunded by the State to the person or persons entitled thereto.

Sec. 13. All moneys received for the sale or conveyance of any land under the provisions of this act, after the payment of the necessary expenses of survey and appraisement thereof, shall be paid into the State treasury.

Sec. 14. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

### Adopted.

Geneva of Keokuk moved to amend by adding to section six (6) after the word "thereof" the following:

And notice of such sale shall be published once each week for four weeks in the county newspaper, printed in the county where said land is situated, thirty (30) days prior to said sale.

Lost.

Weeks of Guthrie 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. Bealer, Bixby, Buchanan, Calderwood, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Colclo, Crose, Davie, Dow, English, Flenniken, Hambleton, Harris, Hart, Head, Heles,

Hollemeak, Hume, Jacobson, Jones, Kendall, Kling, Koontz, Laird, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McNie, Maben, Manning, Mat-tes, Morris, Mott, Nichols, Powers, Prevo, Pritchard, Ritter, Robinson, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Wise, Wright, Mr. Speaker—64.

**The nays were:**

Messrs. Buckingham, Coburn, Doran, Geneva, Hanna, Sankey, Springer--7.

**Absent or not voting:**

Messrs. Bailey, Boland, Carden, Christianson, Conn, Cum-mings, Dashiell, DeLano, Freeman, Frudden, Greeley, Greene, Gregory, Hakes, Jepson, Kennedy, Lamkin, McDole, McElrath, Martin, Offill, Olson, Peet, Saylor, Welden, Whiting, Whitmer, Willson, Wyland—29.

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. 226, a bill for an act to repeal section 5685 of the code, also chapter 137, laws of the Twenty-eighth General Assembly, and to enact in lieu thereof a section providing for the disposition of the gate receipts of the State penitentiaries.

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 provide for the appointment by the board of supervisors of examiners for county offices, defining the

qualifications and duties and limiting the compensation thereof, and providing a uniform system of keeping the books of county treasurers and 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. 265, a bill for an act to protect the property of public libraries and reading rooms.

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 to amend section 2564, chapter 16, title XII of the code, relating to the meeting 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. 254, a bill for an act providing the manner in which telegraph and telephone companies shall make report for assessment purposes, amendatory of the code, sections Nos. 1328 and 1329.

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. 230, a bill for an act relating to islands in the waters of the State and authorizing the Executive Council to sell or lease the same.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate desires the recall of Senate file No. 265, a bill for an act to protect the property of public libraries and reading rooms.

GEO. A. NEWMAN,  
*Secretary.*

Hume of Mitchell moved that the House comply with the request of the Senate to return Senate file No. 265.

Motion prevailed.

SENATE MESSAGES CONSIDERED.

Senate file No. 283, a bill for an act to provide for the appointment by the board of supervisors of examiners for county offices defining the qualifications and duties, and limiting the compensation thereof, and providing a uniform system of keeping the books of county treasurers and county auditors.

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

Senate file No. 230, a bill for an act relating to islands in the waters of the State, and authorizing the Executive Council to sell or lease the same.

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

Senate file No. 226, a bill for an act to repeal section 5685 of the code, also chapter 137, laws of the Twenty-eighth General Assembly, and to enact in lieu thereof a section providing for the disposition of the gate receipts of the State penitentiaries.

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

On request leave of absence was granted Jones of Montgomery until Tuesday.

On request leave of absence was granted Dow of Franklin until Monday.

REPORTS OF COMMITTEES APPOINTED TO VISIT THE SEVERAL  
STATE INSTITUTIONS.

The following reports of the special committees appointed to visit the several State institutions were presented:

## SCHOOL FOR THE DEAF.

MR. SPEAKER—Your committee appointed to visit the Institute for the Deaf at Council Bluffs, Iowa, beg leave to report:

That we met at the Institute for the Deaf at Council Bluffs, Iowa, Monday, February 15, 1904, and spent the entire day in examining the buildings and grounds and in visiting the educational and industrial departments of the school.

First. In our visit to the various class rooms of the educational department we found the pupils cheerful, industrious and very intelligent and the teachers competent and well qualified. The teachers have the respect, confidence and regard of the pupils and the teachers are using every effort for the advancement and education of the pupils.

Second. The burning of the main building, May, 1902, which had been used for dormitory, administration and superintendent's office and living rooms, necessitated the use of the main school building as a dormitory for the girls and the mechanical building as a dormitory for the boys. It is surprising that the superintendent was able to utilize the room in the buildings left to accommodate the pupils, so as to continue the school and keep up an average attendance—every nook and corner is used.

Third. Some of the disadvantages arising from the fire are, there are now no hospital facilities, very poor toilet accommodations, practically no bathrooms, except a few temporary bathrooms.

Fourth. The temporary frame building erected for the recitation rooms was a necessity occasioned by the fire and the money expended in the erection and equipping of same was wisely spent, without this building it would have been impossible to continue the work of the school.

Fifth. As to the buildings. If the present location is retained a number of new buildings will be required.

A cottage for the girls, not more than two stories high.

Two cottages, one for the large boys and one for the small boys.

A kitchen and dining-room for the entire school.

A building or hall for place of amusement.

Administration building to be used for the superintendent's office, and living rooms for the superintendent, teachers and employes.

We found the laundry room, the engine and boiler house and the frame building now used for industrial work in very bad condition.

The walls of the brick buildings are badly cracked, and they should be replaced with new ones. The frame building above referred to is of little value.

The temporary frame building now occupied for recitation rooms will also have to be torn down in case there is no change in the location of the institution.

The mechanical building now occupied by the boys as a dormitory is ample for the industrial department, but should have a new floor and a new roof.

Sixth. The gymnasium we find is a good building and is ample for the purpose of the institution.

The building built for a schoolhouse, but now used as a girls' dormitory, we find is a fairly good building, but badly in need of new floors and should have a new roof.

The barn is in good condition and suitable for the needs of the institution.

There is an ample supply of good water.

Seventh. We find there should be a coal shed built with a capacity of a thousand tons, also that a switch should be built from the railroad track to the storage shed for the purpose of delivering the coal directly into the shed and save hauling, which costs twenty cents per ton.

From July 1, 1902, to July 1, 1903, there were consumed 2,427 tons at a cost of \$4,901.94, which does not include the twenty cents for hauling.

Eighth. As to the location of the institution grounds, we respectfully refer to the report of the Board of Control of State Institutions.

As to amounts asked for in House file 175 and Senate, your committee beg leave to report further:

We found the library was badly destroyed by fire and the amount asked for, to wit: \$1,500, is not excessive.

As to the amount asked for furniture and furnishings, to wit: \$1,500, and for contingent repair fund, to wit: \$35,000, your committee is unable to make any recommendation, as the amount required would depend on the kind and character of the buildings which may be erected.

Neither do we feel competent or qualified to make recommendation as to the amount of money necessary to erect the buildings hereinbefore described.

Your committee commend the management of the institution under the supervision of Superintendent Rothert. Every department seems to be doing excellent work and the pupils are progressing as rapidly as could be expected. Even the small children, only six or seven years of age stay contentedly. We were present during the noon meal and learned with pleasure that the first served were the children, then the officers, teachers and employes.

All of which is respectfully reported.

Original signed:

R. M. WRIGHT,  
G. R. WHITMER,  
MARION F. STOOKEY.



## INSTITUTION FOR FEEBLE-MINDED CHILDREN.

MR. SPEAKER—Your committee appointed to visit the Institution for Feeble-Minded Children located at Glenwood, Iowa, beg leave to submit the following report:

The institution is well cared for, and in good condition, and your committee especially would commend the splendid management under Doctor Morgridge, and his corps of able assistants. Some nine hundred unfortunate inmates are gently cared for, and any citizen of the State visiting this Institution can only have word of praise to offer.

Referring to House file No. 163, relative to appropriations asked for (a copy of which is hereby attached), we would make the following suggestions:

Item No. 5 Cottage for boys. It is the opinion of your committee that there is no pressing need of this building, inasmuch as the two new cottages for the use of boys will greatly relieve the present congestion.

No. 6. Repairs on custodial building. This building is in bad shape, and greatly in need of repairs, but in our judgment \$10,000 seems to be excessive for that purpose.

Item No. 7. Improvement of water system. \$2,500 is asked for. We were unable to determine just what is necessary, and would leave it to the committee on appropriations.

No. 8. Asking for \$18,200 for additional lands. There are some 565 acres belonging to the State, and goes with the Institution. We believe that at present price it is cheaper to rent land, or buy grain, than it is to purchase more land.

Item No. 9. For farm implements, etc., \$1,000 is asked for. The equipment is good at present, and we think that \$500 would be sufficient.

Item No. 10. Farm fences and fencing. The fences are in fairly good condition at present, and we would recommend \$500 for that purpose.

Item No. 11. Laundry machinery. \$6,000 is asked for. The judgment of the committee is that \$4,000 will purchase a complete outfit.

Item No. 12. Tile floor for main kitchen and kitchen equipment. \$2,700 is asked for. Your committee would recommend a good Portland cement floor in place of all tiling, and suggest an appropriation of \$1,000 for the purpose.

Item No. 13. Paint and painting. \$3,000 is asked for. This item seems a little large.

Items Nos. 14, 15, 16 and 17, asking for \$2,500 for beds and bedding; \$2,500 for furniture and furnishings; \$2,000 for plumbing boys' cottage; \$1,000 for fire equipment. We have not sufficient information to make a recommendation of these items, but believe amounts are fully ample.

Item No. 18. Permanent sidewalks and improvements of grounds. \$2,500 is asked for. Until the grounds are properly graded, we think that only a few permanent walks can be built, and would recommend \$1,500 for the purpose.

Item No. 19. Contingent and repair. \$10,000 is asked for, and we recommend the same.

Items Nos. 20 and 21, asking for \$50,000 for a new power house, etc., and \$4,000 for a new tunnel from new power plant to connect with existing tunnel. These items appear excessive to us, and we would suggest that your committee on Appropriations secure figures from the Board of Control on these items.

All of which is respectfully submitted.

(Signed)

MAHLON HEAD,  
O. K. MABEN,  
A. H. GALE.

#### COLLEGE FOR THE BLIND.

MR. SPEAKER— Your committee begs leave to report that it visited the College for the Blind at Vinton, Friday, February 12th, and inspected every department of the institution. In general we would say that we found everything in excellent condition, reflecting great credit upon the management.

Your committee concurs in the recommendation of the State Board of Control that \$2,000 be appropriated for the purpose of equipping the building with fire escapes and that \$8,000 be appropriated for the construction of a hospital.

So far as the fire escape is concerned there can be no question as to the worthiness of the proposed appropriation, as this sum is required to comply with the act of the Twenty-ninth General Assembly which made the construction of fire escapes in all State buildings more than two stories in height, compulsory.

In support of the recommendation that \$8,000 be appropriated for a hospital building we would say that the need of a hospital is manifest to anyone who has been on the ground. Superintendent McCune informs us that at least seventy-five per cent of all persons who have been admitted to the institution, have been benefited by the treatment that is given and that the sight of at least five per cent has been either partially or fully restored. Thus it is demonstrated that while the institution's chief function is the education of the unfortunates who are admitted thereto, the betterment of their physical condition cannot properly be lost sight of. The need of some room in which to treat them is imperative as is also the need of a building in which those afflicted with contagious diseases may be segregated. At the time of our visit three rooms were being used for the care of the sick. It is impossible that the 150 or 160 inmates who regularly are housed within the confines of this institution can always be immune from contagion or even that they will ever be wholly free from sickness. At all times it is necessary to have some place in which the sick may be treated and when contagion breaks out the need of a hospital is more than ever emphasized. Smallpox broke out in the institution some months ago and it was difficult to check its spread owing to the absence of such provision. It became necessary to divide the building into two sections, in one of which the infected student was confined. Smallpox is by no means the only contagious disease to which they are subject from time to time and the need of

isolating the affected ones at once commands the proposed appropriation to our minds.

Then, too, after having observed the treatment which is administered by Dr. Lee Wallace, Dean of the State University of Iowa, periodically, for which he receives only nominal compensation, we are quite thoroughly convinced that there should be a hospital with an operating room. He removes an average of two or three eyeballs on each visit and is compelled to perform these operations without decent accommodations for the patient.

For these reasons we favor the appropriations enumerated and also the \$2,000 contingent fund for repairs, which is asked in accordance with the usual practice, has always been granted and is clearly needed.

(Signed)

GEO. KINNE,  
GEORGE W. HANNA,  
A. JACOBSON.

#### INDUSTRIAL SCHOOL FOR BOYS.

MR. SPEAKER— Your committee appointed to visit the Industrial School for Boys beg leave to report that they have found the institution in first-class condition, owing in large measure to the wise management of the board, and the efficient service of Superintendent Miles and his estimable wife.

In our judgment the institution has never been doing such good work as now. While we believe that a new fireproof cottage building asked for is desirable, yet it is not essential, and we would therefore recommend that it be stricken from the bill.

Your committee would further recommend the following items for allowances:

For changes in the water system, including new tank, pumps, receptacles for water and equipment.....	\$ 5,000
For new storehouse and cold storage (additional to the appropriation made by the Twenty-eighth General Assembly for changing old heating station).....	5,000
For a printing and binding outfit complete for new shop building.....	3,000
For books and periodicals.....	500
For machinery for shop and for tools and equipment....	1,500
For motor.....	500
For shafting and pulleys for shop.....	115
For an implement house.....	1,000
For a piggery.....	1,500
For fire escapes.....	1,000
For fire equipment.....	1,000
For the purchase of land.....	4,800
For a contingent and repair fund.....	5,000
Total.....	\$29,615

JOHN L. WILSON,  
D. C. MOTT,  
ELI MANNING.

*On part of Senate.*

## INDUSTRIAL SCHOOL FOR GIRLS.

MR. SPEAKER—Your committee appointed to visit the Industrial School for Girls beg leave to report that they found the institute in first-class condition, owing, in large measure, to the wise management of the board and the efficient services of Superintendent Fitzgerald.

In our judgment the institution has never been doing such good work as now. To increase this efficiency we recommend that the support fund be increased from \$12 to \$13 per month.

While we believe that the administration building asked for is desirable, yet it is not essential, and we would therefore recommend that it be stricken from the bill.

Your committee would further recommend the following items for allowance:

For ice house and cold storage .....	\$1,000
For library and periodicals .....	500
For chaplain's fund .....	300
For hose and hose truck.....	250
For completing connections and furnishing and equipping new cottage.....	3,000
For a contingent and repair fund .....	2,000
For draining .....	500
Total ..	<u>\$7,050</u>

Respectfully submitted,

M. A. DASHIELL,  
P. H. POWERS,  
WARREN GARST.  
*Committee.*

## HOSPITAL FOR INSANE—INDEPENDENCE.

MR. SPEAKER—Your committee appointed to visit the Hospital for the Insane at Independence beg leave to submit the following report:

That we have performed the duties assigned us, as defined in resolution under which we were commissioned to do this work.

We were greatly pleased with the institution, which we thoroughly examined. We found absolutely nothing to criticise for which the Superintendent or the Board of Control would be to blame; but on the contrary, everything for which they are responsible, in so far as we were able to see, was in commendable shape.

We found many things needed for the better appearance and development of the institution, and for the welfare and safety of its inmates.

We first investigated the expenditures made by the Board of Control under the appropriations of two years ago in so far as new buildings were concerned. We found that as a result of the appropriations made for a storehouse and for a brick fire department building, two very substantial

buildings of splendid appearance and appropriate for the purpose for which they were designed, have been erected and are now ready for use.

The repairs and changes for which appropriations were made two years ago have largely been made, and all for the betterment of the Institution. A detailed account of expenditures made under the appropriations of two years ago will be found on pages seventy-three and seventy-four in the third biennial report of the Board of Control. We found no reason to question the accuracy of this part of their report.

Regarding appropriations asked of this legislature for the next biennial period, we would say in a general way that we would endorse each item of the appropriations asked for, provided it is found that our finances are such that all calls made upon us can be met. This we do not anticipate is possible, hence we emphasize the importance of certain appropriations asked for and refer to certain others as belonging to a class that can be delayed.

We would recommend that the appropriation asked for, for painting and decorating be allowed; also for carpets and rugs. Many of the corridors have simply strips of rather dilapidated rag carpeting laid through the centers. They are unsightly in appearance and entirely out of character with the better furnished parts of the building.

An appropriation should be made for beds, bedding and furniture. The whole amount asked for would be wise, but if we are too hard pressed, a lesser amount could be appropriated, refurnishing and refitting certain wards and letting other wards go for two years longer.

As to the item of flooring, will say that it is a fact that a good many of the floors are in bad condition, owing to poor quality of material used when such floors were laid, but it does not appear to your committee to be absolutely necessary to replace them all, or even in large part. A portion of the amount asked for might be wisely appropriated, allowing the authorities to replace some of the very worst. We believe that part of the appropriation for carpeting and rugs might wisely be invested in linoleum and used to cover the entire width of some of the poorer floors. We also believe that a good carpet felt should be used under all new carpeting, more especially where new carpets are laid upon old floors somewhat worn and uneven.

We unqualifiedly endorse the appropriation asked for, for new bath tubs, for connections, and for wainscoting, and would emphasize the necessity of this appropriation.

We cannot say too much in favor of the appropriation asking for fire escapes. We consider that a very grave danger hangs over this institution in its present condition. One can hardly imagine any way in which the many hundreds of people occupying this five-story building could be removed in case of disastrous fire.

We would not recommend the allowance of the sum asked for the new piggery.

The additional sum asked for, for the purpose of changing the elevator, and the amount asked for, for dry room and equipment, should be allowed.

There is no elevator service at this building. When one considers its height, it is certainly wrong to leave it in its present condition. An elevator has been installed, but it is so expensive of operation that the authorities have discontinued its use.

We would not advise the allowance asked for for the purpose of fitting up an operating room.

The appropriation asked for, for fencing, for tile and tile draining, we believe to be necessary, and would recommend that such appropriations be made.

We also believe that the amount asked for, for the purpose of additional land, should be allowed. This is for forty acres of land, valuable for pasturage, well located between the institution and the city of Independences, and which can be bought for seventy dollars per acre.

There is no question but what the sum asked for, for a contingent and repair fund, should be allowed.

We have in the above referred to all items contained in the list of appropriations asked for except the \$20,000 for a general kitchen and equipment and the \$22,000 for deep well and equipment.

Your committee is of the opinion that a general kitchen for all the buildings of the entire institution would be of large advantage, but do not think it an absolute necessity at this time, and we therefore recommend that the same be not included in the appropriation for this biennial period.

Regarding the item of \$22,000 asked for a deep well and equipment, including pumps, cisterns, etc., would say that the water question at this institution is quite a serious problem. We would ask the members of the Appropriations committees to read from the report of the Superintendent as shown in Board of Control report, pages 824 and 825, regarding this subject; also read from the report of the Board of Control, page 75, on the same subject.

Our investigation leads us to believe that the quality of the water furnished by the city of Independence is all right, except at such times as the city fills its mains with the water from the river, which is only done at times when an alarm of fire is turned in. We also consider the contract which the Board of Control has with the city as being a reasonable one as to price.

We believe as a business proposition in the wisdom of the State eventually having its own water supply and system of fire protection, which should be of the best at a great institution like this, but for the present we would not advise going into this matter on exactly the plan asked for.

We are somewhat divided as to what is the wisest plan to recommend at this time and have therefore decided to say that we believe that either the second or third plan of the Board of Control, as shown on pages 24 and 25 of their current report, should be adopted. One requires an expenditure of \$13,000.00 and the other requires an expenditure of \$6,000.00. We believe that a full measure of relief is to be found in either one of these two systems and we urge unitedly and emphatically the necessity of adopting one measure or the other.

If the reservoir system was adopted it would give the institution large reservoirs into which the city of Independence would pump its water supply; then the institution itself would provide its own pumps for distribution wherever needed, in buildings or upon the grounds, maintaining its own fire pressure.

If the tank system is adopted the city would deliver the water to the tanks and fire protection would be obtained by gravity pressure, which is always certain of operation and cheaply used. The only criticism to be placed on the tank system at the time of fire is that the amount of water is limited to the capacity of the tank and with such further additions as the city could put into the tank during the progress of the fire. We believe that either system will afford a safe and adequate fire protection, which is a matter of the gravest consequence at this institution. Let it be remembered that the main building at this plant measures one mile and one-eighth in extent at its wall line; that all of it is four stories high and the administration part of it is five stories high and that it was constructed many years ago. While the walls are of stone the interior is of wood, and we were constantly impressed with the necessity for fire protection and fire escapes.

Your committee came to the conclusion, in looking over the new buildings just erected, as well as the newer parts of the old buildings, that the material used is not always of the best, nor do we believe it to be up to the standard of the requirements of the architect, in many cases, and it appears to us that if the same condition exists at all of the sixteen institutions of the State, with the number of new buildings and new additions to old buildings which are being erected every year, and with the repairs necessary upon the same each year, it would be a wise investment for the State if a proper building inspector was appointed, working directly under the architect to see that the full specifications and requirements of contract were carried out. We do not believe that this can be done by the architect himself, and we do not understand that anyone has this particular work in charge constantly.

All of which is respectfully submitted.

EDWARD BOLAND,  
A. F. FRUDDEN,  
JAS. A. SMITH.

#### HOSPITAL FOR INSANE—CHEROKEE.

MR. SPEAKER—Your committee appointed to investigate the condition of affairs of the Insane Hospital at Cherokee begs leave to submit the following report and recommendations:

In the first place, relative to the management of the institution, the State, in our opinion, is to be congratulated on having retained the services of so competent a gentleman as Dr. M. N. Voldeng to look after the interests of the institution. In so far as the committee was able to determine, the State's property at Cherokee has been well cared for by him and his assistants, and the institution is, as a whole, in an excellent condition.

There is, however, one exception, to which the committee would call your attention and for which the management is in no wise responsible, that is, the water system.

There are at this institution two wells, one 1,155 feet in depth, the other 342 feet. The water in the deep well is entirely unfit for use. There is some kind of an ingredient in it that destroys all the pipes, gathers on engines, rods, and in fact on everything with which it comes in contact, and renders the water impure. The water in the other well is very desirable and could be used satisfactorily were it not for the fact that there is contained in it a quicksand that destroys the pumping apparatus and makes it impossible to use the water to any advantage unless something could be done to prevent this accumulation of sand.

The opinion of this committee is that an appropriation should be made, sufficiently large to enable the Board of Control to extend their mains to the river at Cherokee and procure a supply of water similar to that used by the city of Cherokee, and to do this regardless of cost. We therefore submit an estimate of plans and specifications prepared by the Board of Control as to the probable cost of procuring such a supply.

#### WATER SUPPLY FOR CHEROKEE STATE HOSPITAL.

Estimate of cost to construct and equip a new pumping station, and to lay mains and make necessary connections to furnish the Cherokee State Hospital with an abundant supply of good water.

Wells to be sunk in low land adjacent to river, a distance of about 12,000 feet from the institution.

#### ESTIMATE.

12,000 feet of 8-inch water main laid at 85 cents per  
foot..... \$ 10,200

#### STATION.

One 80-foot brick smokestack..... \$ 3,500  
One boiler and pump house..... 3,000  
One coal shed..... 800  
One reservoir at station..... 2,000  
Total..... \$ 9,300

#### EQUIPMENT.

Two boilers, 60x16, set..... \$ 2,000  
Connections and trimmings..... 500  
Breeching..... 125  
Boiler feed pump..... 150  
Total..... \$ 2,775

#### WELLS AND CONNECTIONS.

Two wells complete. (Deep well pumps on hand.)... \$ 2,000  
Two power pumps..... 2,500  
Connections, pumps, well, steam and water..... 300  
Total..... \$ 4,800



## TELEPHONE..

Wire, poles and instruments.....	\$ 250
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## RECAPITULATION.

Water mains laid.....	\$ 10,200
Station (buildings).....	9,300
Boiler and connections.....	2,775
Wells, pumps, etc.....	4,800
Telephone.....	250

Total.....	\$ 27,325
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To the above must be added the cost of land for site and right of way charges, if any.

Your committee found, on further investigation, that there are at present 619 inmates at the Cherokee Hospital for the insane; that the institution is over-crowded; that in the halls and passage-ways between the wards, there were on every floor with but one exception beds placed, six to eight in each; that in three of the wards, rooms intended as ward dining-rooms, are now occupied with beds; and that in the opinion of the committee, something ought to be done to relieve this over-crowded condition of affairs. Therefore, your committee would recommend the expenditure of \$116,900, or so much thereof as may be necessary, to be used as follows:

For constructing a cottage with appurtenances and equipment.....	\$ 65,000
For paving courts and for cement walks.....	2,500
For improving grounds.....	1,200
For repairing smokestack.....	1,000
For fencing.....	1,500
For telephone system.....	1,500
For equipment of pathological laboratory.....	800
For sterilizers.....	300
For additional equipment for industrial building.....	1,200
For fire hose, supports and connections.....	1,000
For pictures and moulding.....	300
For library books and periodicals.....	300
For a stereopticon and appurtenances.....	300
For a contingent and repair fund.....	10,000
For water.....	30,000
Total.....	\$116,900

(Signed)

D. A. LYONS,  
*Senate.*J. C. FLENNIKEN,  
GEO. MCCULLOCH,  
*House.*

## HOSPITAL FOR INSANE—CLARINDA.

MR. SPEAKER—Your committee appointed to visit the Iowa State Hospital at Clarinda begs to submit the following report:

First. That we visited the above named institution on the 13th and 14th inst., and made a thorough investigation of the buildings and grounds.

Second. We wish to commend in highest terms the management of this hospital, both on the part of the Board of Control, the superintendent, Dr. Witte, and his efficient lieutenants.

Third. We believe the appropriation asked for to build an additional cottage with sufficient capacity to care for one hundred (100) patients should be granted. The rate of increase of patients is now about sixty-six (66) per year. There are now in the hospital nine hundred and thirty-two (932) patients, five hundred (500) male and four hundred and thirty-two (432) females, and one hundred and twenty-five (125) helpers housed in the building. The building is now over-crowded. They are utilizing all the available space set apart for patients and many of the corridors.

Fourth. Therefore we recommend the following appropriation for a new building, or as much as is necessary to construct and equip a building to care for one hundred (100) patients..... \$55,000

Fifth. We also recommend an additional appropriation to the one already made by the Twenty-ninth General Assembly of \$4,000 for an industrial building..... 6,000

Sixth. For coal house and ash elevator—being additional to the appropriation of \$4,000 made by the Twenty-ninth General Assembly..... 3,600

Seventh. For new floors..... 2,000

Eighth. For contingent fund..... 10,000

G. P. CHRISTIANSON,  
L. L. DELANO,  
CHAS. ECKLES,

*Committee.*

## HOSPITAL FOR INSANE—MOUNT PLEASANT.

MR. SPEAKER—Your committee appointed to visit the State Hospital at Mount Pleasant beg leave to submit the following report:

We arrived early Friday morning, February 12th, at the Hospital at Mount Pleasant and put in a faithful day's work, viewing the institution and its surroundings. The forenoon was fully occupied in looking over the outer buildings.

The barns and stables were clean and had the appearance of being well kept. The new cattle barn and hog house are a valuable improvement and we think the State is receiving a good interest on the money so invested. The hogs and cattle plainly showed that they were under the supervision of an experienced person. The horses were not up to the average. A number of them are old and blind. The team that drew us to the grounds, when

driven out of a walk, went lame. Some one said this was the best team on the premises. The carriages are inferior and reminded us of Holmes' "wonderful one hoss shay." The carriage we rode in was the best we saw and it was not worth forty dollars. We suppose the management economized where they could do so with the least discomfort to the inmates of the Hospital, hence the poor horses and carriages.

An appropriation in this line should be allowed. The farm machinery was housed, but there seemed to be a limited amount for such a large farm. We think more is needed.

We found a number of the patients working in the shops making shoes, slippers, brooms, and repairing chairs and making very creditable ornamental work. We also noticed patients feeding and caring for the horses, cattle and hogs.

We notice the board asks for four thousand five hundred dollars (\$4,500) to remove the horse barn, granary and implement house. The reason given for removing this, which is one frame building, is that it is so near the wing of the hospital, the wing being built since the barn was erected. We did not measure the distance between these buildings only with the eye and we judged it to be between one hundred (100) and one hundred and fifty (150) feet. Many barns in our towns are as near our houses as that and with the cleanliness and neatness we observed around the barn, we thought the annoyance in that direction was not serious. The brick barn, used for storing hay and joining the frame portion just mentioned, would make much room and possibly needed room, for those who work on the farm. But under the existing conditions of our finances and the great demand for money and the necessity of reducing the demands to correspond with our bank account, we think these two items could be eliminated with as little discomfort to the population of the hospital as any on the list.

The bake-oven is old and worn, and there is not enough room about it to do the work satisfactorily. It was sufficiently large when installed, but not now. The appropriation for this is a necessity, we believe. The amount asked for floors, furniture and furnishings is six thousand dollars (\$6,000). The floors, as we noticed, are not greatly out of repair, but need looking after. More furniture could be used with great comfort. There were but few easy chairs for the old patients. We noticed a number of old fashioned bedsteads. These, we think, ought to be replaced by iron ones, as they would be more easily kept clean and free from vermin. We also observed in a number of rooms that the plastering was falling off and much of it was loose and will soon have to be removed. Many of the lavatories were in bad condition. They were old and rusty. There is a need of additional water-closets. In one ward forty patients were supplied with one closet. This is not sufficient. A number of closets could be located by the smell, not so very offensive, but could be easily detected. It is true that six thousand dollars (\$6,000) seems like quite an amount for this purpose, but even this we do not think too large and probably will not suffice if all the needed plastering should be done within the next biennial period.

The kitchen furniture is much out of repair. A number of cooking boilers cannot be used much longer. Steam pipes need replacing and ranges and other cooking material are needed. We believe the item for this should stand.

There is need of some system of ventilation in the kitchen to get rid of the steam. We noticed drops of water clinging to the ceiling and in the cold weather when they are busy cooking, we were told that the kitchen was dense steam and that every thing was damp. If the one thousand two hundred dollars (\$1,200), asked for basement repairs includes putting in the same system of ventilation in the kitchen, we think it is not too much.

The window sashes and frames need painting badly and it ought to be done. In our judgment five thousand dollars (\$5,000) would be sufficient for this item. We noticed a number of walks were of board and were out of repair and need to be replaced by better ones. Around the building we observed depressions in the ground and covered with ice. These all ought to be graded and put into a lawn so the water would run off. This item meets our approval.

We think that it would be advantageous to collect the water from all the roof of that great building and conduct it to cisterns, so it could be used for the boilers and laundry rooms, and if it could be made available for bathing purposes. We think the four thousand dollars (\$4,000) asked for cisterns and for piping to the boiler room should stand. For drainage and fencing, we think the amount asked for is reasonable. The roof on the engine house and work shop is in a bad condition and should be replaced by a new one if the boilers and machinery are to be properly protected from rains. The committee thought five thousand dollars (\$5,000) would answer for this. The item for spray baths should stand, we think. Also the item for repairing smoke tunnel and for sewers. For tempering coils for heating system we believe should be allowed.

There are two pieces of land, one of twenty (20) acres, joining the farm also joining the cemetery of the city, which the city would like to procure. This would be in plain view of the hospital and the effect of seeing funeral ceremonies frequently, we think, would have a bad effect on the patients. We think, therefore, that the State should purchase this; also, another piece of thirty-five (35) acres which we are told is now surrounded by our possessions, should be purchased by the State. We think five thousand five hundred dollars (\$5,500) is the amount required for these two pieces of land.

The amount asked for contingent expenses we believe is required. We endeavored to do our duty conscientiously and if we could have seen our way clear would liked to have recommended every cent asked for by the Board.

HENRY YOUNG.

#### SOLDIERS' ORPHANS' HOME.

MR. SPEAKER—Your committee appointed to visit the Soldiers' Orphans' Home at Davenport, beg leave to report that they found the institution in very good condition.

The children are well cared for, with abundant opportunities for both work and play, and are apparently as happy as the children of our own homes.

After careful investigation your committee recommends the following items for allowance:

For ice house and cold storage .....	\$ 2,500
For library, books and magazines.....	500
For storerooms, equipment, and for carrying heat, light, water and sewer to same .....	5,500
For pipe covering .....	1,500
For repairs to and renewal of piping and heating system and apparatus .....	1,500
For enlarging and rebuilding tunnels .....	6,000
To further equip power house.....	7,000
For new laundry building .....	4,500
For laundry equipment .....	4,000
For remodeling present laundry building for general kitchen .....	6,000
For contingent and repair fund .....	5,000
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Total .....	\$44,000

Respectfully submitted,

JOHN S. STANBERY,  
W. W. McELRATH,  
DAN W. TURNER,  
*Committee.*

#### SOLDIERS' HOME.

MR. SPEAKER—Your committee which was appointed by the General Assembly to visit the Soldiers' Home at Marshalltown, beg leave to submit the following report:

We spent all day Saturday, the 13th inst., making a thorough investigation of all the buildings, and of the grounds. We were directed to the various places of interest by Commandant Horton, and the services of the heads of the various departments were tendered us in explaining the needs of the various buildings. Where deemed advisable, this investigation was made without any of the officials of the Home present. We consulted with numerous patients in the hospital and inmates in the several wards and buildings.

In ever particular we desire to commend the excellent service which is being rendered the State by the officials of the institution. We found that in numerous instances they were laboring under disadvantages from lack of proper equipment, and because of the fact that the buildings and apparatus in many cases are sadly out of repair, and need appropriations for reconstruction or renewal.

The patients were found to be cheerful, and they were apparently comfortable and well cared for.

## MAIN BUILDING.

The porches on the main building are badly out of repair, the pillars and supports being rotted away so that it is necessary for temporary supports to be used. The committee recommends that these porches be renewed, and that flat roofs be made, and that stairways be arranged so that the roofs and stairs may be used as fire escapes. There are at present no fire escapes on the front of this large building, and by this arrangement of the porches further necessity of fire escapes would be obviated.

The kitchen floor is decayed and temporarily patched up. It should be renewed. The ceiling is in bad condition in many of the rooms, and should be renewed, as well as the side walls. Numerous other repairs of a minor nature are needed.

## OLD MEN'S BUILDING.

This building was formerly the hospital, and much repair is needed on the walls and ceiling, as the plastering is cracked and loosened in many places. The porches need repairing or reconstructing, and fire escapes should be placed on the east and west sides, and an outside stairway from the front porch is recommended, to be used as a fire escape.

## OLD LADIES' BUILDING.

This building is in excellent condition. It has adequate fire escapes on the second and third stories. Should have a fire escape or stairway on the front of the building.

## OLD PEOPLE'S BUILDING.

This building is occupied by old soldiers and their wives, and is a model of neatness and convenience. The couples are each assigned a neatly furnished room, which has an alcove opening into it for a bedroom. These suites of rooms are arranged on both sides of the building, separated by a hall running from one end to the other, with access to the porch at each end. In the middle of the building, a flight of stairs runs up to the second floor, and down to the basement which is used for a kitchen and dining-room. A neat and pleasantly furnished parlor or reception room is located on the first floor near the stairway, conveniently accessible for all the inmates of the building.

Your committee was entertained at dinner with the inmates of this department, and partook of the regular fare which is supplied to the steady boarders. We found the food to be palatable, substantial, and well served, and much better than that which is furnished at many of the ordinary hotels.

The land on which this building stands gently declines to the west. In the basement in the east end are located the kitchen and dining-room. The management of the institution consider that the practical place to build a wing or addition for the accommodation of further inmates would be on the north side of the east end. This will bring the inmates in the new wing convenient to the dining room. The condition of the land on which the wing would be constructed is such that a three-story building will be accessible and convenient for the inmates. They can enter on the second floor at the other end of the main part of this building and not be obliged to climb

two sets of stairs to reach the upper floor of the addition. Owing to the number of applications on file for admission to this building, your committee considers it extremely important that this wing be constructed, and would recommend an appropriation of \$15,000 for that purpose.

#### HOSPITAL.

The hospital is a new building, and supplied with modern equipments. It is neat and clean, and comfortably arranged and heated. The size of the building makes it necessary to have more kitchen and dining room space, and your committee recommends that an appropriation be made to extend and enlarge the wing which is now used for those purposes.

#### QUARTERMASTER'S BUILDING.

The quartermaster's department is small, and entirely inadequate for the needs of the institution. This is really a store of general merchandise for nearly a thousand people, and clothing, flour, groceries, hardware, utensils and other supplies are necessarily piled one upon the other in an indiscriminate way which makes it impossible to classify them or to handle them to advantage with the best economy. Your committee recommend an appropriation of \$5,000 for an additional building for this purpose.

#### BARN.

Your committee recommend an appropriation to build a barn to take the place of the one which was totally destroyed by fire recently. As there are only thirteen houses on the premises we think an appropriation of \$3,000 will be ample for a barn and implement house.

#### GATE.

The entrance to the fine grounds of this large institution is the wreck of an old wooden gate which was constructed fifteen or twenty years ago and is not at all in keeping with its surroundings. We recommend that the amount asked for the improvement of grounds be increased so that the appropriation will cover the construction of a proper gate.

In order to secure the erection of the quartermaster's building and the addition of the old people's building, we have thought it wise not to recommend any appropriation for a greenhouse, for the purchase of land, the improvement of the water supply, or the construction of a new coal house.

Your committee want to emphasize the fact that the fire escapes on many of the buildings are entirely inadequate to permit the inmates, in their old and feeble condition, escaping in case of a serious fire. We recommend that this matter be carefully investigated, and whenever it is necessary for the protection of the inmates, that fire escapes be provided.

Your committee acknowledges its obligations to the commandant, Col. Horton, Adjt. Warfell, Dr. H. P. Duffield, Quartermaster Bennett, and Chaplain Cole for many courtesies, and for careful and patient explanation of the various departments of this institution. It is the judgment of the committee that all of these gentlemen are careful, painstaking and thoughtful workers in the interest and benefit of the inmates.

Your committee is of the opinion that the State owes a great deal to its patriotic defenders, and that it is now due and should be immediately paid

by the best of attention. We therefore especially urge that these several appropriations be made so that the old soldiers and their wives may at once receive the benefit therefrom. It is for this reason that we have increased the appropriation for several items which will add to the comfort and happiness of the inmates, rather than to invest in additional land which would undoubtedly be an excellent investment for the State and good for the institution, but it is not absolutely necessary at the present time and would not materially increase the capacity of the institution, nor would it materially increase the comfort and pleasure of those who now enjoy its benefits.

We therefore recommend appropriations as follows:

For a new kitchen and an addition to the dining-room for the hospital and for additional equipment .....	\$ 6,000
For a new barn, grain storage and implement house....	3,000
For new floors, furniture, furnishings and repairs and fire escapes.....	12,000
For improvement of grounds and gate to entrance.....	1,400
For operating rooms and equipment .....	1,500
For Quartermaster's building .....	5,000
For wing to Old People's building .....	15,000
Total .....	\$43,900

JOSEPH MATTES,  
E. D. CHASSELL,  
S. H. HARPER.

#### PENITENTIARY AT FORT MADISON.

**MR. SPEAKER**—Your committee appointed to visit the penitentiary at Fort Madison beg leave to report the following:

That we inspected that institution and were highly pleased with the general management of the same, the condition in which we found the buildings and grounds, the sanitary conditions and the control and government of and general condition of inmates.

We believe the State has, in the person and services of the warden, Mr. Jones, a careful, efficient and painstaking man.

In our judgment, no more money should be appropriated for this institution other than is absolutely needed and required to keep up contingent expenses, and to preserve the buildings now erected.

The location of this institution is poor, being in the extreme southeast corner of the State, and the nature of the ground upon which it is located is of such a character that buildings and other improvements can only be erected at a great expense and far in excess of what the same would ordinarily cost in a better location.

We find nothing has been done with the following appropriations made by the Twenty-ninth General Assembly, to wit:

One of \$30,000 for a new building for hospital, library and schoolroom; for laundry equipments, \$2,000; for a new prison wall, \$20,000.



As to the new power house, for which an appropriation by the last General Assembly was made, we find that work on same has progressed quite rapidly and satisfactorily and the same will soon be completed.

We recommend the allowance of \$2,000 for the next biennial period for the transportation of discharged prisoners; also \$7,000 for the contingent and repair fund; \$—— for remodeling buildings.

We are utterly opposed to the purchase of the proposed farm land for this institution at this time.

All of which is respectfully submitted.

C. C. COLCLO,  
C. N. JEPSON,  
F. M. HOPKINS.

#### PENITENTIARY AT ANAMOSA.

MR. SPEAKER—Your joint committee, appointed to visit the State Penitentiary at Anamosa, beg leave to report as follows:

That we visited the said penitentiary on the — day of February, 1904, and found it to be a modern prison in nearly all particulars, and that it has been ably managed by the efficient warden, William A. Hunter.

The buildings are of stone, and are nearly, if not entirely, fire proof.

We found the prison in a most excellent sanitary condition, and the health of the prisoners has been all that could be expected, during the biennial period.

The following appropriations are recommended by the State Board of Control and the Warden of the penitentiary, for the support, maintenance and improvement of the penitentiary:

For completing north cell house (steel for 440 cells).....	\$ 22,850
For heating, lighting, brackets, galleries, grate doors, rivets, etc.....	12,000
For closets, lavatories and plumbing.....	16,000
For derrick supplies.....	600
For freight on stone.....	1,000
For powder and fuse.....	400
For tools for stone shop and quarry.....	600
For salaries of foremen.....	11,600
For the purchase of land.....	6,000
For a contingent and repair fund.....	6,000
Total.....	\$ 77,050

The walls of a new cell house have been completed, and there is now upon the ground material for roofing the same; the roof will be completed in the summer of 1904. The new cell house will have a capacity of four hundred and forty (440) cells, and to complete them an appropriation of twenty-two thousand dollars (\$22,000) is necessary for the purchase of steel for same.

All of the work incident to the erection of the cells will be performed by the prisoners.

There will also be required for the purpose of heating, lighting, brackets, galleries, grate doors, rivets, etc., an additional sum of twelve thousand dollars (\$12,000).

For closets, lavatories and plumbing, an appropriation of sixteen thousand dollars (\$16,000) is sought, and we think this appropriation should be made, but recommend that same be not available until the first day of July, 1905.

At the present time the penitentiary at Fort Madison has one occupant for each of the cells, and nearly all of the cells at Anamosa are now occupied. If there shall be any considerable increase in the prison population of the State it will be necessary to resort to the doubtful expedient of placing two prisoners in one cell.

The completion of the new cell house will obviate the danger of such a contingency, and for that reason we think that all of the appropriation sought for that purpose should be made.

The sum of six thousand dollars is asked for the purchase of additional real estate, and we recommend this appropriation.

In a city of the size of Anamosa it is not possible to purchase green vegetables at most seasons of the year in sufficient quantities to supply the prison, and, moreover, the expense incident to such purchase is very great.

The State has an abundant supply of labor at Anamosa, and these vegetables could be raised at very little additional expense, thereby effecting a saving in the prison dietary.

We approve of the other items recommended by the Board of Control and warden for the support, maintenance and improvement of the said penitentiary.

Respectfully submitted,

R. J. BIXBY,

R. W. HOLLEMBEAK,

C. G. SAUNDERS,

*Joint Committee.*

STATE NORMAL SCHOOL.

MR. SPEAKER—The undersigned beg to report that we have visited the Iowa State Normal School, located at Cedar Falls, and made such examination as we were able.

It seems to us that this institution is in able hands, and doing excellent work. We believe the administration to be efficient and progressive, with a painstaking care for the highest and best interest of the school and the State. As far as time and the limitation of skill on our part would permit, we examined grounds, buildings, records, books of account, and the general conduct of affairs. We were much pleased with the conditions as they appear to us, but it must be borne in mind that our work was necessarily hurried and that we could not go deeply into these matters.

The arrangement in the location of buildings at this institution is materially different from that which pertains in the case of other State institutions. The plan seems to have been to group the buildings closely about a central

spot occupied by the heating plant, and to connect all these buildings with corridors so as to provide access to all departments and rooms without the necessity of going into the open. This system would seem to be economical as to time, fuel, etc., and to afford great convenience and comfort to teachers, employes and students. But it also has its disadvantages. The grounds and buildings are not nearly so sightly and pleasing to an onlooker as they would appear from a more open distribution, and the fire risk, it would seem to us, must be many times increased by this compact grouping. However, the management is much pleased with the arrangement, and feels that the disadvantages resulting from this plan are more than over-balanced by the economy and convenience afforded. And every care seems to have been taken as to fire risk and general sanitary conditions.

The institution has a contract with the city of Cedar Falls for its water supply for general purposes and fire protection. The grounds and corridors are supplied with hydrants and hose attachments, and we are assured that the water supply and pressure are sufficient for all requirements.

Every department seems to be a model of cleanliness, neatness and general good order. The new heating apparatus provided for by the Twenty-ninth General Assembly seems to be in splendid working order. The ventilation is excellent, and we found offices, recitation rooms, corridors, basements, toilet rooms and every department of the institution clean and in excellent order. The foundation for a large, apparently well planned building provided for by the mileage tax voted two years ago, is in place, and it is expected to complete the structure during the coming season. It is the plan to use this building for a new manual training department. If this plan is carried out, some additions must be made to the teaching force, which it will be necessary to provide for by an increased appropriation at this session.

To put the grounds in shape some additional grading must be done, permanent cement walks constructed, and a reasonable amount of shrubbery put out. Your committee would be pleased if this last improvement could be made largely by the use of trees and shrubs native to Iowa. The walks are, in a large part, temporary board concerns that must soon be rebuilt. Without question they ought not to go back in kind, but be replaced with permanent cement structures.

We are of the opinion that the school has greatly outgrown the original statute by which it was created, and that a few slight changes could be made that would considerably improve working conditions and materially add to the efficiency of the school.

The estimates on which House file No. 41 are based seem to include nothing but the actual needs of the institution, and we have no hesitancy in recommending that the amount asked for be granted. We think we appreciate fully the difficulties under which you will labor in attempting to make both ends meet, and have gone carefully over and over again the items asked for by the school and have sought diligently to find something that might be cut out that would not materially affect the work of the institution.

But we have found no item of material consequence that we feel like assuming the responsibility of omitting.

All of which is respectfully submitted.

B. F. ROBINSON,  
T. H. HUME,  
JNO. T. BROOKS.

#### AGRICULTURAL COLLEGE.

Your committee appointed to visit and report upon the condition and needs of the School of Agriculture and Mechanic Arts, at Ames, and to make recommendation as to appropriations, submit the following:

We believe the school to be in a very prosperous condition. It is filled to overflowing with students, between whom and the instructors of the school there seems to be the best of spirit and sympathy. And in that relation,—in the interest and earnestness of the students, the thoroughness and devotion of the instructors, we were able to find nothing except that which could be commended. With an enrollment of nearly fourteen hundred students in the past year and a prospect of rapid growth in the future, we find this school without suitable accommodations for general recitation rooms; now holding over two thousand recitations a day in a temporary one story emergency building and a menace to the health of instructors and pupils, and yet the best, probably, that could be done after the burning of the main building, and we recommend an appropriation be made for the completion and equipment and furnishing of the new central building, and we estimate it will be necessary to appropriate the following amounts:

For restoring dome.....	\$22,000
(Dome, attic story, east portico, four pilasters on the west side and the pediment over the same.)	
Restoration of granite instead of Bedford store for base and steps.....	12,090
Heating central heating plant.....	18,000
Lighting central heating plant.....	5,000
Plumbing central heating plant.....	6,000
Furnishing central heating plant.....	32,000
Total .....	<u>\$95,000</u>

The question of heating is a serious problem. There has been three plans submitted to your committee. We are of the opinion that a central heating plant is preferable to individual plants for each building. We do not think the legislature can appropriate enough money, at this time, for a full central heating plant, but would respectfully recommend the following appropriation which will be of sufficient amount to provide a building large enough to add additional boilers and provide sufficient amount to build tunnel and piping to the new central building and Morrill hall:

For building central heating plant and chimney.....	\$ 25,000
Equipment for central heating plant.....	18,000

Tunnel to central building and Morrill hall.....	10,000
For wreckage of old building and transferring boilers to new building .....	1,500
Total .....	\$54,500

We believe the citizens of the State should be especially proud of the work done and the record made by the school in several lines of investigation and experimentation of special interest to the Iowa stock raiser and agriculturist, and believe that no small part of the advantage to the State in these lines comes from the knowledge disseminated and enthusiasm awakened among the practical farmers, by the short courses conducted at the school, for their advantage, which have been liberally patronized in increasing numbers and growing interest. We believe however, that one line of investigation and instruction, of great value to Iowa as a dairy State, has been neglected, because of the inability of the institution through lack of means and accommodations. We speak of the dairy interests, generally. The raising of stock for the block and the market has received especial attention and the results are the envy of similar institutions of other States, and such as the citizens of this State should appreciate with pardonable pride.

The work done by the institution along the line of investigation in butter making and practical methods to be applied therein has commanded the attention of the butter-making world and drawn to the school visitors from foreign countries. The buildings and equipment for this work have become insufficient and inadequate, and better facilities for the work would, in the opinion of the committee, be a profitable investment for the State. It certainly would be of a great benefit to the school. The work done has necessarily been confined to the dairy and creamery work of butter making, while the important questions of milch herds, milk production and the proper appliances for handling and caring for the unmanufactured products has had little or no consideration, though these questions are of vital interest and the basis upon which successful dairy farming must be predicted. Considering the magnitude of the dairy interests of this State and what in financial value any increase in quantity or advance in quality in the product of the dairy means, we feel convinced that all necessary aid should be given to the school to enable it to carry on needed investigation along the lines indicated and to give practical demonstration to the classes, of facts which should be known in said matters.

This department, so far as its running expenses are concerned, has been in the past, practically self-supporting, and will, when fully equipped, aid very materially by the output from its herd and creamery, in meeting the necessary expenses of the department, though so far as class work, instruction and experimentation are concerned, there will be no direct income. For the purpose above mentioned we would recommend a farm of two hundred and twenty acres be purchased and equipped and a dairy building be erected and equipped and we recommend the following amount be appropriated:

For 220 acres of land for dairy farm.....	\$22,000
For equipping dairy farm.....	2,500

For poultry and equipment, dairy farm.....	500
For herd, dairy farm.....	3,500
For dairy building.....	45,000
Equipment for dairy building.....	10,000
Total.....	<u>\$83,000</u>

The following statement will show the number of students, increase of salaries and number of professors and teachers employed:

Years.	Instructors.	Salaries Paid.	---Pupils---	
			Long Term.	Short Term.
1897-8.....	54	\$45,266.78	525	22
1903-4.....	95	88,206.66	1,320	578
Increase of instructors.....			41	
Increase in salaries from 1897-8 to 1903-4.....			\$42,294.04	

The salary roll as fixed for the school year beginning

September 1, 1903, amounts to.....	\$59,491.66
Instructors and assistants for the school year beginning September 1, 1903, amounts to.....	<u>28,715.00</u>
Total.....	\$ 88,206.66
For department expenses and equipment.....	\$18,303.02
General expenses.....	<u>20,489.00</u>
Total.....	\$ 38,792.02

To meet the items above mentioned, amounting to \$126,998.68, the Agricultural Department has the following income annually:

Interest on national endowment fund.....	\$36,000.00
Morrill fund.....	25,000.00
State appropriation.....	<u>60,000.00</u>
Total.....	\$121,000.00
Leaving a deficit for the school year ending 1904 of...	\$ 5,998.68

From the above statement it is found that the increase in salaries and new instructors employed since 1897-8 to 1903-4 amounts to \$42,294.04. In 1897-8 there were 525 students and 54 instructors and in 1903-4 their number were increased to 1320 students and 95 instructors. It is the opinion of your committee that some of the departments are in need of more instructors, and perhaps in a few cases of merit the salaries of some of the present professors and instructors should be raised. The contingent and educational department funds are not large enough for the needs of the college, and we would recommend the Legislature vote an additional \$50,000 for the support fund of the educational department, and \$4,500 for additional repair fund which will make a total as follows:

Interest on the National endowment fund.....	\$ 36,000
Morrill fund.....	25,000

State educational support fund.....	60,000
Repair and improvement fund.....	18,500
Additional repair fund.....	4,500
Additional educational support fund.....	50,000
<b>Total.....</b>	<b>\$ 194,000</b>

We recommend the above amount should be given as a direct annual appropriation by the Legislature and the secretary of the board of trustees be required to give a condensed statement of the amount received, the source received from, the amount expended for salaries of professors, instructors and assistants, amount used for contingent expenses, and in a definite way designate the manner of all such expenditures. Said reports to be delivered to the President of the Senate, and the Speaker of the House within ten days after the meeting of the Legislature, and the same be printed in the Journals of the Senate and House.

The experiment station in the past year has been very successful, giving short courses in animal husbandry, corn breeding, and other experimentations which are of great value to the agriculturist. Your committee is of the opinion that the experiment station should receive an additional support. The gentlemen engaged in teaching and experimenting are enthusiastic in their work and we believe should have a substantial increase in the support fund, and we would recommend that an additional amount of \$15,000.00 annually be appropriated for the above. We further recommend that \$3,500 annually for the next two years be appropriated for good roads experimentation purposes to be expended under the direction of the experiment stations. This would give the experiment station a support fund annually, for the next biennial period:

National government.....	\$15,000
Present State appropriation.....	10,000
Increase State appropriation.....	15,000
For good roads experimentation.....	3,500
<b>Total.....</b>	<b>\$43,500</b>

We herewith attach a schedule of expenditures for experiment station for the two years:

EXPENDITURES.

For What Purpose.	For 1901-2.	For 1902-3.
Salaries.....	\$ 6,432.99	\$ 8,473.94
Labor.....	4,126.69	5,827.36
Publications.....	843.92	1,914.52
Postage and stationery.....	620.50	1,084.34
Freight and express.....	418.50	589.82
Heat, light, water and power.....	225.50	461.45
Chemical supplies.....	77.28	493.80
Seeds, plants and sundry supplies.....	666.68	1,817.44
Fertilizers.....	19.54	15.00
Feed stuffs.....	2,002.42	2,907.33

Library .....	10.00	14.60
Tools, implements and machinery .....	490.82	816.80
Furniture and fixtures .....	3 50	217.35
Scientific apparatus .....	562.26	729.81
Live stock .....	1,614.01	2,012.95
Traveling expenses .....	372.09	538.31
Contingent expenses .....	15.00	19.50
Building and repairs .....	43.97	750.00
<b>Total .....</b>	<b>\$18,545.68</b>	<b>\$28,684.22</b>

The cash balance on hand has been placed to the credit of the directors' fund and will be used largely to pay old bills. The income for the next year, 1903-4, has been divided as follows;

Salaries, as already specified .....	\$12,394.98	
Less amount paid by United States Agricultural Department .....	1,200.00	
		<b>\$11,194.98</b>
Animal husbandry .....	\$ 2,500.00	
Agronomy .....	2,000.00	
Botany .....	516.25	
Entomology .....	527.50	
Horticulture .....	1,777.50	
Veterinary .....	488.75	
Dairy .....	500.00	
Soils .....	550.00	
Farm mechanics .....	500.00	
Chemistry .....	900.00	
Bulletins .....	1,995.02	
General expense .....	750.00	
Directors' office, including stenographer .....	800.00	
		<b>\$13,805.02</b>
<b>Total .....</b>		<b>\$25,000.00</b>

In the investigation made by the committee, we find that the school has grown so rapidly that there is a deficiency in the number of buildings necessary to carry on the work successfully. In the near future the State should provide a fireproof library building, a gymnasium and a chapel. We know at the present time that it is impossible to appropriate funds for the above purposes and in making our recommendation for buildings and support funds as above, we have taken into consideration only the pressing needs of the college. We do not think the college can get along with less amounts and do the work properly which they are called upon to do for the next biennial period.

#### SUPPLEMENTARY REPORT.

Your committee, after an earnest endeavor to get an understanding of the needs of this school, to understand the magnitude of the enterprise,



both in its work and expenditures, to know what has been done for the school by the State in the way of appropriations and by the school management in carrying out the promises made and plans proposed, have become firmly convinced that no Legislature or committee thereof can, in the short time allowed for that purpose, become so conversant with the working of the institution, with its actual, present, pressing needs, or form such safe judgment of its probable growth and future needs as to be able to safely legislate for it in the matter of appropriations.

We believe, in the interest of the tax payers of the State, and its educational institutions, there should be chosen a competent board of management for the three State educational institutions, in whose hands should be placed their financial management, that under such board management it will be possible to expend the moneys of the State more judiciously than it has heretofore been done; that only under such management can the most urgent need be known and met, and such institution be assured its fair and appropriate share of the State money to do the work it should do.

We believe that such management will ultimately do away with much unnecessary duplication in work and unnecessary expenditure of money, and will put the proposition of the expenditure of the State's appropriation for educational institutions on a proper business basis.

We do, therefore, heartily recommend the establishing and appointment of such board.

We are indebted to President Storms, the deans and the professors for information given your committee, and we extend our thanks for the many courtesies shown us.

A. W. BUCHANAN,  
 R. H. GREGORY,  
 GEO. W. DUNHAM.

STATE UNIVERSITY.

MR. SPEAKER—Your committee appointed to visit the State University at Iowa City, beg leave to submit the following report: After looking over the university grounds, buildings, etc., gathering such general information regarding the work of the institution and its needs, as we could, and examining the last and preceding biennial reports made by the university, we recommend the following appropriations:

For additional annual support fund.....	\$15,000
For additional annual repair and contingent fund.....	2,500
For equipment and supplies .....	12,000
For library.....	10,000
For purchase of additional lands.....	25,000
For paving and sidewalk .....	8,000
For extension of tunnel to medical building and enlargement of the heating plant.....	10,000

The amounts herein recommended for annual support, repair and contingent, equipment and supplies, and library are rather small, when compared with the amounts asked for, but, in the judgment of your committee, they are ample. We desire to call attention to the fact that since the year

1900 the salaries of professors and instructors have been increased from \$95,332 to \$160,526, and other expenses, not including land and buildings, have also been increased in the same period from \$57,334 to \$83,364, and this increase has been made without any increase in the enrollment of students.

The amount of repair and contingent fund expended during the last biennial period was \$9,000. The new buildings have been added, which will necessitate some addition to the fund. In the judgment of your committee, the existing annual appropriations, with the additions herein recommended, and the income from other sources, will, with careful and economical management, be sufficient.

#### LAND.

We believe additional lands should be purchased for campus grounds and for building sites, and we think the appropriations herein recommended is sufficient for this purpose.

#### PAVING AND SIDEWALKS.

The amount herein recommended for this purpose, is, in the judgment of your committee, actually necessary. We are informed that the city is anxious to have this paving done as soon as possible, and to pay its share of the cost thereof.

#### EXTENSION OF TUNNEL AND HEATING PLANT.

Two new buildings are not yet provided with heat, and we think the tunnel from the central heating plant, which is now completed to the old capitol building, should be extended to the two new buildings, and to the physics and physiology buildings. If this is done, the small heating plants which now heat the dental, science, physics and physiology buildings, can be abandoned. Additional boiler capacity may be needed to thus furnish heat for all of the buildings.

We do not recommend the amount asked to cover the medical fire loss of 1901. The Twenty-ninth General Assembly made an appropriation to partially cover this loss, and further increased the levy from one-tenth to two-tenths of a mill, for building purposes, and in our judgment the building tax will be sufficient for the erection of all necessary buildings.

We might add that the department of medical chemistry is somewhat crowded, but we think it can get along very well until a new building can be provided from proceeds of the annual levy for building purposes. For the engineering department, it is the judgment of your committee that no buildings should be erected and that the department should be discontinued entirely, for the reason that we have, at Ames, one of the finest engineering halls in the country, and we believe that all expenditures should be concentrated in one place.

#### DAM.

We cannot recommend an appropriation for this purpose. It is not a necessity, and the benefits that the university and its students would derive, would not justify an expenditure for that purpose.

Your committee, after an earnest endeavor to get an understanding of the needs of this school; to understand the magnitude of the enterprise, both in its work and expenditures, to know what has been done for the school by the State in the way of appropriations and by the school management in carrying out the promises made and plans proposed, have become firmly convinced that no Legislature or committee thereof can, in the short time allowed for that purpose, become so conversant with the workings of the institution, with its actual, present, pressing needs, or form such safe judgment of its probable growth and future needs as to be able to safely legislate for it in the matter of appropriations.

We believe, in the interest of the tax payers of the State, and its educational institutions, there should be chosen a competent board of management for the three State educational institutions, in whose hands should be placed their financial management; that under such board management it will be possible to expend the moneys of the State more judiciously than it has heretofore been done; that only under such management can the most urgent need be known and met, and each institution be assured its fair and appropriate share of the State money to do the work it should do.

We believe that such management will ultimately do away with much unnecessary duplication in work and unnecessary expenditure of money, and will put the proposition of the expenditure of the State's appropriation for educational institutions on a proper business basis.

We do, therefore, heartily recommend the establishing and appointment of such a board.

F. L. MAYTAG,  
F. F. JONES.

#### MINORITY REPORT ON STATE UNIVERSITY.

HON. JOSEPH MATTES, Chairman of Appropriations Committee :

I had the honor to be selected as a member of the committee whose duty it was to visit the State University and examine into the needs thereof and report thereon with recommendations. I am not able to concur in the report filed by my colleagues, and submit the following as my minority report:

The committee visited the university as required by them on the 12th, 13th, 14th and 15th days of February, A. D. 1904.

#### FINDINGS

I found the State University one of the State's greatest institutions, whose faculty and officers are doing everything in their power to make it an institution attractive to the youth of Iowa, and to make for it a reputation for learning and research equal to that of any university in the nation. There was manifest in the student life a moral tone and condition which indicated that the influences surrounding those who attend the institution are good. I found several departments of the university over-crowded and hampered for want of room, equipment and supplies; noticeably, the dental, engineering, library, museum and electrical laboratory. I conclude that more room, equipment and supplies are necessary for the main-

tenance and development of the university, and believe that the recommendations in the majority report are wholly inadequate therefor.

I, therefore, recommend that there be appropriated for the State University at Iowa City, the following amounts:

MUSEUM.

In order for the preservation and use of the collections now in the museum, and to carry on the research and investigation incident to that department, there should be appropriated therefor, for the annual use thereof, the sum of.....\$ 10,000

OTHER APPROPRIATIONS.

For library (annually).....	\$ 10,000
For repair and contingent fund (annually).....	5,000
For university extension (annually).....	2,500
Paving and sidewalks (not annually).....	8,000
For extension of tunnel to medical building (not annually).....	10,000
For equipment and supplies (not annually).....	15,000

FOR ADDITIONAL SUPPORT FUND.

(a) Fixed charges (annually).....	5,000
(b) Summer sessions (annually).....	1,000
(c) Graduate university scholarship in standard colleges (annually).....	1,000
(d) College of Liberal Arts.	
1. Equipment (annually).....	3,000
2. Applied Science (annually).....	7,000
3. Political and Social Science (annually).....	2,500
(e) College of Law (annually).....	1,000
(f) College of Medicine (annually).....	5,000
(g) College of Dentistry (annually).....	5,000
(h) College of Pharmacy (annually).....	500
(i) Nurses Training School (annually).....	1,000

FIRE LOSS.

For construction and equipment of buildings to make good fire loss of March 10, 1901, the sum of (not annually).....\$ 90,000

DAM.

In reference to this matter, it must be understood that for years there has been maintained and operated a water power plant just above the grounds of the university. The dam across the Iowa river, which furnished this power, went out during the last year.

The owner of the riparian rights and privileges offers to donate the same to the State for the use of the university. It will require funds to protect and preserve these rights and to rebuild the dam. After the dam has been rebuilt, the State will have a valuable property, consisting of riparian rights, privileges, and water power.

I, therefore, recommend an appropriation for this purpose, (not annually) in the sum of.....\$ 5,000

#### THE OLD CAPITOL BUILDING.

One of the most interesting structures in the State of Iowa is the old capitol building, about which the other buildings of the University cluster. It is interesting for its architectural appearance, as well as for its history. This building should be repaired and preserved.

I, therefore, recommend that the same be, under the supervision of the architect of the State of Iowa, or the one consulted by the Board of Control, properly repaired, and that there be appropriated for that purpose the sum of (not annually) \$15,000

#### ENGINEERING DEPARTMENT.

I do not favor the doing away with this very important department of the University. There are students who come to this institution for advanced work, or for work of such a character not obtainable in other institutions of the State, and who desire, while they are doing such work, to acquire some practical knowledge of engineering and kindred subjects. Under the present arrangements, this class of students can be accommodated; otherwise, they would be obliged to take a part of their educational studies at one institution and a part at another at great expense and inconvenience. I am not able to conceive of a great university, at which knowledge, as to practical engineering and like subjects, is not obtainable. I would further suggest, that under the grant of land to the University and the laws establishing the same, it was contemplated the establishment of a great university, and to take from it, one of the most useful departments, would be in violation of the spirit and intent of the fundamental laws creating the same.

#### BOARD OF CONTROL FOR STATE EDUCATIONAL INSTITUTIONS.

While this question was not specially referred to this committee, yet I can see no reason why the suggestion is not a good one, and I concur with my colleagues in their recommendations in reference thereto.

## CONCLUSION.

I regret my inability to join with the other members of this committee in their report. I regret that I was not able to file this minority report with the majority report. I was not informed that the majority report was to be filed at the time it was filed, and had no opportunity to prepare this minority report and submit it therewith.

Respectfully submitted,

E. W. WEEKS.

March 18, 1904.

On motion of McNie of Benton the House adjourned until 2 o'clock P. M.

AFTERNOON SESSION.  

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House met pursuant to adjournment.

Speaker Clarke in the chair.

## PETITIONS AND MEMORIALS.

Clarke of Dallas presented two petitions of meat producers of Dallas county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Clarke of Dallas presented memorial of Miles Post No. 45, G. A. R. relative to the establishment of a State park at Davenport.

Referred to committee on Appropriations.

Clarke of Dallas presented memorial of the Presbytery of Fort Dodge relative to the mulct law.

Referred to committee on Suppression of Intemperance.

Martin of Pottawattamie presented memorial of the Abe Lincoln Post No. 29 G. A. R., relative to House file No 301.

Referred to committee on Appropriations.

On request of Robinson of Emmet leave of absence was granted Pritchard of Wright until Monday.

On request leave of absence was granted Lister of Grundy until Tuesday.

## BILLS ON THEIR PASSAGE.

On motion of Hart of Allamakee, House file No. 374, a bill for an act to amend sections 430 and 433 of the code, relative to the power and duty of boards of supervisors with regard to indigent

soldiers, sailors and marines, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Hart moved that the rule 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. Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carstensen, Cassel, Cheney, Clary, Cobb, Coburn, Crose, Davie, Doran, English, Flenniken, Geneva, Greeley, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Kendall, Kling, Laird, Leech, Lowrey, Lundt, McAllister, McClurkin, McCreary, Maben, Manning, Mattes, Morris, Mott, Nichols, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Summers, Teter, Washburn, Weeks, Whiting, Wright, Mr. Speaker—59.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Carden, Chassell, Christianson, Colclo, Conn, Cummings, Dashiell, DeLano, Dow, Freeman, Frudden, Greene, Gregory, Hakes, Jepson, Jones, Kennedy, Koontz, Lamkin, Langan, Lister, McCulloch, McDole, McElrath, McNie, Martin, Offill, Olson, Peet, Powers, Pritchard, Saylor, Stanbery, Teachout, Temple, Welden, Whitmer, Willson, Wise, Wyland—41.

So the bill passed and the title was agreed to.

On motion of Skinner of Union, House file No. 248, a bill for an act to repeal section 479 of the code of Iowa, relating to the compensation of county auditors and to enact a substitute therefor, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.



Mr. Skinner moved the adoption of the following amendment recommended by the committee :

Amend by striking out the words "of Iowa" from line one (1) of section one (1).

Adopted.

Mr. Skinner moved that the rule 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. Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carstensen, Chassell, Cheney, Clary, Cobb, Coburn, Colclo, Crose, Davie, Doran, Flenniken, Geneva, Greeley, Hambleton, Hanna, Harris, Head, Heles, Hollembeak, Hume, Jacobson, Kendall, Kling, Laird, Langan, Lowrey, Lundt, McAllister, McCreary, McNie, Maben, Manning, Mattes, Morris, Mott, Nichols, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Summers, Temple, Washburn, Weeks, Whiting, Wright, Mr. Speaker—58.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Carden, Cassel, Christianson, Conn, Cummings, Dashiell, DeLano, Dow, English, Freeman, Frudden, Greene, Gregory, Hakes, Hart, Jepson, Jones, Kennedy, Koontz, Lamkin, Leech, Lister, McClurkin, McCulloch, McDole, McElrath, Martin, Offill, Olson, Peet, Powers, Pritchard, Saylor, Stanbery, Teachout, Teter, Welden, Whitmer, Willson, Wise, Wyland—42.

So the bill passed.

Skinner of Union moved to amend the title by striking out the words "of Iowa" therefrom.

Adopted.

Title as amended agreed to.

Jepson of Woodbury desired the Journal to show that had he been present when the roll was called on the passage of Senate Joint Resolution No. 3, he would have voted aye.

Whiting of Monona moved to adjourn to 10 A. M., Monday.

Doran of Boone moved to amend by making the hour 2 o'clock P. M.

Amendment adopted.

Motion as amended prevailed, and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 21, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. L. Walter Nine of Des Moines, Iowa.

Journal of Saturday, March 19th, was corrected and approved.

On request leave of absence was granted McCreary of Appanoose until tomorrow.

On request of Geneva of Keokuk leave of absence was granted Peet of Jones until tomorrow.

#### PETITIONS AND MEMORIALS.

Clarke of Dallas presented petition of citizens of Dallas county relative to House file No. 362.

Referred to committee on Railroads and Commerce.

Hart of Allamakee presented petition of business men of Postville asking the submission of a womans suffrage amendment.

Referred to committee on Constitutional Amendments.

Spaulding of Howard presented petition of citizens of Cresco relative to woman suffrage.

Referred to committee on Constitutional Amendments.

Kling of Harrison presented petition of retail merchants of Harrison county, relative to Senate file No. 171.

Referred to committee on Ways and Means.

## REPORTS OF COMMITTEES.

Buchanan of Wapello, from the committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 291, a bill for an act to amend section seven hundred and thirty-eight (738) and section seven hundred and thirty-nine (739) of the code, relative to sewers in towns and smaller 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.

A. W. BUCHANAN,  
*Chairman.*

Ordered passed on file.

Leech of Cedar, from the committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 357, a bill for an act to provide for the registration of trained or graduate nurses and for the issuance of certificates thereto, and to make it a misdemeanor for any person to advertise or profess to be a trained or graduate nurse, without having first been registered as provided herein, beg leave to report that they have 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.

L. J. LEECH,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 271, a bill for an act to regulate the practice of psychiopathy, amendatory to title XII, chapter seventeen (17) of the code, relating to the practice of medicine, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that the same be reported out without recommendation.

L. J. LEECH,  
*Chairman.*

Ordered passed on file.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 196, a bill for an act to amend the law as the same appears in section twenty-five hundred and forty-six (2546) of the code supplement.

Also, Senate file No. 200, a bill for an act making twenty thousand dollars (\$20,000) additional appropriation for the Iowa exhibit at the Louisiana Purchase Exposition at St. Louis and amendatory of the law as it appears in chapter one hundred and ninety-five (195) of the acts of the Twenty-ninth (29th) General Assembly.

Also, Senate file No. 180, a bill for an act to amend section four thousand one hundred thirty-four (4134) of chapter two (2) title XX (20) of the code, in relation to procedure in Supreme Court.

Also, Senate file No. 207, a bill for an act to provide for the disposition of property of the State used at the Louisiana Purchase Exposition and to appropriate money for that purpose.

H. L. SPAULDING,  
*Chairman House Committee.*  
D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

## INTRODUCTION OF BILLS.

By McNie of Benton, House file No. 402, a bill for an act providing for the disposition of State documents, publications and laws not required for public use.

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

By Clary of Chickasaw, House file No. 403, a bill for an act to amend section 2448 of the code, relating to sale of intoxicating liquors under the mulct law.

Read first and second time and referred to committee on Suppression of Intemperance.

By Lowrey of Calhoun, House file No. 404, a bill for an act to amend section 1313 of the code, relating to the place of listing personal property for taxation, by administrators, guardians and trustees.

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

By Calderwood of Scott, House file No. 405, 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 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 under special charter.

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

Kennedy of Lee called up the motion to reconsider the vote whereby House file No. 107 passed the House and to its third reading.

Motion 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. 112, a bill for an act to provide for the construction of sewers by incorporated 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. 118, a bill for an act to repeal section 738 of the code.

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. 260, a bill for an act to amend section 2564 of the code as amended by section 2564 of the code supplement, relating to appointment of physicians on the State Board of Health.

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 a joint convention to be held in the House chamber, Wednesday, March 23, 1904, at 12 o'clock.

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 additional employes in the document room.

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:

Concurrent resolution relative to a joint committee of eight members from the House and four members of the Senate named by the President of the Senate to go to Council Bluffs and investigate the site owned by the State whereon the buildings for the deaf and dumb are located. Committee on part of Senate are Senators Dowell, Hasselquist, Stuckslager and Young of Lee.

GEO. A. NEWMAN,  
*Secretary.*

## BILLS ON THEIR PASSAGE.

On motion of Davie of Crawford, House file No. 314, a bill for an act to compensate Frank J. Young for money paid out and services rendered while State Oil Inspector, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Davie moved that the rule 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. Bealer, Bixby, Boland, Buchanan, Calderwood, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Frudden, Geneva, Greene, Hakes, Hanna, Harris, Hart, Head, Heles, Hollebeak, Jacobson, Jepson, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lowrey, Lundt, McAllister, McDole, McNie, Maben, Manning, Martin, Morris, Mott, Nichols, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Welden, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—75.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Buckingham, Carden, Conn, Freeman, Greeley, Gregory, Hambleton, Hume, Jones, Kendall, Kennedy, Lister, McClurkin, McCreary, McCulloch, McElrath, Mattes, Offill, Olson, Peet, Powers, Saylor, Weeks, Willson—25.

So the bill passed and the title was agreed to.

On motion of Lundt of Tama, House file No. 344, a bill for an act to amend section four hundred and sixty-nine (469) of the



code, in relation to the compensation of the boards of supervisors, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Lundt moved the adoption of the following amendments recommended by the committee:

Amend by inserting after the figures (469) the words, "of the code," in the first line of section one (1); also, by inserting the word "first" after the first word "the" in line two (2) of section one (1) of the printed bill.

Adopted.

Mr. Lundt moved that the rule 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. Bealer, Calderwood, Carstensen, Cassel, Chassell, Clary, Coburn, Colclo, Crose, Davie, DeLano, English, Fleniken, Frudden, Hakes, Hanna, Jepson, Kennedy, Koontz, Laird, Langan, Leech, Lowrey, Lundt, McDole, McNie, Maben, Manning, Martin, Morris, Nichols, Prevo, Ritter, Robinson, Sankey, Shaffer, Springer, Temple, Washburn, Whiting, Whitmer, Wise, Wyland—43.

The nays were:

Messrs. Bixby, Boland, Buchanan, Cheney, Christianson, Cobb, Cummings, Dashiell, Doran, Greene, Harris, Hart, Head, Hollembeak, Jacobson, Kling, Lamkin, McAllister, Mott, Pritchard, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teter, Welden, Wright, Mr. Speaker—29.

Absent or not voting:

Messrs. Bailey, Buckingham, Carden, Conn, Dow, Freeman, Geneva, Greeley, Gregory, Hambleton, Heles, Hume, Jones, Kendall, Lister, McClurkin, McCreary, McCulloch, McElrath, Mattes, Ofill, Olson, Peet, Powers, Saylor, Teachout, Weeks, Willson—28.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Crose of Page, Senate file No. 2, a bill for an act to amend section 13 of the code, for securing to the State interest on public funds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Robinson of Emmet moved to amend by adding the following to the bill:

Sec. 2. There is hereby appropriated for the payment of surety companies on the bond of the State Treasurer and Deputy State Treasurer, out of the money in the State treasury, not otherwise appropriated, annually, the sum of three thousand dollars (\$3,000), or so much thereof as is necessary to pay the surety companies on the bonds of the State Treasurer and Deputy State Treasurer. That all interest derived from State money loaned and deposited in banks shall be paid into the State fund.

Cummings of Marshall raised the point of order that the amendment was not germane.

Point of order sustained.

Mr. Crose moved that the rule 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. Bixby, Boland, Buchanan, Calderwood, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Crose, Cummings, Davie, DeLano, Doran, Dow, Flenniken, Geneva, Hakes, Hambleton, Hart, Heles, Hellemeak, Frudden, Jacobson, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lowrey, Lundt, McAllister, McClurkin, McDole, McNie, Maben, Martin, Morris, Mott, Nichols, Prevo, Ritter, Sankey, Shaffer, Skinner, Springer, Stanbery, Stoltenberg, Teter, Washburn, Welden, Whitmer, Wright, Wyland, Mr. Speaker—61.

The nays were:

Messrs. Bealer, Greeley, Hanna, Harris, Head, Jepson, Kendall, Manning, Pritchard, Robinson, Spaulding, Summers, Temple, Whiting, Wise—15.

Absent or not voting:

Messrs. Bailey, Buckingham, Carden, Conn, Dashiell, English, Freeman, Greene, Gregory, Hume, Jones, Lister, McCreary, McCulloch, McElrath, Mattes, Offill, Olson, Peet, Powers, Saylor, Teachout, Weeks, Willsón—24.

So the bill passed and the title was agreed to.

Speaker announced that he had signed in the presence of the House, Senate files Nos. 180, 207, 196 and 200.

SENATE MESSAGES CONSIDERED.

Senate file No. 112, a bill for an act to provide for the construction of sewers by incorporated towns.

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

Senate file No. 118, a bill for an act to repeal section 738 of the code.

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

On motion of Frudden of Dubuque, House concurred in the Senate amendment to House concurrent resolution, relative to committee to visit Council Bluffs.

On motion of Spaulding of Howard, the House adjourned until 9 o'clock A. M., tomorrow.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 22, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. W. H. Sinclair of Inwood,  
Iowa.

Journal of Monday, March 21st, was corrected and approved.

PETITIONS AND MEMORIALS.

Kendall of Monroe presented petition of citizens of Monroe  
county relative to the road law.

Referred to committee on Roads and Highways.

Manning of Lucas presented memorial of Iseminger Post No.  
18 G. A. R. relative to House file No. 301.

Referred to committee on Appropriations.

McDole of Jackson presented memorial of A. P. Hovey Post  
No. 492 G. A. R. relative to House file No. 301.

Referred to committee on Appropriations.

Heles of Dubuque presented petition of Dubuque Gun Club  
relative to the game law.

Referred to committee on Fish and Game.

Doran of Boone presented petition of stock shippers of Boone  
county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Mott of Audubon presented two petitions of citizens of Des Moines relative to a juvenile court.

Referred to committee on Judiciary.

REPORTS OF COMMITTEES.

Mattes of Sac, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 116, a bill for an act providing for the compiling of a roster of Iowa soldiers, sailors and marines of the war of the Rebellion and of the Spanish-American War, beg leave to report that they have 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 Military affairs in its report shown on page 675 of the House Journal, and that when so amended that the bill do pass.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 211, a bill for an act providing for the completion of the historical, memorial and art building, and the acquisition of the real estate hereinafter described, 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.

JOS. MATTES.  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred a bill for an act to appropriate money to extend the east wings of the old flag cases in the State 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 do pass.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

Skinner of Union, from the committee on Police Regulations, submitted the following report:

**MR. SPEAKER**—Your committee on Police Regulations, to whom was referred House file No. 370, a bill for an act to protect individual liberty, to prohibit any persons from doing certain acts to intimidate, coerce or otherwise interfere with any person, firm, corporation, profession, business or public service in a lawful manner, and to provide penalties for its violation, beg leave to report that they have 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.

SCOTT SKINNER,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

**Also:**

**MR. SPEAKER**—Your committee on Labor, to whom was referred substitute for House file No. 109, a bill for an act to amend section twenty-four hundred and seventy-four (2474) of the code, relating to the report of accidents to employes, beg leave to report that they have had the same under consideration, and have instructed me to report to the House in lieu thereof the following committee bill with the recommendation that the same do pass:

HOUSE FILE NO. 407.

A BILL for an act to repeal section twenty-four hundred and seventy-four (2474) of the code, relating to the reporting of accidents to employes and to enact in lieu thereof the following:

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

Section 1. That section twenty-four hundred and seventy-four (2474) of the code be, and the same is hereby, repealed and re-enacted to read as follows:

It shall be the duty of every owner, operator, or manager of every factory, mill, workshop, mine, store, business house, public work, or any other establishment where labor is employed as herein provided to make to the Bureau such reports and returns as said Bureau may require for the purpose of compiling such labor statistics as are contemplated in this chapter, and the owner, operator, or manager shall make such reports and returns, within sixty (60) days from the receipt of blanks furnished by the Commissioner. All serious accidents to employes in the establishments included within the provisions of this section shall be reported in writing to the Bureau within five (5) days of their occurrence, stating as fully as possible the extent and cause of such injury, the name and residence of the person injured and the place where the injured person was sent; and all such reports and returns, except accidents, shall be verified under oath by such owner, operator, or manager as the case may be. Any owner, operator, or manager of any factory, mill, workshop, mine, store, business-

house, public work, or any other establishment where labor is employed as herein stated, who shall neglect or refuse to make the reports and returns to the Bureau as required by this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars (\$100) and cost of prosecution, or imprisonment in the county jail not exceeding thirty (30) days.

M. H. CALDERWOOD,  
*Chairman.*

Ordered passed on file.

Nichols of Muscatine, 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. 373, a bill for an act to amend section twenty-six hundred and eighty-five (2685) of the code, relative to the admission of children to the Orphans' Home and Home for Destitute Children, located 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 amended by substituting therefor the following:

SUBSTITUTE AS AMENDMENT FOR HOUSE FILE NO. 373.

A BILL for an act to amend section twenty-six hundred and eighty-five as it appears in the supplement of the code relative to the admission of children to the Iowa Soldiers' Orphans' Home.

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

Section 1. That section twenty-six hundred and eighty-five (2685) as it appears in the supplement of the code, be and the same is hereby amended by inserting in the first line thereof, after the word "children" the words "and grandchildren."

And when so amended that the same do pass.

J. I. NICHOLS,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Soldiers' and Orphans' Home, to whom was referred House file No. 375, a bill for an act to amend section twenty-six hundred and one (2601) and twenty-six hundred and six (2606) of the code, relative to qualifications for admission to the State 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 all after the enacting clause and substituting in lieu thereof the following:

Section 1. That section twenty-six hundred and one (2601) of the code be, and the same is hereby amended by inserting after the word "marines," in the third line thereof, the following: "and such other United States soldiers, sailors and marines who have served in time of war as may be hereinafter provided."

Sec. 2. That section twenty-six hundred and six (2606) of the code be, and the same is hereby amended by adding thereto the following: "other honorably discharged United States soldiers, sailors and marines who have served in the time of war may be admitted, subject to such rules as the said board may prescribe, but the applications of Union soldiers, sailors or marines shall have preference;" and when so amended that the same do pass.

J. I. NICHOLS  
*Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By committee on Labor, House file No. 407, a bill for an act to repeal section 2474 of the code, relating to the reporting of accidents to employees and to enact in lieu thereof the following.

Read first and second time and passed on file.

By committee on Appropriations, House file No. 408, a bill for an act to appropriate money to extend the east wings of the old flag cases in the State House.

Read first and second time and passed on file.

By Hambleton of Mahaska (by request), House file No. 409, a bill for an act to compensate C. H. Hare for money paid out and services rendered while State Oil Inspector.

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

By Weeks of Guthrie, House file No. 410, a bill for an act to amend section 491 of the code, relating to salaries of deputy county treasurers.

Read first and second time and referred to committee on Compensation of Public Officers.



Wyland of Shelby asked unanimous consent to amend the concurrent resolution relative to fixing time of adjournment by striking out the words "Saturday, April 2," and inserting in lieu thereof the words "Wednesday, April 6."

Granted and the resolution was so amended.

Mr. Wyland moved that the resolution be adopted.

Adopted.

#### MOTION TO RECONSIDER.

The following motion to reconsider was filed :

MR. SPEAKER—I move to reconsider the vote by which the concurrent resolution fixing date of adjournment was adopted.

EMORY H. ENGLISH.

I second the motion.

E. D. CHASSELL.

#### BILLS ON THEIR PASSAGE.

Hanna of Kossuth called up the motion to reconsider the vote by which House file No. 169 was lost and by which same passed to its third reading.

Motion prevailed.

Hambleton of Mahaska moved to amend by striking out the words, "the first class" and inserting in lieu thereof the words, "ten thousand population or over", so it will read "cities of ten thousand population or over".

Lost.

Mr. Hanna moved that the rule 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. Bealer, Bixby, Boland, Calderwood, Carden, Carstensen, Chassell, Coburn, Crose, Cummings, Dashiell, DeLano, Dow,

English, Flenniken, Greene, Hakes, Hanna, Hart, Head, Hollembeak, Jacobson, Jones, Kendall, Kennedy, Koontz, Lamkin, Langan, Leech, Lowrey, McAllister, McClurkin, McCulloch, Maben, Manning, Martin, Mattes, Morris, Mott, Peet, Prevo, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Teachout, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—58.

**The nays were:**

Messrs. Buchanan, Buckingham, Cassel, Cheney, Christianson, Clary, Cobb, Colclo, Doran, Geneva, Greeley, Hambleton, Harris, Kling, Laird, Lister, Lundt, McDole, McElrath, McNie, Nichols, Offill, Olson, Powers, Sankey, Summers, Teter, Washburn—28.

**Absent or not voting:**

Messrs. Bailey, Conn, Davie, Freeman, Frudden, Gregory, Temple, Heles, Hume, Jepson, McCreary, Pritchard, Springer, Wright—14.

**So the bill passed and the title was agreed to.**

On motion of Wyland of Shelby, House file No. 300, a bill for an act to indemnify H. W. Tapley for loss sustained by him by reason of the loss of valuable coins taken from the State Historical building and making an appropriation therefor, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Wyland moved that the rule 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. Bixby, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Clary, Coburn, Colclo, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin,

Langan, Leech, Lister, Lundt, McAllister, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—82.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Boland, Buchanan, Buckingham, Cassel, Cobb, Conn, Gregory, Hume, Lowrey, McClurkin, McCreary, Nichols, Saylor, Springer, Temple, Wright—18.

So the bill passed and the title was agreed to.

Hart of Allamakee called up the motion to reconsider the vote whereby House file No. 308 was lost on passage and whereby same passed to its third reading.

Motion prevailed.

Mr. Hart moved that the rule 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. Bealer, Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Chassell, Cheney, Clary, Cobb, Coburn, Crose, Cummings, Dashiell, Dow, English, Flenniken, Freeman, Geneva, Greeley, Hambleton, Hanna, Harris, Hart, Head, Hollembeak, Jacobson, Jones, Kendall, Kennedy, Kling, Koontz, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCulloch, McDole, McElrath, McNie, Manning, Mattes, Morris, Mott, Nichols, Offill, Olson, Prevo, Pritchard, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Summers, Teachout, Teter, Weeks, Welden, Wise, Wyland, Mr. Speaker—67.

The nays were:

Messrs. Colclo, Davie, DeLano, Greene, Heles, Laird, Langan, Whitmer—8.

Absent or not voting:

Messrs. Bailey, Buchanan, Cassel, Christianson, Conn, Doran, Frudden, Gregory, Hakes, Hume, Jepson, McCreary, Maben, Martin, Peet, Powers, Ritter, Sankey, Springer, Stoltenberg, Temple, Washburn, Whiting, Willson, Wright—25.

So the bill passed and the title was agreed to.

On motion of Jones of Montgomery, House file No. 371, a bill for an act to create a highway commission for the State of Iowa, and defining the duties of same, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Hambleton of Mahaska moved to amend by striking out all of subdivision three (3) of section one (1) up to and including the word "highways", and beginning the following word with a capital letter.

Adopted.

Jones of Montgomery moved that the rule 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. Bixby, Boland, Buckingham, Calderwood, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Crose, Cummings, Davie, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Green, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCulloch, McDole, McNie, Maben Manning, Mattes, Morris, Mott, Nichols,

Offill, Olson, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Washburn, Welden, Whiting, Wise, Mr. Speaker.—75.

The nays were:

Messrs. Colclo, Peet, Weeks, Whitmer—4.

Absent or not voting:

Messrs. Bailey, Bealer, Buchanan, Carden, Carstensen, Conn, Dashiell, DeLano, Gregory, Hume, McCreary, McElrath, Martin, Powers, Springer, Teachout, Temple, Teter, Willson, Wright, Wyland—21.

So the bill passed and the title was agreed to.

On motion of Carden of Henry, House file No. 293, a bill for an act to indemnify Charles H. Tribby for damages caused by sewage from the State Hospital for the Insane at Mount Pleasant, Iowa, with report of committee recommending passage as amended by substitute, was taken up and the substitute amendment read, considered, and the report of the committee adopted.

Mr. Carden moved the adoption of the following substitute amendment recommended by the committee:

A BILL for an act to indemnify Charles H. Tribby, for damages caused by sewage from the State Hospital for the Insane at Mount Pleasant, Iowa.

*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, so much as shall be found due to Charles H. Tribby for payment of damages sustained, if any, by him in consequence of the flow of sewage from the Hospital for the Insane at Mount Pleasant, Iowa, upon land rented by him during the year 1903, provided that the sum appropriated under this act shall not exceed one thousand and fifty dollars (\$1,050).

Sec. 2. The damages sustained, if any, by said Charles H. Tribby, shall be ascertained by the Board of Control of State Institutions of Iowa, and shall be paid on a voucher approved by said Board of Control in the same manner that the ordinary expenses of said institutions are paid; and if the amount found to be due by said board is accepted by said Charles H. Tribby, it shall have the force and effect of full compensation for all damages sustained by him from such flow of sewage.

Adopted.

Mr. Carden moved that the rule 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. Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Cheney, Christianson, Clary, Coburn, Colclo, Crose, Cummings, Dashiell, Davie, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Hakes, Hambleton, Hanna, Harris, Hart, Heles, Hollebeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—83.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Bixby, Chassell, Cobb, Conn, DeLano, Greene, Gregory, Head, Hume, McCreary, Ofill, Sankey, Stanbery, Temple, Wright—17.

So the bill passed and the title was agreed to.

On motion of Koontz of Johnson, House file 297, a bill for an act making appropriations to the State Historical Society of Iowa, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Koontz moved that the rule 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. Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Hart, Head, Heles, Hollebeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCulloch, McDole, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—82.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Bixby, Conn, Gregory, Harris, Hume, Koontz, Langan, McCreary, McElrath, Offill, Peet, Powers, Stanbery, Stoltenberg, Temple, Wright—18.

So the bill passed and the title was agreed to

On motion of English of Polk, House file No. 364, a bill for an act relating to the hours of labor of railway employes, and limiting the same, additional to chapter 5, title X of the code, 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, 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. Buchanan, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Clary, Coburn, Colclo, Crose, Cummings, Dashiell, Davie, DeLano, Doran, English, Flenniken,

Freeman, Frudden, Greene, Hakes, Hambleton, Hanna, Harris, Heles, Hollembeak, Jepson, Jones, Kendall, Kennedy, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McCulloch, Maben, Manning, Martin, Mattes, Mott, Nichols, Offill, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Teachout, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Mr. Speaker—67.

The nays were:

Messrs. Bealer, Cassel, Dow, Head, Jacobson, McDole, Olson, Powers, Wyland—9.

Absent or not voting:

Messrs. Bailey, Bixby, Boland, Buckingham, Cobb, Conn, Geneva, Greeley, Gregory, Hart, Hume, Kling, McClurkin, McCreary, McElrath, McNie, Morris, Peet, Saylor, Springer, Stoltenberg, Summers, Temple, Wright—24.

So the bill passed and the title was agreed to.

On motion of Mott of Audubon, House file No. 353, a bill for an act to amend sections fifty-five (55), fourteen hundred and nineteen (1419), fourteen hundred and forty-one (1441), fourteen hundred and ninety-five (1495), eighteen hundred and forty-two (1842), eighteen hundred and forty-three (1843), twenty-three hundred and eighty-eight (2388), thirty hundred and seventy-four (3074), thirty-one hundred and nine (3109), thirty-one hundred and thirty-one (3131), thirty-two hundred and eighty-four (3284) and forty-four hundred and seventy-four (4474) of the code and the law which appears as section sixteen hundred and eighteen (1618) of the supplement to the code, relating to the publication of legal notices, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Jepson of Woodbury offered the following amendment:

Amend by adding the following as section fourteen (14):

Sec. 14. That in the publication of notices as provided for by this act, when the same shall be published in any paper published oftener than once each week, the succeeding publications of such notice shall be on the same day of the week as the first publication.



Amendment accepted unanimously by the House.

Mott of Audubon moved that the rule 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. Bealer, Boland, Buchanan, Buckingham, Calderwood, Carden, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Greene, Hakes, Hambleton, Hart, Heles, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCulloch, McDole, Maben, McNie, Manning, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Wyland, Mr. Speaker—80.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bixby, Carstensen, Conn, Frudden, Geneva, Greeley, Gregory, Hanna, Harris, Head, Hume, Koontz, McCreary, McElrath, Martin, Stoltenberg, Temple, Whiting Wright—20.

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. 265, a bill for an act to protect the property of public libraries and reading rooms.

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. 142, a bill for an act to authorize the Executive Council to have surveyed and to convey an island newly formed by accretion in the Mississippi river, off the southwest portion of Green Bay township, being township 69 north, range 3 west, 5th P. M., in Lee 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. 258, a bill for an act to amend chapter 14, title XIII of code, relating to the system of common schools and the incurring of indebtedness for schoolhouse 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. 387, a bill for an act to amend section 4807 of the code making it a crime to maliciously injure or destroy any electric motor, electric light, gas or water plant or any apparatus connected therewith.

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. 310, a bill for an act to authorize cities to protect lots, lands and property within their limits from danger and damage from floods

and high water, by deepening, widening, straightening, altering or changing and otherwise improving water courses within their limits and by constructing levees, embankments and other works and to provide for the levy of special assessments and other taxes and the issuance of bonds and certificates to defray the expense of such improvement, additional to chapters 7 and 8, title V, 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 Senate was asked:

House file No. 302, a bill for an act to amend section 212 of the code, relating to the salary of the Assistant Attorney General, and fixing his compensation.

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. 382, a bill for an act making it a crime to wilfully take any electric current, gas or water from the wires, meters, pipes or any apparatus of any electric, motor, gas or water plant, with intent to defraud. (Additional to chapter five, title XXIV 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. 304, a bill for an act to repeal section 2078 of the code and to enact a substitute therefor, and providing for a classification of ra ways.

GEO. A. NEWMAN,  
*Secretary.*

#### SENATE MESSAGES CONSIDERED.

Senate file No. 310, a bill for an act to authorize cities to protect lots, land and property within their limits from danger and damage from floods and high water by deepening, widening,

straightening, altering or changing and otherwise improving water courses within their limits, and by constructing levees, embankments and other works and to provide for the levy of special assessments and other taxes and the issuances of bonds and certificates to defray the expenses of such improvements, additional to chapters 7 and 8 of title V of the code.

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

Senate file No. 266, a bill for an act to amend sections 728, 729 and 731 of the code, relating to the appointment of library trustees, their powers and duties.

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

Senate file No. 142, a bill for an act authorizing the Executive Council to have surveyed, and to convey an island newly formed by accretion in the Mississippi river off the southeastern portion of Green Bay township, being township 69 north, range 3 west of the 5th P. M. in Lee county.

Read first and second time and referred to committee on Public Lands and Buildings.

On request of Wise of Black Hawk, by **unanimous** consent, House file No. 304, a bill for an act to repeal section two thousand and seventy-eight (2078) of the code, and enact a substitute therefor, and providing for the classification of railways, with Senate amendments, was taken up **and the** amendments read and **considered**.

**Mr. Wise** moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

**Messrs. Bealer, Boland, Calderwood, Carden, Carstensen, Cheney, Christianson, Cobb, Coburn, Colclo, Crose, Dashiell, Davie, DeLano, Doran, Dow, Flenniken, Freeman, Greene, Hamblton, Hanna, Hart, Heles, Hollebeak, Jacobson, Jones,**

Kendall, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Offill, Olson, Powers, Prevo, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Wyland, Mr. Speaker—70.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bixby, Buckingham, Buchanan, Cassel, Chasell, Clary, Conn, Cummings, English, Frudden, Geneva, Greeley, Gregory, Hakes, Harris, Head, Hume, Jepson, Kennedy, Kling, Koontz, McClurkin, McCreary, Nichols, Peet, Pritchard, Temple, Whiting, Wright—30.

So the House concurred in the Senate amendment.

Buchanan of Wapello moved that the report of the Board of Control, made in response to a resolution asking for same, be received, passed on file, and printed in the Journal of today.

Motion prevailed.

#### REPORT OF BOARD OF CONTROL.

*To the House of Representatives of the Thirtieth General Assembly of Iowa:*

We beg to acknowledge the receipt of a copy of the resolution adopted by you on the 19th day of March, A. D. 1904, which reads as follows:

*Resolved by the House, That the Board of Control be requested to furnish to this House by Tuesday, March 22, 1904, a statement showing the unexpended balance in each of the separate funds for the different institutions under control of said Board remaining in the hands of the Treasurer of State on March 1, 1904; this statement also to include the unexpended balances of the support fund for each institution on the above date; also the date when the appropriations were made for the different amounts of unexpended balances.*

In response to the resolution we submit herewith a tabulated statement showing the unexpended balances in each fund of each institution under our control on the first day of March, A. D. 1904, and the act by which it was appropriated. If it be your desire to ascertain the balances which are not needed for the object for which appropriated, the statement is insufficient for your purpose in that it does not show the obligations for which the balances are pledged. In order to give this information in a general way we respectfully submit the following:

Chapter 180 of the acts of the Twenty-ninth General Assembly provided that \$200,000 of the money thereby appropriated for the institutions under our control should not be drawn before July, 1903. In several cases the money appropriated proved to be insufficient for the purposes desired, and in other cases repeated changes in plans and repeated efforts to get bids were necessary before the bids were received which could be accepted. In consequence of these causes of delay contracts for numerous buildings and other improvements were not let until late in the year 1903 and many of them are not yet completed and money for them is yet in the State treasury. The actual condition of the funds is more particularly shown for each institution as follows:

#### PENITENTIARY AT ANAMOSA.

The walls of the north cell house are nearly completed, but the roof is not yet in place.

The steel for the structural work has been purchased and is being made ready for use by prison labor.

The balance of \$3,329.12 for enclosing the cell house is not sufficient to complete the roof, and

The balance of \$1,568.22 in the machinery and repair of water system fund and other valuable balances will be needed for that purpose.

The building for cold storage has been commenced and the balance of \$3,218.67 will be required to complete it.

The balance of \$423.15 in shop building fund will be needed to complete the building and its equipment.

Of the \$1,200 appropriated for land by the Twenty-eighth General Assembly \$250 have not been used in consequence of the refusal of the owner of the land to accept the price which he was understood to have fixed. The land should be purchased and we still hope that a fair price for it will be made.

The balance of \$534.71 for laundry equipment will be required to complete the equipment and connections.

The cost of transporting discharged convicts, freight on stone, derrick supplies, powder and fuse and other items for which appropriations are necessarily made are not fixed, but vary from year to year.

Various small balances will be required from time to time for the purposes for which appropriated, and some will be needed for current uses before other appropriations are available.

The funds for books, periodicals and amusements are derived from gate fees paid by visitors, and are larger than needed for the designated purposes.

#### CHEROKEE STATE HOSPITAL.

Two of the three balances to the credit of this institution are insufficient for the purposes for which intended.

The balance of \$797.05 in the land fund is held for the payment of a tract of land for which the State has a contract, but the title of which is not yet perfected.

## CLARINDA STATE HOSPITAL.

The balance of \$411.16 is held to secure the performance of a contract to make certain cisterns hold water.

The appropriations of \$6,000 for shop building and equipment and \$4,000 for coal house, ash elevator and equipment were found to be wholly insufficient for the designated purposes and further appropriations to enable us to make these improvements are now asked.

The balance of \$537.70 in engine for dynamo fund is required for an electric motor which is much needed.

The balance of \$2,089 in the land fund is needed for the purchase of land so soon as it can be secured at a satisfactory price, but it is not yet pledged.

## SCHOOL FOR THE DEAF.

The balance of \$1,318.06 for increase of water supply in artesian wells cannot be used for any other purpose. Payments are made from the fund from time to time to keep the wells and pumps in proper order.

The appropriation of \$500 for soap house and vats was found to be insufficient and a further appropriation of \$300 was made by the Twenty-ninth General Assembly. Before it could be used the main building of the School was destroyed by fire and it was thought to be inadvisable to use that money or the \$1,500 for a new coal house, the \$2,000 for lowering and resetting boilers, the \$300 for watchmen's clock and \$500 for fencing before a plan for rebuilding the institution should be authorized and adopted. Only a part of the appropriation for type and tools has been used for the same reason.

The appropriation of \$400 was designed to establish electrical power in the industrial building, but has not been used for the reason that the building was required as a dormitory for boys after the fire.

The appropriation of \$1,000 for changing and putting in new heating apparatus was for the building which was destroyed and is not available for any other purpose.

## SOLDIERS' ORPHANS' HOME.

The apparent balances in two land funds aggregate \$1,652.50, but bills for abstract and recording to the amount of about \$50 are unpaid. Negotiations are pending for a cattle way to connect parts of the institution farm separated by a railway, and the purchase of some two acres of land may be necessary at a cost of about \$300. We are of the opinion, however, that \$1,350 of the two balances may be safely reappropriated.

## INDUSTRIAL SCHOOL FOR BOYS.

The Twenty-eighth General Assembly appropriated \$3,000 for changing the old heating station to a cold storage department. After the heating plant was moved out, it was found that the condition of the building, which was old and poor, was so bad that we should not be justified in attempting to establish a cold storage in it, and the plan was necessarily abandoned. Some of the materials for the change have been purchased and are now stored and available for a new building, but the fund cannot be used for

such a building without legislative action, and is wholly insufficient for such a purpose. We are asking an additional appropriation to enable us to construct a store building with a cold storage department.

The balance of \$275.55 for new tank and extension of tower is insufficient for either purpose.

The balance of \$269.35 in fire escape and extinguishers fund is needed for the purpose for which appropriated.

The new schoolhouse is nearly ready for use, but has not been accepted nor furnished. The balance of \$3,270.30 in school building fund is needed to pay the balance which will be due the contractor and to furnish and equip the building.

The appropriation of \$2,100 for converting old schoolrooms into sitting-rooms will be needed as soon as the new schoolhouse is ready for use.

The balance of \$433.51 in shop building fund is required to pay the balance which will be due the contractor and for equipment and connections.

#### PENITENTIARY AT FORT MADISON.

The appropriation of \$350 for a furnace is not needed for that purpose and cannot be used for any other. We ask for authority to use it with other appropriations and balances to construct new walks or balconies around the cell bank used by prisoners and all others in going to and from the cells. The existing balconies are old, dilapidated and must be replaced. The sums available for this purpose are the balance of \$799.62 in the ventilating cell-house fund, the \$1,200 in locks for cells fund, and the \$200 for extension of smokestack fund. These four sums will make about what is needed for the new balconies.

The balance of \$6,659.31 in the new power house fund is required to complete the building and for new boilers and other equipment with connections, as contemplated by the appropriation.

The construction of the new building for hospital library and schoolroom was deferred until after June 30, 1903. We made repeated efforts during 1903 to let contracts for the building, but failed to secure bids within the appropriation. The plans and specifications have been modified repeatedly to reduce the cost, and arrangements have now been made which insure the construction of the building for the sum available, and material for it is being delivered. The building is so located as to make it advisable to connect the new wall with it, hence the wall has not been commenced, but will be as soon as possible. There is no doubt the entire amount of \$50,000 will be needed for the two purposes.

The appropriation of \$2,000 for laundry and equipment has not been used for the reason that the rearrangement of buildings required by the various improvements authorized has not yet been possible. The new power house is however nearly ready for use. The changes can then be made and the new laundry will doubtless be fitted up during this year. All of the appropriation of \$2,000 will be needed for that purpose.



As stated in connection with the penitentiary at Anamosa the cost of transporting discharged convicts is variable and cannot be accurately determined in advance.

It is also true here as at Anamosa that the fund for books, periodicals and entertainments derived from gate money is larger than is needed for the uses for which intended.

#### INSTITUTION FOR FEEBLE-MINDED CHILDREN.

The two cottages and the fire station heretofore authorized for this institution are nearly completed, but have not yet been accepted, and full payment for them has not yet been made.

All of the balances of \$783.50 in the fire building and equipment fund and \$12,950.69 in the double cottage fund for boys will be needed for the purposes for which they were appropriated and will not be sufficient.

The balance of \$896.22 in the roofing of the custodial and parts of the main building fund is most urgently needed for repairing the custodial building, but is so small as compared with the cost of the necessary repairs that we have been forced to ask for an additional appropriation before commencing the work.

The appropriation of \$5,500 for new boilers, generators and electrical equipment, of which a balance of \$889.60 remains, proved to be insufficient for the purpose, and the balance stated is held until a further appropriation can be made for the needed machinery, the generator not having been purchased. The deficiency was caused, in part, by the storm, which destroyed the boiler house. After the appropriation of \$1,500 for repairs to boiler house and coal shed had been made, a right of way through the institution grounds for the construction of a railway was granted. This right of way includes a part of the coal house site. A storm subsequently destroyed the smokestack and a part of the coal house and boiler house, and in consequence, it seemed inadvisable to spend more of the fund than was absolutely needed to keep the boiler house and part of the coal shed which remained, in condition for use. Doubtless, portions of the balance of \$1,066.66, and perhaps all of it, will be needed for repairs before a new power plant can be constructed.

The appropriation of \$1,500 for a new bake oven has not been used as the old oven has been kept in reasonably good condition for use, but a new oven must be constructed within a short time.

#### INDEPENDENCE STATE HOSPITAL.

The appropriation of \$6,000 for fans, tempering coils and connections has not been used for the reason that the system installed in one section of the hospital was not in all respects satisfactory at the first and we desired to test it thoroughly before installing it in the remainder of the main building. The system now appears to be working well, and we expect to install it in the remainder of the building during the current year.

The appropriation of \$1,500 for the elevator proved to be wholly insufficient. We have been unable to secure another section for the mangle

now in use as it is not now made and the sum appropriated, \$1,200, is not enough for the purchase of a new mangle of the required capacity.

We desire to use the balance of \$492.25 in the land fund with a further appropriation we have asked for, to purchase a needed tract of land for which we have an option.

#### IOWA SOLDIERS' HOME.

The appropriation of \$600 for a gate house and \$163.76 for a gateway were insufficient for the purpose specified.

The appropriation of \$3,500 for an elevator in the main building has not been used as the need for it has not yet been sufficiently pressing.

#### INDUSTRIAL SCHOOL FOR GIRLS.

The balances of \$252 for family building and \$195.85 in the sewage disposal system fund are pledged by existing and unfinished contracts.

#### MOUNT PLEASANT STATE HOSPITAL.

The balance of \$1,301.80 in the new closets, plumbing and repair fund is much needed for the purposes for which it was intended and is being used as rapidly as the force at the disposal of the hospital can install new work.

The balance \$674.39 in the roof for kitchen and down spouts fund is needed, and more for the purposes specified. The new greenhouse is not fully completed and the balance of \$365.04 in the removal of the old greenhouse fund is needed for the designated purpose.

The balance of \$284.62 in the farmers' cottage fund is needed to complete the cottage.

The balance of \$421.30 in the new barn fund is needed to complete it.

The balance of \$6,526.85 in the sewage disposal plant fund is held until the plant shall be made to work as required by the contract for it, and the balance of \$3,364.39 in the new laundry fund is needed for the completion and equipment of the new laundry building which is now nearly finished. The building has not been accepted and a part of the contract price is unpaid. Much new machinery will be required for it and all of the sum available for these purposes will be required for them.

#### COLLEGE FOR THE BLIND.

The oculist fund of which a balance of \$400 still remains, is drawn on from year to year for the treatment of the eyes of the college students and it should not be used for any other purpose.

#### INDUSTRIAL HOME FOR THE BLIND.

The balance of \$3,092.55 to the credit of this institution is designed for the care of the Home property. The balance will be needed for that purpose unless the property shall be devoted to new uses. If that is done so much of the balance as remains after some small but unliquidated bills are paid may well be appropriated for the new institution.

We have not referred to balances in the support and contingent and repair funds, nor to numerous small balances in various funds. Many of them will be needed for the purposes for which appropriated before new

appropriations become available. Many of them are covered by estimates already made for supplies and various kinds of property needed for the institutions.

The aggregate of balances in all funds on the first day of March, A. D. 1904, was ..... \$245,954.15

These balances, exclusive of those in the support and contingent and repair funds, and in the library and amusement funds of the penitentiaries, may be summarized as follows:

Total in the funds not excluded..... \$165,255.23

Required by existing contracts and for improvements and other uses which have been authorized but not completed.....\$142,664.35

Other balances for various purposes as for salaries of foremen, freight on stone, transportation of discharged convicts and other objects..... 19,890.88

Available for reappropriation..... 2,700.00

Total..... \$165,255.23

Respectfully submitted,  
BOARD OF CONTROL OF STATE INSTITUTIONS.

By JOHN COWNIE,  
*Chairman.*

STATEMENT OF UNEXPENDED BALANCES AT STATE INSTITUTIONS, MARCH 1, 1904.

IOWA STATE PENITENTIARY, ANAMOSA.

Number.	For What Purpose.	Section.	Chapter.	General Assembly.	Amount.
1	SUPPORT FUND, Code, section 5718 .....				\$ 6,948.88
2	Rotary oven fund .....		184	26	176.75
3	Completing female department .....		150	27	18.77
4	Iron gratings and hinges, north cell house .....		150	27	18.75
5	Library, Code, section 5685 .....				329.59
6	Enclosing north cell house .....	8	150	28	3,329.12
7	Lime and cement .....	8	150	28	115.67
8	Nails and spikes .....	8	150	28	5.10
9	Lumber for stockade and scaffolding .....	8	150	28	172.51
10	Lumber, steel, nails, etc. ....	8	150	28	3,218.67
11	Gutters and slate roof repairs .....	8	150	28	206.10
12	Hog house and barn .....	8	150	28	15.35
13	Shop building .....	8	150	28	423.15
14	Purchase of land .....	8	150	28	250.00
15	Iron beams, tile, slate, etc. ....	8	150	28	115.38
16	Transportation discharged convicts .....	8	150	28	872.23
17	Finishing walls, north cell house .....	14	180	29	299.62
18	Freight on stone .....	14	180	29	1,764.24
19	Salaries of foremen .....	14	180	29	1,904.11
20	Derrick supplies .....	14	180	29	355.87
21	Powder and fuse .....	14	180	29	180.89
22	Tools .....	14	180	29	24.81
23	Laundry equipment .....	14	180	29	594.71
24	Machinery and repairs of water system, etc. ....	14	180	29	1,588.22
25	Cement .....	14	180	29	240.00
26	Transportation discharged convicts .....	14	180	29	1,000.00
27	Contingent and repair .....	14	180	29	1,515.66
28	Support of warden .....	30	178	29	62.50
29	Books and periodicals .....	1,2	187	28	1,355.29
30	Lectures, concerts, etc. ....	1,2	187	28	448.00
	Total .....				\$ 27,459.84

CHEROKEE STATE HOSPITAL, CHEROKEE.

Number.	For What Purpose.	Section.	Chapter.	General Assembly.	Amount.
31	SUPPORT FUND .....	1,2	157	29	\$ 59.07
32	Purchase of additional land .....	1,2	183	29	797.05
33	Contingent and repair .....	1,2	183	29	217.32
	Total .....				\$ 1,073.44

## CLARINDA STATE HOSPITAL, CLARINDA.

Number.	For What Purpose.	Section.	Chapter.	General Assembly.	Amount.
34	SUPPORT FUND, Code, section 2257.....	1	157	29	\$ 6,098.29
35	Converting well into cistern .....	5	150	29	411.16
36	Enlarging shop building and for equipment.....	12	180	29	6,000.00
37	Coal house, ash elevator and equipment .....	12	180	29	4,000.00
38	Engine for dynamo.....	12	180	29	537.70
39	Purchase of land .....	12	180	29	2,089.00
40	Contingent and repair .....	12	180	29	80.97
Total.....					\$ 19,217.12

## SCHOOL FOR THE DEAF, COUNCIL BLUFFS.

Number.	For What Purpose.	Section.	Chapter.	General Assembly.	Amount.
41	SUPPORT FUND.....	1	122	29	\$ 10,118.94
42	Increase of water supply in artesian wells .....	1	154	27	1,318.06
43	Soap house and vats .....	15	150	23	500.00
44	New coal house.....	6	180	29	1,500.00
45	Laundry machinery.....	6	180	29	364.96
46	Type and tools for industrial work .....	6	180	29	313.00
47	Watchman's clock and installing same .....	6	180	29	300.00
48	Electrical power, etc.....	6	180	29	400.00
49	New range and furnishings .....	6	180	29	182.65
50	Fencing and fences .....	6	180	29	500.00
51	Changing and putting in new heating apparatus .....	6	180	29	1,000.00
52	Soap house and vats.....	6	180	29	300.00
53	Lowering and resetting boilers .....	6	180	29	2,000.00
Total.....					\$ 18,797.61

## SOLDIERS' ORPHANS' HOME, DAVENPORT.

Number.	For What Purpose.	Section.	Chapter.	General Assembly.	Amount.
54	SUPPORT FUND, Code, section 2691.....	.....	.....	.....	\$ 75.97
55	Library .....	13	150	28	60.32
56	Purchase of land .....	13	150	28	252.50
57	Disposal of sewage .....	4	180	29	2,609.13
58	Contingent and repair .....	4	180	29	2,144.52
59	Purchase of land, Senate file No. 6 .....	.....	.....	30	1,400.00
Total .....					\$ 6,542.44

## INDUSTRIAL SCHOOL FOR BOYS, ELDORA.

Number.	For What Purpose.	Section.	Chapter.	General Assembly.	Amount.
60	SUPPORT FUND, Code, section 2718.....				\$ 7,070.00
61	Changing heating system to cold storage .....	9	150		1,684.81
62	New tank, extension of town standpipe, etc .....	9	150		275.55
63	Fire escapes and extinguishers.....	9	150		269.55
64	School buildings and furnishing, and equipping same.....	8	180		3,270.50
65	Furnishing old school rooms for sitting rooms .....	8	180		2,100.00
66	Repairing walls, main building, etc. ....	8	180		290.46
67	Library books, magazines, etc. ....	8	180		281.52
68	Shoe building, etc. ....	8	180		458.51
69	Engine and generator .....	8	180		15.90
70	Contingent and repair.....	8	180		399.71
	<b>Total</b> .....				<b>\$ 18,564.16</b>

## IOWA STATE PENITENTIARY, FORT MADISON.

Number.	For What Purpose.	Section.	Chapter.	General Assembly.	Amount.
71	SUPPORT FUND, Code, section 5718.....				\$ 21,892.56
72	Furnishing furnace, warden's residence.....	2	147	27	350.00
73	Ventilating cell house.....	7	150	28	799.62
74	Locks for cells.....	7	150	28	1,200.00
75	Extension to smokestack.....	7	150	28	200.00
76	Books and periodicals.....	1 & 2	137	23	3,064.89
77	Lectures and entertainments.....	1 & 2	137	23	631.87
78	New power house, smokestack, etc. ....	13	180	29	6,669.31
79	New building for hospital, library, etc .....	13	180	29	30,000.00
80	Laundry and equipment .....	13	180	29	2,000.00
81	New prison walls.....	13	180	29	20,000.00
82	Transportation discharged convicts.....	13	180	29	997.71
83	Contingent and repair .....	13	180	29	426.99
84	Support of warden.....	30	178	29	62.50
85	Warden's house.....	31	178	29	3.02
	<b>Total</b> .....				<b>\$ 88,218.47</b>

## INSTITUTION FOR FEEBLE-MINDED CHILDREN, GLENWOOD.

Number.	For What Purpose.	Section.	Chapter.	General Assembly.	Amount.
86	SUPPORT FUND, Code, section 2700 .....				\$ 2,749.83
87	Fire building and equipment.....	11	150	28	783.50
88	Erection, furnishing and equipment two double cottages .....	7	180	29	12,950.69
89	Roofing custodial and parts of main building, etc .....	7	180	29	8-6 22
90	New boilers and generators, etc. ....	7	180	29	839.60
91	Repairs to boiler house and coal sheds.....	7	180	29	1,066.66
92	New bake oven .....	7	180	29	1,500.00
93	New pump, pipe, motor and connections .....	7	180	2-1	170.18
94	Contingent and repair.....	7	180	29	560.49
	<b>Total</b> .....				<b>\$ 21,567.17</b>

## INDEPENDENCE STATE HOSPITAL, INDEPENDENCE.

Number.	For What Purpose.	Section.	Chapt-r.	General Assembly.	Amount.
95	SUPPORT FUND, Code, section 2257.....				\$ 89. 11
96	Fans, tempering coils and connections.....	11	180	29	6,000. 00
97	Palm house, with heat.....	11	180	29	388. 29
98	Ice house and refrigerator.....	11	180	29	10. 86
99	Electric motor for elevator and connections.....	11	180	29	1,500. 00
100	Section for mangle.....	11	180	29	1,200. 00
101	Purchase of land.....	11	180	29	492. 25
102	Contingent and repair.....	11	180	29	1,410. 32
	<b>Total.</b> .....				<b>\$ 11,089. 83</b>

## IOWA SOLDIERS' HOME, MARSHALLTOWN.

Number.	For What Purpose.	Section.	Ch-pter.	General Assembly.	Amount.
103	SUPPORT FUND, Code, section 2608.....				\$ 112. 69
104	Gate house.....	14	150	23	600. 00
105	Stone gateway.....	14	150	23	163. 76
106	Elevators, main building; connections and equipment for same, etc.....	3	180	29	3,500. 00
	<b>Total.</b> .....				<b>\$ 4,376. 45</b>

## INDUSTRIAL SCHOOL FOR GIRLS, MITCHELLVILLE.

Number.	For What Purpose.	Section.	Chapter.	General Assembly.	Amount.
107	SUPPORT FUND, Code, section 2713.....				\$ 8. 41
108	Family building, etc.....	9	180	29	252. 00
109	Library books, magazines, etc.....	9	180	29	65. 58
110	Chaplain fund.....	9	180	29	146. 50
111	Sewage disposal system.....	9	180	29	195. 58
112	Contingent and repair.....	9	180	29	299. 65
	<b>Total.</b> .....				<b>\$ 987. 99</b>

## MOUNT PLEASANT STATE HOSPITAL, MOUNT PLEASANT.

Number.	For What Purpose.	Section.	Chapter.	General Assembly.	Amount.
113	SUPPORT FUND, Code, section 2257.....				\$ 3,902.46
114	Telephone system.....	3	150	28	58.50
115	Exhaust system of ventilation.....	3	150	28	18.83
116	New closets, plumbing and repairs.....	10	180	29	1,301.80
117	Deep well, pumps, etc.....	10	180	29	213.03
118	New brick smokestack.....	10	180	29	122.15
119	Floors repairs to floors, furniture, etc.....	10	180	29	163.71
120	Food elevators and equipment.....	10	180	29	217.61
121	Roof for kitchen, down spouts, etc.....	10	180	29	674.39
122	Painting.....	10	180	29	87.31
123	Library books, magazines, etc.....	10	180	29	687.07
124	Removal of old greenhouse, etc.....	10	180	29	385.04
125	Farmer's cottage.....	10	180	29	284.62
126	New barn.....	10	180	29	421.30
127	Purchase of cows.....	10	180	29	80.23
128	Sewage disposal plant, etc.....	10	180	29	6,526.85
129	Contingent and repair.....	10	180	29	542.11
130	Laundry building, etc.....	1, 2 & 3	181	29	3,364.59
	Total.....				\$ 19,011.20

## IOWA COLLEGE FOR THE BLIND, VINTON.

Number.	For What Purpose.	Section.	Chapter.	General Assembly.	Amount.
131	SUPPORT FUND.....	1	121	29	\$ 7,287.02
132	Oculist.....	1	127	20	400.00
133	Contingent and repair.....	5	180	29	339.36
	Total.....				\$ 8,026.38

## INDUSTRIAL HOME FOR THE BLIND, KNOXVILLE.

Number.	For What Purpose.	Section.	Chapter.	General Assembly.	Amount.
134	Closing Home, repairs, etc.....	6 15	103 180	28 29	\$ 8,092.55

On motion of Teachout of Polk, House adjourned until 2 o'clock P. M.



## AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Clarke in the chair.

Kendall of Monroe asked unanimous consent to recall House file No. 398 from the committee on Judiciary and refer same to committee on Public Health.

Granted, and the bill was so referred.

On request of Spaulding of Howard leave of absence was granted Hume of Mitchell until Friday.

## MOTION TO RECONSIDER.

The following motions to reconsider were filed:

MR. SPEAKER—I move to reconsider the vote by which House file No. 344 was lost and by which it passed to its third reading.

R. J. BIXBY,

I second the motion.

H. L. SPAULDING.

MR. SPEAKER—I move a reconsideration of the vote by which House file No. 314 passed the House and the vote by which it passed to its third reading.

C. N. JEPSON.

I second the motion.

J. I. NICHOLS.

Mattes of Sac moved that House file No. 314 be recalled from the Senate.

Motion prevailed.

## BILLS ON THEIR PASSAGE.

On motion of Hart of Allamakee, House file No. 216, a bill for an act to repeal sections 2212, 2213, and 2214 of the code and amendments thereto, and to enact substitutes therefor, and to amend section 2178 of the code, relating to the militia, with report of Appropriations committee recommending passage as amended, was taken up and the substitute amendment with amendments recommended read and considered, and the report of the committee adopted.

Mr. Hart moved the adoption of the following committee amendments to the substitute amendment:

Amend by striking out the words and figures "seventy-five thousand dollars (\$75,000)" in the sixth and seventh lines of section fourteen (14) of the substitute amendment and inserting the words and figures "seventy thousand dollars (\$70,000)" in lieu thereof.

Adopted.

Mr. Hart moved the adoption of the following substitute amendment as amended:

A BILL for an act additional to and amendatory of chapter one (1) of title IX of the code and supplement to the code, relative to the State military force and Iowa National Guard.

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

Section 1. That section twenty-one hundred and sixty-nine-a (2169-a) of the supplement to the code be and the same is hereby repealed and re-enacted to read as follows:

When a requisition shall be made by the President of the United States for troops, the Governor, as commander-in-chief, shall order into service the national guard of the State, or such portion thereof as may be necessary, and if insufficient so many of the militia as is required, designating the same by draft if a sufficient number do not volunteer, and shall commission officers therefor; and while so in the service, the national guard and militia shall be subject to the same regulations as those of the United States army, and receive the same compensation and subsistence as when in active service of the State until mustered into the United States service, and the same compensation, subsistence and allowances as officers and men of like rank and service in the United States army thereafter. The State shall pay for such service only that part not paid by the United States.

Sec. 2. Section twenty-one hundred and seventy-three-a (2173-a) of the supplement to the code is hereby repealed and re-enacted to read as follows:

All enlistments in the guard shall be for three (3) years and re enlistments, if within thirty (30) days from date of discharge, shall be considered continuous service and may be for one, two or three years as the soldier may elect, and made by signing the enlistment prescribed by the adjutant general and taking the following oath or affidavit which may be administered by the enlisting officer, to-wit: "You do solemnly swear (or affirm) that you will bear true allegiance to, and that you will support the constitution of the United States and that of the State of Iowa, and will, as a member of the National Guard, serve the United States and the State of Iowa faithfully through your term of service, unless sooner discharged, and that you will obey the orders of the commander-in-chief and such officers as may be placed over you, and the laws and regulations governing the military forces."

Section 3. Section twenty-one hundred and seventy-five (2175) of the supplement to the code is hereby repealed and re-enacted to read as follows:

The adjutant general shall issue and transmit all orders of the commander-in-chief, and shall keep a record of appointments of all officers commissioned by the Governor, of all general and special orders and regulations, and of such matters as pertain to the organization of the military force and his duties. He shall reside at the Capitol and hold his office at the pleasure of the Governor, and shall perform the duties of quartermaster-general. He shall have charge of the State arsenal and grounds and all other property of the State kept or used for military purposes, and receive and issue all quartermaster and ordnance stores and camp equipage upon the order of the commander-in-chief. The adjutant general shall furnish at the expense of the State such blanks and forms as shall be approved by the commander-in-chief. He shall in each year preceding a regular session of the General Assembly, make out a detailed report of the transactions of his office, the expenses hereof and such other matters as shall be required by the commander-in-chief for the period since the last preceding report, and the Governor may at any time require a similar report, and upon the recommendation of the adjutant general, there may be appointed as assistant adjutant general with the rank of major, who shall hold his office at the pleasure of the Governor.

Sec. 4. Section twenty-one hundred and seventy-six-a (2176-a) of the supplement to the code is hereby repealed and re-enacted to read as follows:

When a requisition shall be made by the President of the United States for troops upon the State, the adjutant general shall also act as quartermaster general, and as full compensation as adjutant general and acting quartermaster general, shall receive a salary from the State during the period said troops are in such service equal to the compensation of colonel of the army of the United States, without increase, additions or allowances on account of length of service.

Sec. 5. Section twenty-one hundred and seventy-eight (2178) of the supplement to the code is hereby repealed and re-enacted to read as follows:

The regimental staff shall be appointed and commissioned by the Governor upon recommendation of the regimental commander, and shall consist of an adjutant, a chaplain, a quartermaster, a commissary, each of

which officers shall have the same rank as corresponding officers in the United States army; an adjutant with rank of first lieutenant for each battalion. The commander of each regiment shall appoint by warrant from the enlisted men of his regiment a non-commissioned staff, consisting of a regimental sergeant-major, a sergeant-major for each battalion, a quartermaster sergeant, a commissary sergeant, two color sergeants. The commissions of regimental staff officers shall expire when the officer nominating them, or his successor, shall make new nominations for their respective offices, and such nominations shall be confirmed by the commander-in-chief. Each regimental commander subject to the approval of the commander-in-chief may cause to be enlisted and organized a band, composed of one chief musician, one principal musician, one drum major, four sergeants, eight corporals, one cook and not more than sixteen privates. The members of such band except as otherwise provided, shall be subject to the same regulations and receive the same compensation as other enlisted men of like grade. The regimental commander shall appoint the non-commissioned officers of band and upon recommendation of the company commander appoint the non-commissioned officers of each company and issue warrants to the persons so appointed.

Sec. 6. Section twenty-one hundred and seventy-nine-a (2179-a) of the supplement to the code is hereby repealed and re-enacted to read as follows:

A company of infantry shall consist of a captain, a first lieutenant, a second lieutenant, a first sergeant, a quartermaster sergeant, four sergeants, six corporals, two cooks, two musicians, an artificer, and not less than forty or more than sixty-four privates and non-commissioned officers.

A signal company shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, eight sergeants, sixteen corporals, two cooks, two musicians, an artificer, and not less than forty or more than sixty-four privates and non-commissioned officers.

A cavalry troop or battery of light artillery shall have the same officers, non-commissioned officers and number of enlisted men as an infantry company, and a farrier, a blacksmith and a saddler.

In time of war or public danger the commander-in-chief may increase the enlisted strength of such organizations as he may deem necessary.

Company officers shall be elected by the officers and enlisted men of the company and shall hold office for five (5) years, unless their resignation shall have been accepted or they are dismissed by sentence of court martial.

Sec. 7. Section twenty-one hundred and eighty-one-a (2181-a) of the supplement to the code is hereby repealed and re-enacted to read as follows:

The medical department, in addition to the surgeon general, shall consist of a deputy surgeon general with rank of lieutenant colonel, and for each regiment, a surgeon with rank of major and two assistant surgeons; assistant surgeons, for the first five years of commission, shall have rank of first lieutenant and that of captain thereafter.

The enlisted men of the medical department shall consist of a first-class sergeant for each regiment and one sergeant for each assistant surgeon and such number of privates as the commander-in-chief may prescribe.

The other staff officers and enlisted men, in addition to the heads of departments and personal aids and regimental staff, shall be as follows: Assistant inspector general, with rank of major; an assistant general inspector of small arms practice, with rank of major; all of whom shall possess the same qualifications for appointment as the heads of departments, and such officers, non-commissioned officers and enlisted men as the commander-in-chief may prescribe, for the engineer departments.

All staff officers, excepting heads of departments, aides to commander-in-chief and regimental staff shall be appointed and commissioned by the commander-in-chief for five years on the recommendation of the chiefs of their respective departments, selected by examination, under such rules as the chiefs may prescribe.

Sec. 8. Section twenty-one hundred and eighty-three (2183) of the code is hereby repealed and re-enacted to read as follows:

Every officer of the guard shall be held to duty for the full term of his commission, unless his resignation shall have been sooner accepted, or he shall have been dismissed by sentence of court-martial.

Every enlisted man of the guard shall be held to duty for the full term of his enlistment unless regularly discharged for good and sufficient cause by the regimental commander, approved by the Commander-in-chief.

All company officers and members of a company or band permanently removing their place of residence from the station of such company or band, except in time of war or public danger, and all members of the guard who have served the full term for which they were commissioned or enlisted, shall upon application be entitled to honorable discharge exempting them from military duty except in time of war or public danger, and it shall be the duty of a company officer upon permanently removing his place of residence from the station of such company to resign his commission, and upon failure to do so his commission may be revoked by the commander-in-chief. The term of enlistment of a member of a company shall be deemed to have expired upon such removal and shall be discharged accordingly.

Sec. 9. Section twenty-one hundred and eighty-four (2184) of the code is hereby repealed and re-enacted to read as follows:

The guard may parade for encampment or drill not less than three nor more than ten days annually, by company, battalion, regiment or brigade as ordered by the commander-in-chief, and the members thereof, or assignments of details therefrom, at the discretion of the commander-in-chief, may be called out or detailed for target practice, school of instruction or such other practice or instruction as the commander-in-chief may order, not exceeding ten days in any one year for any member, except members of the general staff and those detailed upon staff duty, or for such other duties as the exigencies of the service require.

In lieu of the encampments provided in paragraph one of this section, the commander-in-chief may, in his discretion, order part or all of the guard to participate in field maneuvers or other exercises for instruction in conjunction with troops of the United States army, for a period of not more than fifteen days.

Sec. 10. Section twenty-one hundred and eighty-eight (2188) of the code is hereby repealed and re-enacted to read as follows:

Any person who shall trespass upon the encampment grounds or the camp grounds of the military force of the State in active service, or of the guard called out for encampment, drill, target practice or other duty, or interrupt, molest or interfere with any member of the guard in the discharge of his duty, or sell any malt or spirituous or other intoxicating liquor within one mile of such encampment, camp or station, except a person engaged in the business prior to the establishment of such encampment, camp or station under permit issued by lawful authority, shall be guilty of a misdemeanor and punishable therefor, and the commanding officer of such force may order the arrest of such person and cause him to be delivered to a peace officer or magistrate as soon as practicable.

Sec. 11. Section twenty-two hundred and three (2203) of the supplement to the code is hereby repealed and re-enacted to read as follows:

There shall be allowed annually for postage, stationery and office incidentals to each regimental headquarters, the sum of twenty-five dollars (\$25) and to each company commander the sum of ten dollars (\$10).

Sec. 12. Section twenty-two hundred and twelve (2212) of the supplement to the code is hereby repealed and re-enacted to read as follows:

The military force, when in active service of the State upon the call of the Governor or sheriff of any county, and the guard when paraded for drill, encampment, target practice, school of instruction, or other duty under orders of the Commander-in-chief, shall be paid the following compensation for time actually on duty: Each commissioned officer shall receive the pay of his rank in the United States army, at the time of such service, without allowances, increase or additions on account of length of service, and without subsistence or any allowances other than transportation, quarters and stationery.

Enlisted men shall be furnished transportation, subsistence and quarters, and in addition thereto shall receive the following per diem: Chief musicians, three dollars (\$3.00); principal musicians, drum majors, first-class sergeants, regimental sergeant major, commissary sergeant, quartermaster sergeant, color sergeant, first sergeants, two dollars (\$2.00); battallion sergeant major, company quartermaster sergeant, sergeants and cooks, one dollar and seventy-five cents (\$1.75); corporal, farrier, saddler, blacksmith, one dollar and fifty cents (\$1.50); private, one dollar and twenty-five cents (\$1.25).

Enlisted men who have served continuously for three years and not more than five years, shall receive an added amount of fifteen per cent of the above per diem, and those who have served continuously five years or more, an added amount of twenty-five per cent of the above per diem. When in actual service of the State, pursuant to the order of the Governor, the compensation of the military force shall be paid out of the State treasury, and when such service is rendered upon the call of the sheriff of a county, such compensation shall be paid from the treasury of the county whose sheriff called for such military force. The claims for such services shall be audited

and allowed in the former case by the Executive Council and in the latter by the Board of Supervisors, upon presentment of proper claim therefor, at its next session. Should any part of the compensation above provided be paid from the United States, there shall be paid from the State treasury only that part thereof not paid by the United States.

Section twenty-two hundred and thirteen (2213) of the supplement to the code is hereby repealed and re-enacted to read as follows:

There shall also be paid to each officer and enlisted man for attendance at company drill or band practice at company or band station, the sum of ten cents (10c) per hour and not exceeding twenty cents (20c) in any one week provided that from any moneys due any officer or enlisted man for attendance at such drills there shall be deducted the sum of ten cents (10c) per hour and not exceeding twenty cents (20c) in any one week for absence without leave from such drills.

The commander-in-chief, when sufficient funds are available beyond the other requirements of this chapter, may at his discretion authorize and order the payment of the further sum of ten cents (10c) per hour and not exceeding twenty cents (20c) in one week and not exceeding two dollars (\$2) in one year to each officer or enlisted men for time actually spent in target practice upon the rifle range at the station of such officers or enlisted men.

Sec. 14. That section twenty-two hundred and fourteen (2214) of the code of Iowa as amended by chapter eighty-nine (89) of the acts of the Twenty-ninth (29th) General Assembly is hereby repealed and the following enacted in lieu thereof:

Section 2214. There is appropriated, out of any moneys in the treasury not otherwise appropriated, the sum of seventy-five thousand dollars (\$75,000) per annum, or so much thereof as may be necessary, for the support of the guard under the provisions of this chapter not applying to active service, which shall be drawn by a warrant, drawn by the Auditor of State on the State Treasurer, upon the certificates of the Adjutant General approved by the Governor, showing for what purpose each draft is to be or has been used, and no indebtedness shall be created in excess of such annual appropriation.

**Adopted.**

Mr. Hart moved to further amend as follows:

First. Amend section 3 by substituting a period for the comma after the word "report" in the eighteenth line of printed copy, appearing in the House Journal, and striking out the word "and" immediately thereafter, and by commencing the word "upon" with a capital letter.

Second. That section 7 be amended by striking off the letter "s" from the word "departments" in the seventeenth line of the printed copy appearing in the House Journal.

Third. That the words "or band" be inserted in section eight after the word "company" in the eighteenth line of printed copy appearing in House Journal.

Fourth. That section nine be amended by striking therefrom the word "for" in the tenth line of printed copy appearing in House Journal.

Fifth. That section eleven be stricken out.

Sixth. That section twelve be amended by striking therefrom the words commencing with the word "sergeants" in the fifteenth line of printed copy appearing in House Journal to and including the word "blacksmith" in the nineteenth line, and substituting therefor the following:

Sergeants major, commissary sergeants, quartermaster sergeants, color sergeants, first sergeants, battalion sergeants major, company quartermaster sergeants, two dollars (\$2.00); sergeants and cooks, one dollar and seventy-five cents (\$1.75); corporals, farriers, saddlers, blacksmiths, artificers, and privates, detailed and actually performing duty, including company clerks."

Seventh. That section twelve be further amended by inserting the words "or county" after the word "state" in line 38 of printed copy appearing in House Journal.

Eighth. That an additional section be added to said bill, the same to read as follows: "This act, being deemed of immediate importance, shall take effect from and after its publication in the Register and Leader and Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa.

Ninth. And that all sections after section 10 be renumbered to read consecutively.

Adopted.

Mr. Hart moved that the rule 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. Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carstensen, Cassel, Cheney, Christianson, Cobb, Coburn, Crose, Cummings, Dashiell, Davie, Doran, Dow, Flenniken, Frudden, Geneva, Greeley, Greene, Harris, Hart, Head, Hollebeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCulloch, McElrath, McNie, Maben, Martin, Mattes, Morris, Mott, Ofill, Olson, Prevo, Ritter, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Summers, Teachout, Washburn, Welden, Whiting, Whitmer, Wise, Wright, Mr. Speaker—68.



The nays were:

None.

Absent or not voting:

Messrs. Bailey, Carden, Chassell, Clary, Conn, Colclo, DeLano, English, Freeman, Gregory, Hakes, Hambleton, Hanna, Heles, Hume, Langan, McCreary, McDole, Manning, Nichols, Peet, Powers, Pritchard, Robinson, Sankey, Springer, Stoltenberg, Temple, Teter, Weeks, Willson, Wyland—32.

So the bill passed and the title was agreed to.

On motion of Hanna of Kossuth, House file No. 281, a bill for an act relating to fish and game, and making an appropriation for the fish and game commission of the State of Iowa, with report of committee recommending passage as amended by substitute, was taken up and the substitute amendment read and considered and the report of the committee adopted.

Mr. Hanna moved the adoption of the following substitute amendment recommended by the committee:

A BILL for an act relating to fish and game, and making appropriation for the Fish and Game Commission of the State of Iowa.

*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, for the Fish and Game Commission of the State of Iowa, the sums appearing hereinafter, or so much thereof as may be necessary to be expended for the purposes expressed, viz:

First. Salary for the assistant, who is custodian of the State's property at Spirit Lake, for twenty-four months .....	\$ 720
Second. Gathering fish for distribution.....	2,500
Third. For protection of game and pay for deputy wardens other than the custodian above named....	3,280
Fourth. For distribution of fish.....	3,500
Fifth. For rebuilding dam at Milford in the outlet of Lake Okoboji .....	1,000
Sixth. For constructing dam and dikes at Wall Lake .....	2,500
Making a total appropriation of.....	\$ 13,500

Sec. 2. Any unexpended balance of the money hereby appropriated and not required for the purposes mentioned, shall be returned to the State treasury.

Adopted.

Mr. Hanna moved that the rule 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. Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carstensen, Cheney, Christianson, Cobb, Coburn, Colclo, Crose, Cummings, Dashiell, Davie, Doran, Dow, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hanna, Harris, Hart, Head, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Washburn, Welden, Whiting, Whitmer, Wise, Wright, Mr. Speaker—78.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Carden, Cassel, Chassell, Clary, Conn, DeLano, English, Gregory, Hambleton, Heles, Hume, Lowrey, McCreary, Peet, Sankey, Springer, Temple, Teter, Weeks, Willson, Wyland—22.

So the bill passed and the title was agreed to.

On motion of Calderwood of Scott, Senate file No. 223, a bill for an act to amend section 2691 of the code and to repeal section 2692 of the code and enact a substitute therefor, relating to the support of 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 rule 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, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carstensen, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Crose, Cummings, Dashiell, Davie, Doran, Dow, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hanna, Harris, Hart, Head, Heles, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McCulloch, McDole, McNie, Manning, Mattes, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Wise, Wright, Mr. Speaker—78.

The nays were:

Mr. Hambleton—1.

Absent or not voting:

Messrs. Bailey, Carden, Cassel, Colclo, Conn, DeLano, English, Gregory, Hume, Kennedy, Langan, McClurkin, McCreary, McElrath, Maben, Martin, Morris, Peet, Temple, Willson, Wyland—21.

So the bill passed and the title was agreed to.

#### INTRODUCTION OF BILLS.

By Manning of Lucas, House file No. 411, a bill for an act authorizing cities and towns to issue water and light bonds, or either, and providing for the payment thereof.

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

By Manning of Lucas, House file No. 412, a bill for an act to amend section 446 of the code.

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

Kendall of Monroe asked unanimous consent that House file No. 399 be recalled from the committee on Judiciary and referred to the committee on Appropriations.

Granted, and the bill was so referred.

Mattes of Sac offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved*, That no minority views shall be received from and after this date unless by consent of two-thirds of the entire membership of the House.

Consideration of the resolution was taken up by unanimous consent.

Doran of Boone and Buckingham of Buena Vista demanded a roll call on the adoption of the resolution.

English of Polk raised the point of order that the resolution could not be considered at this time under the provisions of rule 61.

Point of order sustained and the resolution was laid over under rule 34.

McAllister of Linn offered the following resolution:

WHEREAS, the business of this House has been delayed by the absence of its members; therefore be it

RESOLVED, That any member who absents himself for more than two consecutive sessions, unless on account of sickness of himself or sickness in his family, shall be considered guilty of a misdemeanor and shall receive such punishment as the House may choose to inflict.

Laid over under rule 34.

Bealer of Linn moved that the House adjourn until 9 o'clock A.M. tomorrow.

Kendall of Monroe moved to amend by making the motion read as follows: That the House adjourn at 3:45 P.M. until 9 A.M. tomorrow.

Amendment lost.

Original motion prevailed and the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 23, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. F. C. Lewis of Primghar, Iowa.

Journal of Tuesday, March 22d, was corrected and approved.

On request of Clary of Chickasaw leave of absence was granted Freeman of Pottawattamie until Friday.

PETITIONS AND MEMORIALS.

Cruse of Page presented petition of 643 citizens of Page county relative to woman suffrage.

Referred to committee on Constitutional Amendments.

Whitmer of O'Brien presented memorial of Kenyon Post No. 339, G. A. R., relative to House file No. 301.

Referred to committee on Appropriations.

Calderwood of Scott presented memorial of John R. Brickman Post No. 382, G. A. R., relative to House file No. 301.

Referred to committee on Appropriations.

Jepson of Woodbury presented petition of citizens of Woodbury county relative to woman suffrage.

Referred to committee on Constitutional Amendments.

Doran of Boone presented petition of stock shippers of Defiance relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Doran of Boone presented petition of citizens of Harlan relative to House file 332.

Referred to committee on Railroads and Commerce.

Doran of Boone presented two petitions of stockmen of Portsmouth relative to House file No. 332.

Referred to committee on Railroads and Commerce.

McAllister of Linn presented memorial of C. G. Francis Post No. 181 in regard to Camp McClellan.

Referred to committee on Appropriations.

#### REPORTS OF COMMITTEES.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred substitute for Senate file No. 19, a bill for an act to amend the law as the same appears in section sixteen hundred and eighteen (1618) of the supplement to the code, relating to the publication of the notice of the renewal 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

**Also:**

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 384, a bill for an act to license and regulate and define business of factors and brokers of real estate in Iowa, and to require them to give a bond to the State of Iowa for the benefit of their principals, and to prescribe a penalty for the violation of any of the provisions of 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

**Also:**

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 86, a bill for an act to empower boards of supervisors, township trustees, city and town councils to buy or condemn land for gravel and other material to improve roads, public highways, streets and

alleys, beg leave to report that they 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.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred substitute for Senate file No. 67, a bill for an act amending the law relating to deputy and assistant dairy commissioners, appearing as section twenty-five hundred fifteen (2515) of the supplement to 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.

N. E. KENDALL,  
*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 amending the law as it appears in section eleven hundred and twenty-nine (1129) of the code, relating to elections and the payment of the expenses 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.

N. E. KENDALL,  
*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 amend section twenty-two hundred and thirty (2230) of the code, relating to overseer of the poor, beg leave to report that they 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.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 323, a bill for an act to repeal section forty-three hundred and sixty-four (4364) of the code and for the enactment of a new section additional to and amendatory of chapter 4, title XVIII of the code, relative to place of bringing actions to restrain judicial proceedings and enforcement of judgments, beg leave to report that they 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.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 394, a bill for an act to legalize the incorporation of the town of Arnolds Park, Dickinson county, Iowa, the notices of election and the election of its 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 277, a bill for an act relating to meandered lake beds in the State, and authorizing the Executive Council to survey, lease or sell 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 adopting the following substitute:

SUBSTITUTE AS AMENDMENT FOR HOUSE FILE NO. 277.

A BILL for an act relating to the meandered lake beds in the State, and authorizing the executive council to survey, lease or sell the same.

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

Section 1. The Executive Council of the State is hereby authorized and empowered to survey the meandered lakes and lake beds within this State, and to lease or sell the same as hereinafter provided, and to determine what lakes shall be maintained as the property of the State and what meandered lake beds belonging to the State may be drained, improved, demised or sold.

Sec. 2. Upon the presentation to the executive council of a statement signed by not less than fifty (50) freeholders, twenty (20) of whom shall be actual residents of the township or townships in which said lake or lake-



beds are situated, of any county that any meandered lake or lake bed in such county is detrimental to the public health or the general welfare of the citizens of the county, and that it is unwise to maintain such meandered lake or lake bed as a permanent body of water, and that the interest of the State will be subserved by draining and improving such lake bed, the Governor shall, within thirty (30) days after the receipt of such statement, appoint a competent engineer who shall at once examine the situation and condition of such lake or lake bed, make a survey and plat thereof, and ascertain whether its location is such that it can be drained and improved, and make a full report to the executive council of the area and depth of water in the lake and of its general physical condition, which report shall be accompanied by his plat, field notes and profile of his survey.

Sec. 3. Upon receipt of the report of the engineer, the Executive Council shall determine whether such lake or lake bed shall be maintained and preserved as the property of the State, or whether the same shall be drained, improved, and the land included within the meander lines thereof sold in the manner hereinafter specified; and to that end they may hear evidence upon any question involved in such determination at such time and place within the county, or within the counties, if more than one, as may be fixed by the council, and may appoint a commissioner to take evidence in the county or counties, if more than one, in which the lake or lake bed is located, or at such other place or places within the State as may be directed by the Executive Council; and notice of the time and place of hearing by the council or by such commissioner shall be published once each week for four consecutive weeks in some newspaper within the county, or in a newspaper within each of the counties, if more than one, where the lake or lake bed is located, the last publication being at least ten (10) days prior to the day fixed for such hearing. The compensation of such commissioner shall be fixed by the Executive Council, which compensation and the cost of the publication of such notice shall be paid from the State treasury upon the order of the council.

Sec. 4. If the Executive Council shall determine that such lake or lake bed ought not to be drained, demised or sold, the same shall be kept and maintained as the property of the State for the benefit of the general public. If the executive council shall determine that it is to the interest of the State and the general public that the lake or lake bed, as to which the statement is presented, be drained, improved, demised or sold, it may permit the same to be drained under the provisions of the drainage law of the State, and the land included within the meander lines of such lake, which belongs to the State, shall bear its just proportion of the expense of draining such lake and shall be assessed for such expense in the same manner as the lands of private individuals are permitted to be assessed under the drainage laws of the State.

Sec. 5. Whenever the Executive Council shall determine that any lake or lakebed within the State should be drained, improved, demised or sold, it shall have the right, either before or after such lake or lake bed is drained, to sell and convey by deed or patent the land lying within the meander lines of such lake or lake bed and which belongs to the State; and express authority is hereby given to the Executive Council to make such sale or sales for

and in behalf of the State, and to execute and deliver to the purchaser of such land the necessary deed or patent to insure to him title thereto, which deed or patent shall be executed by the Governor in behalf of the State, and have the seal of the State attached thereto. But no sale of any of the lands composing any of the lake beds of the State shall be made by the Executive Council until a complete survey thereof has been made and the same subdivided to correspond with the government subdivisions of public land.

Sec. 6. After such lake or lake bed has been surveyed and the land composing the same subdivided as hereinbefore required, and a plat of such survey filed with the Secretary of State, and the county auditor of the county in which said lake or lake bed is situated, the lands belonging to the State which lie within the meander lines of the original government survey, and composing the lake beds, shall be appraised by a commission appointed by the Governor, consisting of three (3) disinterested freeholders of the State, one of whom shall be a resident of the county in which the land is situated, who shall examine and appraise said land, and return a written report of such appraisement to the Governor, which report shall be filed in the office of the Secretary of State.

Sec. 7. After the report of the appraisers has been received and filed in the office of the Secretary of State the executive council shall offer the land belonging to the State and composing such lake bed, and included in such survey and appraisement, for sale, and the persons owning lands abutting upon such lake or lake bed, and contiguous to lands owned by the State therein, shall have the first right to purchase the lands offered for sale by the State, in an amount sufficient to make the lands owned by them, which abutt upon the lake or lake bed and are contiguous to the lands of the State, conform to the smallest government subdivisions of public lands at the price fixed by the appraisers.

All other lands included in such survey and composing the lake bed belonging to the State, which may be sold under the provisions thereof, shall be sold for the highest price obtainable; but no sale of any of said land shall be made at less than the appraised value thereof. Provided, however, that in any case where it is made to appear to the Executive Council by a duly certified copy of the deed, certified to by the recorder of deeds and the county auditor of the county in which the lake or lake bed is situated, and by the sworn statement of the present owner, that the board of supervisors of the county in which such lake or lake bed is situated has heretofore, in good faith, sold and conveyed by deed, any lake or lake bed in such deed named, specified and described, to a bona fide purchaser who has paid to the county the reasonable value of such lake or lake bed, and who has heretofore paid taxes or made valuable improvements in such lake bed; then and in such case the governor shall execute, or cause to be executed, to the county in which such lake or lake bed is situated, a deed or patent, under the seal of the State, conveying to said county all the right, title and interest of the State of Iowa in and to such lake or lake bed, and the title so conveyed shall enure to the grantee of such lake or lake bed holding the same under title derived from the county in which such lake or lake bed is situated, in the manner in this section provided.

Sec. 8. All sales of land under this act, except as otherwise provided in section seven of this act, shall be for cash, and the purchase price thereof shall be paid to the Secretary of State and by him over to the State Treasurer. All expenses of the survey of the lakes and lake beds herein provided for, and the appraisalment thereof, and all assessments made against the lands belonging to the State for draining such lake or lake beds, shall be audited by the executive council, and by it certified to the Auditor of State and paid out of the general fund of the State treasury upon the warrant of the Auditor of State.

Sec. 9. After deducting all costs and expenses connected with the survey, appraisalment, drainage and sale of said lands, the net proceeds derived from the sale thereof shall be transmitted by the Treasurer of State to the county treasurer of the county in which the land is situated, and the county treasurer to whom such proceeds are transmitted shall execute his receipt in duplicate for the same to the Treasurer of State, and one of such receipts shall be filed in the office of the county auditor in the county where the land is located. The money received by the county treasurer shall be placed to the credit of the county road fund and expended under the direction of the board of supervisors in the same manner as other road funds.

Sec. 10. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published at the city of Des Moines, Iowa.

And that when so amended the same do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Kendall of Monroe asked unanimous consent that House file No. 277 be reinstated on the calendar.

Granted.

Mattes of Sac, from the committee on Appropriations, submitted the following report:

MR. SPEAKER— Your committee on Appropriations to whom was referred House file No. 117, a bill for an act to establish and maintain a sanatorium for the treatment and cure of persons afflicted with tuberculosis, beg leave to report that they have 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 amendments offered by committee on Public Health; and further amend said bill by striking therefrom sections one (1) and two (2) thereof, and inserting in lieu of the sections so stricken, the following:

Section 1. That there is hereby created a Commission, consisting of the Board of Control of State Institutions, the State Board of Health, and the

Executive Council of the State, to select and purchase a site within one hundred and fifty miles from the Capitol building at Des Moines for a sanatorium for the treatment and care of persons afflicted with tuberculosis.

Sec. 2. That in selecting the site for such sanatorium, the Commission shall take into consideration the situation of the place with respect to the health of the patients, the conveniency of access thereto, railroad facilities, water and coal supply, nearness and cheapness of building material, and the like, making such selection as in their judgment will best subserve the well being of the patients and the interests of the State, and that when said House file is so amended that the same do pass.

JOS. MATTES,  
*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. 368, a bill for an act to amend section two thousand one hundred and fourteen (2114) of the code of 1897, providing for reports of accidents by railroad 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.

C. A. WISE,  
*Chairman.*

Ordered passed on file.

Buchanan of Wapello, from the committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 396, a bill for an act authorizing cities and towns in the State of Iowa to institute proceedings against any and all persons, companies or corporations owning and operating water works in any such cities and towns; to have the franchise, charter, permit, and contracts of such persons, companies or corporations declared forfeited; to have a receiver appointed to operate such water works and to have such water works condemned and sold, beg leave to report that they have 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) after the word "provided" the words "but before the commencement of any such action written notice shall be given to such person, company or corporation in charge of said water works, of its failure and the nature thereof, to comply with the contract made by the said city or town, and a reasonable time given thereafter to comply with such contract before the said action shall be brought," and that it be further amended by inserting in the fourth line of section four (4) after the word "the" the words

“ material and important,” and that it be further amended by striking out in the twelfth line of section one (1) the words “ or in any superior court in any such city or town,” and that section nine (9) be amended by inserting the word “ also ” after the word “ shall ” in the first line of section nine (9) of the original bill.

And that when so amended the same do pass.

A. W. BUCHANAN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate file No. 112, a bill for an act to provide for the construction of sewers by 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.

A. W. BUCHANAN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate file No. 118, a bill for an act to repeal section seven hundred and thirty-eight (738) 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 all of said bill after the enacting clause and inserting in lieu thereof the following:

“Section 1. That sections seven hundred and thirty-eight (738) and seven hundred and thirty-nine (739) of the code, be and the same are hereby repealed.

Sec. 2. This act being deemed of immediate importance shall take effect and be in force from an after its publication in the Register and Leader and the Des Moines Daily Capital, papers published at Des Moines, Iowa.”

And that when so amended the same do pass.

A. W. BUCHANAN,  
*Chairman.*

Ordered passed on file.

**Also:**

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate file No. 310, a bill for an act to authorize cities to protect lots, lands and property within their limits and from damage and danger from floods and high water, by deepening, widening, straightening, altering or changing and otherwise improving water courses within their limits and by constructing levees, embankments and other works and to provide for the levy of special assessments and other taxes and the issuance of bonds and certificates to defray the expense of such improvement, additional to chapters 7 and 8, title V, beg leave to report that they 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.**

Hanna of Kossuth, 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. 241, a bill for an act to amend and add to the law as it appears in section 2551 of the supplement to the code and make it unlawful to trap, shoot or kill any quail before the first day of January, 1906, beg leave to report that they have 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. HANNA,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Koontz of Johnson, from the committee on Public Libraries, submitted the following report :

MR. SPEAKER—Your committee on Public Libraries, to whom was referred Senate file No. 265, 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.

G. W. KOONTZ,  
*Chairman.*

Ordered passed on file.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 137, a bill for an act to limit the jurisdiction of the Supreme Court of Iowa, and to create an appellate court, to define its jurisdiction, and to provide for the election and 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 be indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 111, a bill for an act to amend section twenty-five hundred and sixty four (2564) of the code relating to the meetings of the State Board of Health.

Also, House file No. 254, a bill for an act providing the manner in which telegraph and telephone companies shall report for assessment purposes, amendatory of code sections numbers thirteen hundred twenty-eight (1328) and thirteen hundred twenty-nine (1329).

Also, House file No. 307, a bill for an act authorizing the Executive Council to sell the property known as "State Square," being block twenty-seven (27) in Stewart's Addition to the city of Des Moines, Iowa, and use the proceeds of the sale in the purchase of other property.

Also, House file No. 302, a bill for an act to amend section two hundred and twelve (212) of the code, relating to the salary of the assistat Attorney General, and fixing his compensation.

H. L. SPAULDING,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 111, a

bill for an act to amend section twenty-five hundred and sixty-four (2564) of the code relating to the meetings of the State Board of Health.

Also, House file No. 254, a bill for an act to provide the manner in which telegraph and telephone companies shall report for assessment purposes, amendatory of code sections numbers thirteen hundred twenty-eight (1328) and thirteen hundred twenty-nine (1329).

Also, House file No. 307, a bill for an act authorizing the Executive Council to sell the property known as "State Square," being block twenty-seven (27) in Stewart's Addition to the city of Des Moines, Iowa, and use the proceeds of the sale in the purchase of other property.

Also, House file No. 302, a bill for an act to amend section two hundred and twelve (212) of the code, relating to the salary of the assistant Attorney General, and fixing his compensation.

Also, Senate 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 proposing amendments to the constitution of the United States of America, as provided in article 5 of said constitution.

H. L. SPAULDING,  
*Chairman House Committee.*

D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By McCulloch of Wayne, House file No. 413, a bill for an act to amend the law as it appears in section 2589 of the supplement to the code, relating to examinations for registration as pharmacists.

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

By Jepson of Woodbury, House file No. 414, a bill for an act to legalize the acts of the voters of the school corporations within this State at the annual meetings thereof where such voters have attempted to exercise the powers given by section 2749 of the code when no notice of the proposition acted upon by them was given in the manner provided in such section.

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



By Weeks of Guthrie, House file No. 415, a bill for an act to provide uniform rates for telephone service in cities, towns and villages.

Read first and second time and referred to committee on Telegraph, Telephone and Express.

By Hanna of Kossuth, House file No. 416, a bill for an act to legalize the incorporation of the town of Titonka, Kossuth county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town.

WHEREAS, Doubts have arisen as to the legality of the incorporation of the town of Titonka, Kossuth county, Iowa, the election of its officers, and the ordinances and resolutions passed by the town council of said town; therefore,

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

Section 1. That the incorporation of the town of Titonka, Kossuth county, Iowa, the election of its officers and all official acts done, and the ordinances and resolutions passed by the town council of said town not in conflict with the laws of Iowa, are hereby legalized and the same are hereby declared to be valid and binding the same as though the law had been in all respects strictly complied with in the incorporation of said town, the election of its officers and official acts done, and the passage of its ordinances and resolutions. But nothing in this act shall in any manner affect any pending litigation.

Sec. 2. This act, being deemed of immediate importance, shall be in force and effect from and after its publication in the Des Moines Register and Leader, a newspaper published at Des Moines, Iowa, and in the Titonka Topic, a newspaper published at Titonka, Iowa, without expense to the State.

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

By Manning of Lucas, House file No. 417, a bill for an act to compel receipt and transmission of telephone communications on and over telegraph lines.

Read first and second time and referred to committee on Telegraph, Telephone and Express.

Speaker announced that he had signed in the presence of the House, Senate joint resolution No. 3, House files No. 307, No. 254, No. 111, No. 302.

#### BILLS ON THEIR PASSAGE.

On motion of Clary of Chickasaw, House file No. 361, a bill for an act to repeal chapter 150 of the acts of the Twenty-ninth General Assembly and sections 4999-e, 4999-f, 4999-g, 4999-h, 4999-i, 4999-j, of the supplement to the code, and enact in lieu

thereof the following: "relative to 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 same and imposing penalties for violation thereof, additional to chapter 10 of title XXIV of the code, relating to offenses against the public health," with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Clary moved to amend section 2 of the bill by adding thereto the following :

Seventh. Hotels and other buildings which are of strictly fireproof construction.

Adopted.

Mr. Clary moved to amend section 3 by adding thereto the following:

Each six thousand (6,000) superficial feet of area or fractional part thereof covered by building specified in classification seventh of this act, shall be provided with one steel or wrought iron ladder fire escape with platforms constructed, located and attached to such building in the manner herein provided.

Adopted.

Clary of Chickasaw moved to amend by inserting after the word "litigation" in section 3 the following:

That chapter one hundred and fifty (150) of the acts of the Twenty-ninth General Assembly and sections four thousand nine hundred and ninety-nine-e (4999-e), four thousand nine hundred and ninety-nine-f (4999-f), four thousand nine hundred and ninety-nine-g (4999-g), four thousand nine hundred and ninety-nine-h (4999-h)) four thousand nine hundred and ninety-nine-i (4999-i) four thousand nine hundred and ninety-nine-j (4999-j) of the supplement of the Code are hereby repealed.

Adopted.

English of Polk offered the following amendments:

Amend section 2 in the third line of said section after the word "Hotels," by inserting the words, "office buildings."

In the ninth line of said section by striking out the words, "seminaries and colleges," and insert in the tenth line after the word "fifth," the words, "seminaries and colleges."

Amend section 3 in the sixth line of said section after the word "first," insert "with all doors leading thereto of half glass, locked in such manner."

In the seventh line of said section after the word "safe," insert "and with red lights to designate location of escapes."

In the tenth line of said section after the word "shall," insert "as a substitute for one ladder."

Amend section 4. In first line of said section after the word "of" when it first appears, insert "Commissioner of the Bureau of Labor Statistics."

Amend the bill by inserting as section 4, "In buildings under all above classifications signs indicating location of fire escapes shall be posted at all entrances to elevators, stairway landings and in all rooms."

That sections "4," "5," "6" and "7" of said bill be numbered respectively "5," "6," "7" and "8."

The amendments were taken up and considered one at a time and all of them adopted.

The hour for the consideration of special order No. 2, House file No. 206, having arrived, Kendall of Monroe asked unanimous consent that same be deferred until the bill under consideration was disposed of.

Granted.

Mattes of Sac moved to amend section 2, by striking out subdivision four and inserting the words "public school buildings" after the word "college" in subdivision five of said section; and renumbering the remaining sections to read consecutively.

Adopted.

Clary of Chickasaw moved that the rule 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. Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Crose, Cummings, Dashiell, Davie, Doran, Dow, English, Flenniken, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Heles, Hollembeak, Jacobson, Jepson, Kendall, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Mattes, Morris, Mott, Offil,

Olson, Powers, Prevo, Pritchard, Ritter, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—80.

**The nays were:**

None.

**Absent or not voting:**

Messrs. Bailey, Bealer, Cassel, Conn, DeLano, Freeman, Frudden, Gregory, Hart, Head, Hume, Jones, Kennedy, Langan, Martin, Nichols, Peet, Robinson, Springer, Welden—20.

So the bill passed and the title was agreed to.

Special order No. 2, House file No. 296, a bill for an act providing for placing a statue in bronze of Samuel J. Kirkwood, ex-Governor of Iowa, in the National statuary hall in the capitol building at Washington, D. C., and appropriating money to pay therefor, was taken up and further consideration of same resumed.

Kendall of Monroe moved to amend the bill by striking out section three (3) and inserting the following in lieu thereof:

Section 3. The Executive Council is further authorized to procure a statue in marble of James Harlan of such size as the Executive Council may determine, and to place the same in the National statuary hall in the Capitol at Washington in accordance with the provisions of section eighteen hundred and fourteen (1814) of the revised statutes of the United States.

Sec. 4. There is hereby appropriated out of any money in the State treasury not otherwise appropriated the sum of five thousand dollars (\$5,000) or so much thereof as may be necessary to pay for procuring and placing said statue in the National statuary hall in the Capitol at Washington, and the Auditor of State is hereby authorized to draw warrants therefor upon the order of the Executive Council.

Sec. 5. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Daily Register and Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

DeLano of Cass moved to amend the amendment by striking out the name of James Harlan wherever it appears therein and inserting in lieu thereof the name of Samuel F. Miller.

Amendment to amendment lost.

Amendment lost.

Koontz of Johnson moved that the rule 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. Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Jacobson, Jepson, Kendall, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Mattes, Morris, Mott, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—83.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Conn, English, Flenniken, Freeman, Frudden, Gregory, Hume, Jones, Kennedy, Kling, Langan, Martin, Nichols, Peet, Welden—17.

So the bill passed and the title was agreed to.

On motion of Jepson of Woodbury, Senate file No. 63, a bill for an act relative to amending section 1538, relative to compensation of township trustees in certain cases, payable out of town-

ship road fund, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Jepson moved that the following amendment recommended by the committee be adopted:

Amend by striking out all of section 2.

Adopted.

Mr. Jepson moved that the rule be suspended, that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

The yeas were:

Messrs. Buchanan, Clary, Hambleton, Jepson, Laird, McCulloch, Prevo—7.

The nays were:

Messrs. Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Cobb, Colclo, Crose, Cummings, Davie, DeLano, Doran, English, Geneva, Greene, Hakes, Hanna, Harris, Hart, Head, Heles, Hollembeak, Jacobson, Jones, Kendall, Kling, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McDole, McNie, Maben, Manning, Mattes, Morris, Mott, Offill, Olson, Powers, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Whitmer, Wise, Wright, Wyland, Mr. Speaker—67.

Absent or not voting:

Messrs. Bailey, Bealer, Christianson, Coburn, Conn, Dashiell, Dow, Flenniken, Freeman, Frudden, Greeley, Gregory, Hume, Kennedy, Koontz, Langan, McElrath, Martin, Nichols, Peet, Springer, Stanbery, Temple, Welden, Whiting, Willson—26.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Teter of Marion, Senate file No. 193, a bill for an act to confer jurisdiction over the gypsum mines of this State

on State mine inspectors, and providing for enforcement of chapter nine, title XII, in reference thereto, with report of committee recommending passage as amended was taken up, considered and the report of the committee, as amended, adopted.

Teter of Marion moved the adoption of the following amendments recommended by the committee:

Amend by inserting immediately after the word "applicable" in line three (3) of section one (1) of the original bill, the words "to the health and safety of employes." Also by striking out sections two (2) and three (3), and when so amended that the bill do pass.

### 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. 281, a bill for an act to encourage the use of wagons with wide tires on public highways.

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. 90, a bill for an act to establish a juvenile court and to regulate the treatment and control of dependent, neglected and delinquent children.

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. 256, a bill for an act to authorize and empower the Governor of Iowa to relinquish and re-convey to the United States certain lands in Dickinson county, Iowa.

GEO. A. NEWMAN,  
*Secretary.*

**Also:**

MR. SPEAKER—I am directed to inform your honorable body that the Senate hereby returns House file No. 314, a bill for an act to compensate Frank J. Young for money paid out and services rendered while State oil inspector.

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. 302, a bill for an act providing the method of certifying the assessment of telephone and telegraph 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. 231, a bill for an act relating to the distribution of the code and the supplement thereto.

GEO. A. NEWMAN,  
*Secretary.*

Speaker appointed as committee to notify the Senate that the House was in readiness to receive them in joint convention, Lister of Grundy, Saylor of Bremer and Hakes of Pocahontas.

Speaker announced as teller on the part of the House for the joint convention Coburn of Cherokee.

Kendall of Monroe moved that when the House adjourn it be until 2 o'clock P. M.

Motion prevailed.

The sergeant-at-arms announced the arrival of the honorable body of the Senate, who filed in and took seats on the west side of the hall of the House, which had been 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 members of the General Assembly were shown to be present :

Messrs. Bixby, Bleakly, Boland, Brooks, Bruce, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Clarke, Cobb, Coburn, Colclo, Courtright, Crawford, Crose, Crossley, Davie, DeLano, Doran, Dow, Dowell, Dunham, Eckles, Elerick, Ericson, English, Flen- niken, Gale, Garst, Geneva, Gregory, Greeley, Greene, Hakes, Hambleton, Hanna, Harper, Harris, Hart, Hartshorn, Hayward, Head, Heles, Hogue, Hollebeak, Hopkins, Hughes, Jackson, Jacobson, Jamison, Jepson, Jones of Mahaska, Jones of Mont- gomery, Kinne, Kling, Koontz, Laird, Lamkin, Leech, Lewis, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, Mc- Culloch, McDole, McElrath, McNie, Maben, Manning, Mattes, Morris, Molsberry, Mott, Newberry, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Smith of Des Moines, Smith of Mitchell, Spaulding of Floyd, Spaulding of Howard, Stanbery, Stirton, Stoltenberg, Stookey, Summers, Taylor, Teachout, Temple, Teter, Turner, Wade, Warren, Whipple, Whiting, Whitmer, Willson of Washington, Wilson of Fayette, Winne, Wise, Wright, Wyland—120.

Absent or not answering were:

Messrs. Bailey, Bealer, Conn, Cummings, Dashiell, Freeman, Frudden, Gilliland, Hasselquist, Hume, Kendall, Kennedy, Kim- mel, Lambert, Langan, Lyons, Maytag, Martin, Nichols, Peet, Saunders, Springer, Stuckslager, Washburn, Weeks, Welden, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—30.

President Herriott announced the joint convention duly organ- ized with a quorum present.

President Herriott announced the purpose of the joint con- vention to be the election of a State Printer, a State Binder, four regents of the State University and one to fill a vacancy caused by the resignation of Shirley Gilliland; two trustees for the State Normal School, and four trustees of the College of Agriculture and Mechanic Arts.

Representative English offered the following resolution:

*Resolved*, By the joint convention of the Thirtieth General Assembly, that Bernard Murphy be and is hereby elected State printer for the term beginning January 1, 1905, and that Howard Tedford be and is hereby elected State binder for the term beginning January 1, 1905; that J. R. Lane, of the Second Congressional District, T. B. Hanley, of the Fifth Congressional District, J. W. Lauder, of the Eighth Congressional District, V. L. Treynor, of the Ninth Congressional District be and are hereby elected regents of the State University for the term beginning May 1, 1904; that V. L. Treynor be and is hereby elected to fill the vacancy of regent caused by the resignation of Shirley Gilliland; that H. M. Letts, of the First Congressional District, Vincent Zmunt, of the Second Congressional District, Ellison J. Orr, of the Fourth Congressional District, George S. Allyn, of the Eighth Congressional District be and are hereby elected trustees of the College of Agriculture and Mechanic Arts for the term beginning May 1, 1904; that B. F. Osborn, of Greene county and E. H. Griffin, of Cass county, be and are hereby elected trustees of the State Normal School for the term beginning May 1, 1904.

Representative English moved the adoption of the resolution.

On the question, Shall the resolution be adopted?

The yeas were:

Messrs. Bixby, Bleakly, Boland, Brooks, Bruce, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Clarke, Cobb, Coburn, Colclo, Courtright, Crose, Crossley, Davie, DeLano, Doran, Dow, Dowell, Dunham, Eckles, Elerick, Ericson, English, Flenniken, Gale, Garst, Geneva, Greeley, Hakes, Hambleton, Hanna, Harper, Harris, Hart, Hartshorn, Head, Heles, Hogue, Hollembeak, Hopkins, Hughes, Jackson, Jacobson, Jepson, Jones of Mahaska, Jones of Montgomery, Kimmel, Kinne, Kling, Koontz, Laird, Lamkin, Leech, Lewis, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Mattes, Morris, Molsberry, Mott, Newberry, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sarkey, Saylor, Shaffer, Skinner, Smith of Des Moines, Smith of Mitchell, Spaulding of Floyd, Spaulding of Howard, Springer, Stanbery, Stirton, Stoltenberg, Stookey, Summers, Taylor, Teachout,

Temple, Teter, Turner, Warren, Whipple, Whiting, Whitmer, Willson of Washington, Wilson of Fayette, Winne, Wise, Wright, Wyland, Young of Calhoun—117.

Absent or not voting:

Messrs. Bailey, Bealer, Conn, Crawford, Cummings, Dashiell, Freeman, Frudden, Gilliland, Gregory, Greene, Hasselquist, Hayward, Hume, Jamison, Kendall, Kennedy, Lambert, Langan, Lyons, Maytag, Martin, Nichols, Peet, Saunders, Stuckslager, Wade, Washburn, Weeks, Welden, Wilson of Clinton, Young of Lee, Young of Washington—33.

The tellers announced that there were 117 votes cast for the resolution and the candidates named therein.

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 term 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, March 23, 1904. }

This is to certify that at an election by the two Houses of the Thirtieth General Assembly of the State of Iowa, in joint convention, on the 23d day of March, for the purpose of electing the officers of the various State institutions, V. L. Treynor, 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 Shirley Gilliland, resigned.

Signed in the presence of the joint convention, this 23d day of March A. D. 1904.

JOHN HERRIOTT,  
*President of the Senate.*

GEO. W. CLARKE,  
*Speaker of the House of Representatives.*

F. M. MOLSBERY,  
*Teller on the Part of the Senate.*

GEO. F. COBURN,  
*Teller on the Part of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 23, 1904. }

This is to certify that at an election by the two Houses of the Thirtieth General Assembly of the State of Iowa, in joint convention, on the 23rd day of March, for the purpose of electing the officers of the various State institutions, V. L. Treynor, 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 23d day of March, A. D. 1904.

JOHN HERRIOTT,  
*President of the Senate.*

GEO. W. CLARKE,  
*Speaker of the House of Representatives.*

F. M. MOLSBERRY,  
*Teller on the Part of the Senate.*

GEO. F. COBURN,  
*Teller on the Part of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 23, 1904. }

This is to certify that at an election by the two Houses of the Thirtieth General Assembly of the State of Iowa, in joint convention, on the 23d day of March, A. D. 1904, for the purpose of electing the officers of the various State institutions, T. B. Hanley, 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 23d day of March, A. D. 1904.

JOHN HERRIOTT,  
*President of the Senate.*

GEO. W. CLARKE,  
*Speaker of the House of Representatives.*

F. M. MOLSBERRY,  
*Teller on the part of the Senate.*

GEO. F. COBURN,  
*Teller on the part of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 23, 1904. }

This is to certify that at an election by the two Houses of the Thirtieth General Assembly of the State of Iowa, in joint convention on the 23d day of March, A. D. 1904, for the purpose of electing the officers of the various State institutions, J. W. Lauder, 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 23d day of March,  
A. D. 1904.

JOHN HERRIOTT,  
*President of the Senate.*

GEO. W. CLARKE,  
*Speaker of the House of Representatives.*

F. M. MOLSBERRY,  
*Teller on the part of the Senate.*

GEO. F. COBURN,  
*Teller on the part of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 23, 1904. }

This is to certify that at an election by the two Houses of the Thirtieth General Assembly of the State of Iowa, in joint convention, on the 23d day of March, for the purpose of electing the officers of the various State institutions, J. R. Lane, 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 23d day of March,  
A. D. 1904.

JOHN HERRIOTT,  
*President of the Senate.*

GEO. W. CLARKE,  
*Speaker of the House of Representatives.*

F. M. MOLSBERRY,  
*Teller on the part of the Senate.*

GEO. F. COBURN,  
*Teller on the part of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 23, 1904. }

This is to certify that at an election by the two Houses of the Thirtieth General Assembly of the State of Iowa, in joint convention, on the 23rd day of March, A. D. 1904, for the purpose of electing the officers of the various State institutions, Ellison J. Orr, having received a majority of all 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 23rd day of March,  
A. D. 1904.

JOHN HERRIOTT,  
*President of the Senate.*

GEO. W. CLARKE,  
*Speaker of the House of Representatives.*

F. M. MOLSBERRY,  
*Teller on the part of the Senate.*

GEO. F. COBURN,  
*Teller on the part of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, March 23, 1904. }

This is to certify that at an election by the two Houses of the Thirtieth General Assembly of the State of Iowa, in joint convention, on the 23d day of March, A. D. 1904, for the purpose of electing the officers of the various State institutions, Vincent Zmunt 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 23d day of March, A. D. 1904.

JOHN HERRIOTT,  
*President of the Senate.*

GEO. W. CLARKE,  
*Speaker of the House of Representatives.*

F. M. MOLSBERRY,  
*Teller on the part of the Senate.*

GEO. F. COBURN,  
*Teller on the part of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, March 23, 1904. }

This is to certify that at an election by the two Houses of the Thirtieth General Assembly of the State of Iowa, in joint convention, on the 23d day of March, A. D. 1904, for the purpose of electing the officers of the various State institutions, H. M. Letts, 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 23d day of March A. D. 1904.

JOHN HERRIOTT,  
*President of the Senate.*

GEO. W. CLARKE,  
*Speaker of the House of Representatives.*

F. M. MOLSBERRY,  
*Teller on the part of the Senate.*

GEO. F. COBURN,  
*Teller on the part of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, March 23, 1904. }

This is to certify that at an election by the two Houses of the Thirtieth General Assembly of the State of Iowa, in joint convention, on the 23d day of March, A. D. 1904, for the purpose of electing the officers of the various State institutions, Geo. S. Allyn, 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 23d day of March, A. D. 1904.

JOHN HERRIOTT,  
*President of the Senate.*

GEO. W. CLARKE,  
*Speaker of the House of Representatives.*

F. M. MOLSBERRY,  
*Teller on the part of the Senate.*

GEO. F. COBURN,  
*Teller on the part of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 23, 1904.

This is to certify that at an election by the two Houses of the Thirtieth General Assembly of the State of Iowa, in joint convention on the 23rd day of March, A. D. 1904, for the purpose of electing the officers of the various State institutions, E. H. Griffin, 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 23rd day of March, A. D. 1904.

JOHN HERRIOTT,  
*President of the Senate.*

GEO. W. CLARKE,  
*Speaker of the House of Representatives.*

F. M. MOLSBERRY,  
*Teller on the part of the Senate.*

GEO. F. COBURN,  
*Teller on the part of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 23, 1904.

This is to certify that at an election by the two Houses of the Thirtieth General Assembly of the State of Iowa, in joint convention, on the 23d day of March, A. D. 1904, 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 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 23d day of March, A. D. 1904.

JOHN HERRIOTT,  
*President of the Senate.*

GEO. W. CLARKE,  
*Speaker of the House of Representatives.*

F. M. MOLSBERY,  
*Teller on the part of the Senate.*

GEO. F. COBURN,  
*Teller on the part of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 23, 1904. }

This is to certify that at an election by the two Houses of the Thirtieth General Assembly of the State of Iowa in joint convention, on the 23d day of March, 1904, 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 23d day of March, A. D. 1904.

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

GEO. W. CLARKE,  
*Speaker of the House.*

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

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

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 23, 1904. }

This is to certify that at an election of the two Houses of the Thirtieth General Assembly of the State of Iowa, in joint convention, on the 23rd day of March, 1904, 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 23d day of March, A. D. 1904.

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

GEO. W. CLARKE,  
*Speaker of the House.*

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

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



The minutes of the joint convention were read and approved.

Senator Hopkins moved that the joint convention do now dissolve.

Motion prevailed.

House resumed its session.

On motion of Leech of Cedar the House adjourned.

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### AFTERNOON SESSION.

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House met pursuant to adjournment.

Speaker Clarke in the chair.

#### BILLS ON THEIR PASSAGE.

House resumed the consideration of Senate file No. 193.

Mr. Teter moved that the rule 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. Calderwood, Carstensen, Davie, DeLano, Doran, English, Geneva, Hambleton, Kendall, Laird, Lamkin, McCreary, McElrath, Manning, Ofill, Prevo, Ritter, Skinner, Spaulding, Teter—20.

The nays were:

Messrs. Bixby, Boland, Buckingham, Carden, Cassel, Cheney, Clary, Cobb, Coburn, Colclo, Crose, Dow, Greeley, Hakes, Hanna, Harris, Hart, Head, Heles, Hollembeak, Jones, Kling, Koontz, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCulloch, Maben, Mattes, Morris, Mott, Olson, Pritchard, Robinson,

Saylor, Summers, Temple, Weeks, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—47.

Absent or not voting:

Messrs. Bailey, Bealer, Buchanan, Chassell, Christianson, Conn, Cummings, Dashiell, Flenniken, Freeman, Frudden, Greene, Gregory, Hume, Jacobson, Jepson, Kennedy, Langan, McDole, McNie, Martin, Nichols, Peet, Powers, Sankey, Shaffer, Springer, Stanbery, Stoltenberg, Teachout, Washburn, Welden, Willson—33.

So the bill, having failed to receive a constitutional majority, was declared lost.

Head of Greene moved that House file No. 271, a bill for an act to regulate the practice of psychiopathy, amendatory to title XII, chapter 16 of the code, relating to the practice of medicine, reported back without recommendation, be indefinitely postponed.

Motion prevailed, and the bill was indefinitely postponed.

On motion of Leech of Cedar, House file No. 173, a bill for an act to provide for the establishment and maintenance of a bacteriological laboratory and for the appointment of a director thereof, (additional to chapter 16, title XII), with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Adopted.

Mr. Leech moved the adoption of the following amendments recommended by the committee on Public Health:

Amend by striking out the word "seven" in section 2, line four, and substituting the word "five" in lieu thereof; also by striking out the words "five hundred" in line five of the same section.

Adopted.

Mr. Leech moved that the rule 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. Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Coburn, Crose, Dashiell, DeLano, Dow,

English, Geneva, Greeley, Greene, Hambleton, Heles, Jepson, Kendall, Koontz, Laird, Lamkin, Leech, Lister, McClurkin, McCulloch, McDole, McElrath, McNie, Manning, Mott, Pritchard, Robinson, Saylor, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Temple, Whiting, Willson, Wise, Mr. Speaker—45.

**The nays were:**

Messrs. Boland, Cheney, Christianson, Clary, Cobb, Colclo, Doran, Hakes, Hanna, Harris, Hart, Head, Hollembeak, Jacobson, Kling, Lowrey, Lundt, McAllister, McCreary, Offill, Powers, Prevo, Ritter, Sankey, Teter, Whitmer, Wright—28.

**Absent or not voting:**

Messrs. Bailey, Bealer, Cassel, Conn, Cummings, Davie, Flenniken, Freeman, Frudden, Gregory, Hume, Jones, Kennedy, Langan, Maben, Martin, Mattes, Morris, Nichols, Olson, Peet, Shaffer, Springer, Teachout, Washburn, Welden, Wyland—27.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Hart of Allamakee, House file No. 116, a bill for an act providing for the compiling of a roster of the Iowa soldiers, sailors and marines of the war of the Rebellion and the Spanish-American war, with report of committee on Military recommending passage as amended by substitute, was taken up and the substitute amendment read and considered and the report of the Appropriations committee adopted.

Mr. Hart moved the adoption of the following substitute amendment recommended by the committee on Military:

**A BILL** for an act providing for the compiling of a roster of Iowa soldiers, sailors and marines of the war of the Rebellion and of the Spanish-American war.

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

Section 1. That the Adjutant General of the State is hereby authorized and directed to compile in suitable form for publication, from the records and files in his office and of the United States and all other reliable records and information obtainable, a true, accurate and correct roster of all Iowa soldiers, sailors and marines of the war of the Rebellion, which said roster shall contain the name of every such soldier, sailor and marine with such other information and records as hereinafter provided.

Sec. 2. Such compilation shall be under the direction and supervision of a board consisting of the Governor, Secretary of State and one other, whose selection shall be made and certified to the Governor by the commander of the department of Iowa Grand Army of the Republic, which member so selected shall receive the same compensation as that now paid to trustees of educational institutions, for time actually and necessarily employed in the duties of such board. Said board and the Adjutant General shall determine upon the general plan and scope of such compilation and the form and arrangement thereof.

Sec. 3. The said compilation shall not be limited to the bare facts as disclosed by the muster out rolls or any other separate official record of individuals, but may contain such other and additional facts, both with reference to individuals and organizations, obtainable from official sources, as may be of general interest or valuable for preservation, and shall include as far as possible a statement of the campaigns and engagements participated in, confinements in Confederate prisons, and service in different organizations, by reference or otherwise, and there shall be excluded from same, when prepared for general publication, all reference to trials, courts-martial, courts of inquiry and convictions other than for heinous offenses and felonies. All orders, reports and other papers with reference to Iowa troops or Iowa soldiers, sailors or marines, either from the files or records of the Adjutant General's office of the United States or other sources may be included therein at the discretion of the board, together with a complete alphabetical index of all names included in such roster. If found practicable by the supervising board there may be included in such compilation so far as obtainable, the names of all soldiers, sailors and marines of the Civil and Mexican wars who became residents of Iowa subsequent to their service in such wars, with such data and information as may be considered proper with reference thereto.

Sec. 4. A brief sketch or history of the organization and service of each regiment or other organization may also be incorporated therein, and the same may, at the discretion of the board, be prepared and furnished without expense to the State by some survivor of such regiment or other organization, or by an organization of such survivors or someone selected by such organization of such survivors under such limitations and rules as the board may fix.

Sec. 5. The Adjutant General shall also in like manner compile and prepare a separate roster of all Iowa soldiers, sailors and marines of the Spanish-American war and the succeeding insurrection in the Philippine Islands, which compilation shall be of same general scope and plan as herein provided for the war of the Rebellion, and shall be prepared under same conditions, limitations and supervision, except that the member of the supervising board other than the Governor and Secretary of State shall be an ex-Iowa soldier of the Spanish-American war, appointed by the Governor.

Sec. 6. The Adjutant General is hereby authorized and empowered to employ such additional help in his office, at an expense not to exceed five thousand dollars (\$5,000), as may be required for the compilation of the rosters herein provided for, and the sum of five thousand dollars (\$5,000),

or as much thereof as may be necessary, is hereby appropriated from any moneys not otherwise appropriated in the treasury of the State of Iowa for the payment of such extra help and the expense of the compilation of the said rosters.

**Adopted.**

Hart of Allamakee moved to amend by adding the following as section 7: "This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Daily Capital, newspapers published at the city of Des Moines, Polk county, Iowa."

**Adopted.**

Mr. Hart moved that the rule 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. Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Crose, Cummings, Davie, DeLano, Doran, Dow, English, Flenniken, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, Maben, Manning, Mattes, Mott, Offill, Olson, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Teter, Weeks, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker  
—77.

**The nays were:**

**None.**

**Absent or not voting:**

Messrs. Bailey, Bealer, Boland, Cassel, Conn, Dashiell, Freeman, Frudden, Gregory, Heles, Hume, Kennedy, Langan, McNie,

Martin, Morris, Nichols, Peet, Powers, Springer, Temple, Washburn, Welden—23.

So the bill passed and the title was agreed to.

On motion of English of Polk, House file No. 211, a bill for an act providing for the completion of the historical, memorial and art building, and the acquisition of the real estate herein-after described, and making an appropriation therefor, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mattes of Sac moved to amend by adding to section 2 the following:

The Executive Council may set aside so much of said appropriation as they shall deem necessary for the purchase of furnishings for the east wing of said building during the next biennial period.

Adopted.

English of Polk moved that the rule 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. Bixby, Buchanan, Calderwood, Carden, Carstensen, Chassell, Cheney, Clary, Coburn, Colclo, Crose, Cummings, Dashiell, Doran, English, Flenniken, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Hollembeak, Jepson, Jones, Kendall, Kling, Koontz, Leech, Lister, Lowrey, McAllister, McCulloch, McElrath, Maben, Manning, Mattes, Morris, Mott, Offill, Ritter, Robinson, Saylor, Shaffer, Skinner, Stanbery, Summers, Teachout, Teter, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—57.

The nays were:

Messrs. Boland, Buckingham, Cassel, Cobb, Dow, Head, Jacobson, Laird, Lamkin, Lundt, McCreary, Olson, Powers, Prevo, Pritchard, Sankey, Spaulding, Weeks—18.

Absent or not voting:

Messrs. Bailey, Bealer, Christianson, Conn, Davie, DeLano, Freeman, Frudden, Gregory, Heles, Hume, Kennedy, Langan, McClurkin, McDole, McNie, Martin, Nichols, Peet, Springer, Stoltenberg, Temple, Washburn, Welden, Willson—25.

So the bill passed and the title was agreed to.

On motion of Calderwood of Scott, House file No. 407, a bill for an act to repeal section 2474 of the code, relating to the reporting of accidents to employes, and to enact in lieu thereof the following, was taken up and considered and the report of the committee adopted.

Carstensen of Clinton moved that the rule 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. Buchanan, Calderwood, Carstensen, Cheney, Colclo, Crose, Dashiell, Davie, Doran, Dow, English, Geneva, Hambleton, Hart, Hollembeak, Jacobson, Kendall, Laird, Lamkin, Leech, Lundt, McAllister, Maben, Manning, Morris, Offill, Olson, Robinson, Saylor, Shaffer, Spaulding, Stanbery, Stoltenberg, Teter, Whiting, Wise, Wright, Mr. Speaker—38.

The nays were:

Messrs. Bixby, Buckingham, Carden, Clary, Cobb, Coburn, Cummings, Greene, Hakes, Hanna, Harris, Lister, McClurkin, McCreary, McCulloch, McElrath, McNie, Mott, Powers, Prevo, Sankey, Skinner, Teachout, Wyland—24.

Absent or not voting:

Messrs. Bailey, Bealer, Boland, Cassel, Chassell, Christianson, Conn, DeLano, Flenniken, Freeman, Frudden, Greeley, Gregory, Head, Heles, Hume, Jepson, Jones, Kennedy, Kling, Koontz, Langan, Lowrey, McDole, Martin, Mattes, Nichols, Peet, Pritchard, Ritter, Springer, Summers, Temple, Washburn, Weeks, Welden, Whitmer, Willson—38.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Cummings of Marshall, House file No. 373, a bill for an act to amend section 2685 of the code, relative to the admission of children to the Orphans' Home and Home for Destitute Children, located at Davenport, with report of committee recommending passage as amended by substitute, was taken up, the substitute amendment read and considered, and the report of the committee adopted.

Mr. Cummings moved the adoption of the following substitute amendment recommended by the committee:

A BILL for an act to amend section twenty-six hundred and eighty-five as it appears in the supplement of the code relative to the admission of children to the Iowa Soldiers' Orphans' Home.

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

Section 1. That section twenty-six hundred and eighty-five (2685) as it appears in the supplement of the code, be and the same is hereby amended by inserting in the first line thereof, after the word "children" the words "and grandchildren."

**Adopted.**

Mr. Cummings moved that the rule 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. Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Clary, Cobb, Colclo, Crose, Cummings, Dashiell, Davie, Doran, Dow, Geneva, Greeley, Hambleton, Hanna, Harris, Hart, Head, Hollembek, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Mattes, Morris, Mott, Offill, Olson, Prevo, Pritchard, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Temple, Weeks, Whiting, Wise, Wright, Mr. Speaker—70.



The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Cheney, Christianson, Coburn, Conn, DeLano, English, Flenniken, Freeman, Frudden, Greene, Gregory, Hakes, Heles, Hume, Kennedy, Langan, Martin, Nichols, Peet, Powers, Sankey, Teachout, Teter, Washburn, Welden, Whitmer, Willson, Wyland—30.

So the bill passed and the title was agreed to.

On motion of Cummings of Marshall, House file No. 375, a bill for an act to amend sections 2601 and 2606 of the code, relative to qualifications for admission to the State Soldiers, Home, with report of committee recommending passage as amended, was taken up, read and considered and the report of the committee adopted.

Mr. Cummings moved the adoption of the following amendment recommended by the committee:

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

Section 1. That section twenty-six hundred and one (2601) of the code be, and the same is hereby amended by inserting after the word "marines," in the third line thereof, the following: "and such other United States soldiers, sailors and marines who have served in time of war as may be hereinafter provided."

Sec. 2. That section twenty-six hundred and six (2606) of the code be and the same is hereby amended by adding thereto the following: "other honorably discharged United States soldiers, sailors and marines who have served in the time of war may be admitted, subject to such rules as the said board may prescribe, but the applications of Union soldiers, sailors or marines shall have preference."

Adopted.

Hart of Allamakee moved that the rule 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. Bixby, Boland, Calderwood, Carden, Cassel, Chassell, Cheney, Clary, Cobb, Coburn, Crose, Cummings, Davie, Doran, Dow, English, Flenniken, Geneva, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Hollembek, Jacobson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McNie, Maben, Manning, Mattes, Morris, Mott, Offill, Olson, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Summers, Temple, Teter, Weeks, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—70.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Buchanan, Buckingham, Carstensen, Christianson, Colclo, Conn, Dashiell, DeLano, Freeman, Frudden, Greeley, Gregory, Heles, Hume, Jepson, Kennedy, Langan, McElrath, Martin, Nichols, Peet, Pritchard, Saylor, Stanbery, Teachout, Washburn, Welden, Willson—30.

So the bill passed and the title was agreed to.

On motion of Mattes of Sac, House file No. 408, a bill for an act to appropriate money to extend the east wing of the old flag cases in the State House, was taken up and considered.

Offill of Jasper moved that the rule 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. Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Chassell, Cheney, Clary, Cobb, Coburn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken,

Geneva, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McNie, Maben, Manning, Mattes, Morris, Mott, Offill, Olson, Powers, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stoltenberg, Summers, Teachout, Temple, Teter, Weeks, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—76.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Carstensen, Cassel, Christianson, Colclo, Conn, Freeman, Frudden, Greeley, Gregory, Hume, Kennedy, Langan, McElrath, Martin, Nichols, Peet, Prevo, Springer, Stanbery, Washburn, Welden, Willson—24.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, House file No. 394, a bill for an act to legalize the incorporation of the town of Arnolds Park, Dickinson county, Iowa, the notices of election and the election of its officers, with the report of the committee recommending passage, was taken up, considered and the report of the committee adopted.

Robinson of Emmet moved that the rule 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. Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Cassel, Cheney, Clary, Cobb, Colclo, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Geneva, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Jacobson, Jepson, Jones, Kendall, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCulloch, McDole, McElrath, McNie, Maben, Manning, Mattes, Morris, Mott, Offill, Olson, Prevo, Pritchard, Ritter,

Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Summers, Teachout, Temple, Teter, Weeks, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—76.

The nays were :

None.

Absent or not voting :

Messrs. Bailey, Bealer, Carstensen, Chassell, Christianson, Coburn, Conn, Freeman, Frudden, Greeley, Gregory, Hume, Kennedy, Kling, Langan, McCreary, Martin, Nichols, Peet, Powers, Stanbery, Washburn, Welden, Willson—24.

So the bill passed and the title was agreed to.

On request of Doran of Boone leave of absence was granted Washburn of Mills until Monday.

Mattes of Sac called up motion to reconsider House file No. 314.

Motion prevailed.

Mr. Mattes moved that the bill be indefinitely postponed.

Motion prevailed and the bill was indefinitely postponed.

Hambleton of Mahaska asked unanimous consent to withdraw House file No. 409 from the committee on Judiciary and from further consideration by the House.

Granted.

Summers of Van Buren moved that 300 additional copies of House file No. 317 be printed for the use of the members of the House.

Motion prevailed.

McNie of Benton asked unanimous consent to withdraw House file No. 359 from further consideration by the House.

Granted.

## INTRODUCTION OF BILLS.

By Jones of Montgomery, House file No. 418, a bill for an act to require the registration of births and deaths in Iowa.

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

## EXPLANATION OF VOTE.

In explanation of my vote on House file No. 173 I desire to say that I am heartily in favor of the establishment of a State bacteriological laboratory and a sufficient appropriation for its proper maintenance. I believe, however, that such laboratory should be located in the State University where the State would have the benefit of same for educational purposes in connection with the work in medical, dental and scientific departments—and for the further reason that the expense of such laboratory would be much less there than elsewhere.

If the gentleman in charge of this bill will agree to modify it, as above suggested, I will gladly move a reconsideration, and give such amended measure my hearty support.

WM. S. HART.

## 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. 235, a bill for an act amending chapter 62, acts of Twenty-ninth General Assembly, 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 Senate was asked :

House file No. 256, a bill for an act to provide for the consolidation or reinsurance of the risks of fraternal beneficiary societies or organizations and providing a plan 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 :

Substitute for Senate file No. 124, a bill for an act to amend section 2382 of the code of Iowa, 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 amended and passed the following bill in which the concurrence of the Senate was asked :

House file No. 226, a bill for an act to repeal section 1832 of the code, as amended by chapter 47, acts of Twenty-seventh General Assembly, relating to the fraternal beneficiary associations and providing a substitute 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 :

Substitute for House file No. 145, a bill for an act to provide for the consolidation of life insurance companies or the reinsurance of the risks of such companies, with or by other companies authorized by the laws of the State to transact such business within the State and providing a plan for such consolidation or reinsurance.

GEO. A. NEWMAN,  
*Secretary.*

## SENATE MESSAGES CONSIDERED.

Senate file No. 124, a bill for an act to amend section 2382 of the code of Iowa, relating to the sale of intoxicating liquors by the permit holders.

Read first and second time and referred to committee on Suppression of Intemperance.

Senate file No. 256, a bill for an act to authorize and empower the Governor of Iowa to relinquish and re-convey to the United States, certain lands in Dickinson county, Iowa.

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

Substitute for Senate file No. 90, a bill for an act enlarging the powers of the district court and to regulate the treatment and control of dependent, neglected and delinquent children.

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

Senate file No. 302, a bill for an act providing the method of certifying the assessment of telephone and telegraph companies.

Read first and second time and referred to committee on Telegraph, Telephone and Express.

Substitute for Senate file No. 235, a bill for an act to amend the law as it appears in sections thirteen hundred forty-two-b (1342-b) and thirteen hundred forty-two-d (1342-d) of the supplement to the code, relating to the taxation of freight line and equipment companies.

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

Senate file No. 231, a bill for an act relating to the distribution of the code and the supplement to the code and other State documents.

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

Senate file No. 281, a bill for an act to encourage the use of wagons with wide tires on public highways.

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

#### MOTION TO RECONSIDER.

The following motion to reconsider was filed:

MR. SPEAKER—I move that the vote by which House file No. 173 was lost on passage and by which it went to its third reading be reconsidered.

HENRY RITTER.

I second the motion.

M. HAKES.

On motion of Flenniken of Clayton, the House adjourned until Friday morning at 9 o'clock.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 25, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. Charles W. Wilson of What Cheer, Iowa.

On request of Kendall of Monroe leave of absence was granted Hart of Allamakee until Tuesday.

On request of Buckingham of Buena Vista leave of absence was granted Cheney of Clay until Tuesday.

On request of Cobb of Taylor leave of absence was granted Harris of Poweshiek until Monday.

On request of Spaulding of Howard leave of absence was granted Hume of Mitchell until Monday on account of sickness.

On request of Skinner of Union leave of absence was granted McDole of Jackson until Tuesday.

PETITIONS AND MEMORIALS.

Lamkin of Lyon presented two petitions of stock shippers of Lyon county relative to House file 332.

Referred to committee on Railroads and Commerce.

McCreary of Appanoose presented petition of 130 citizens of Appanoose county relative to the drainage law.

Referred to committee on Agriculture.



Langan of Clinton presented memorial of August Wentz Post, No. 1, G. A. R., relative to House file No. 301.

Referred to committee on Appropriations.

Kling of Harrison presented petition of 57 citizens of Harrison county relative to the mulct law.

Referred to committee on Suppression of Intemperance.

Wright of Webster, from the committee on Constitutional Amendments, submitted the following report:

#### REPORT OF COMMITTEE.

MR. SPEAKER—Your committee on Constitutional Amendments, to whom was referred House joint resolution No. 6, beg leave to report that they have had the same under consideration and have instructed me to report the same back with the recommendation that said resolution be amended by inserting immediately after the word "thereby," in the eighth line of said resolution, the following: "The General Assembly may provide by law for the condemnation of such real estate as shall be necessary for the construction and maintenance of such drains, ditches and levees, and prescribe the method of making such condemnation," and that when so amended the said resolution do pass.

R. M. WRIGHT,  
*Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By Hart of Allamakee, House file No. 419, a bill for an act additional to and amendatory of chapter 6 of title XIII of the code and to the law as found in said title and chapter of the supplement to the code, relative to the sale of intoxicating liquors.

Read first and second time and referred to committee on Suppression of Intemperance.

By Cummings of Marshall, House file No. 420, a bill for an act relating to corporations for pecuniary profit, and repealing sections 1610, 1618 and 1637 of the code, and enacting substitutes therefor.

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

By Prevo of Davis, House file No. 421, a bill for an act to repeal sections 777 and 770 of the supplement to the code, and to

enact substitutes therefor, relating to the construction of temporary and permanent sidewalks and to provide a sidewalk fund therefor.

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

By McClurkin of Louisa, House file No. 422, a bill for an act to amend chapter 2, title X of the code of Iowa, relating to levees heretofore constructed in or through two or more counties, the appointment of a commissioner therefor, and the repair and improvement thereof, and the raising of funds for such repairs.

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

Hambleton of Mahaska offered the following resolution:

**WHEREAS**, Our State educational institutions are rightfully and properly demanding from the legislature of Iowa generous support, that they may better fulfill their mission in the education of the youth of our fair State, and,

**WHEREAS**, It is the evident desire of the members of this General Assembly that in so far as it is possible such plans be formulated and encouraged, and such appropriations made by an equitable distribution of all public funds at our command to help fulfill at the earliest possible time the laudable ambition of Iowa's taking first place in the educational work of this great nation and,

**WHEREAS**, Some difference of opinion seems to exist among leading educators as to lines of work and plans for equipment and buildings for future educational advantages, and,

**WHEREAS**, At least two adjoining states seem to have found in consolidation and concentration such advantages as to equal, if not to outstrip us from an educational point of view with less funds expended; therefore, be it

*Resolved, by the House, the Senate concurring*, That a committee of four from the House and three from the Senate be appointed to take into consideration the advisability of a consolidation and concentration of educational interests as to courses of study in the Iowa State University and the Iowa State Agricultural College and report with such recommendations, plans and outline of work after due consideration and advice, giving such information as may be for the better understanding and enlightenment of this Assembly in the future success of our educational work.

Laid over under rule 34.

## BILLS ON THEIR PASSAGE.

On motion of Mattes of Sac, House file No. 117, a bill for an act to establish and maintain a sanatorium for the treatment and cure of persons afflicted with tuberculosis, with reports of Appropriations and Public Health committees recommending passage as amended, was taken up, considered and the reports of the committees adopted.

Mattes of Sac moved that the following amendment recommended by the committee on Appropriations be adopted:

Amend by striking out the amendments offered by committee on Public Health, and further amend said bill by striking therefrom sections one (1) and two (2) thereof, and inserting in lieu of the sections so stricken, the following:

Section 1. That there is hereby created a Commission, consisting of the Board of Control of State Institutions, the State Board of Health, and the Executive Council of the State, to select and purchase a site within one hundred and fifty miles from the capitol building at Des Moines for a sanatorium for the treatment and care of persons afflicted with tuberculosis.

Sec. 2. That in selecting the site for such sanatorium, the Commission shall take into consideration the situation of the place with respect to the health of the patients, the conveniency of access thereto, railroad facilities, water and coal supply, nearness and cheapness of building material, and the like, making such selection as in their judgment will best subserve the well being of the patients and the interests of the State.

Adopted.

On motion of Hart of Allamakee, House file No. 323, a bill for an act to repeal section forty-three hundred and sixty four (4364) of the code and for the enactment of a new section additional to and amendatory of chapter 4, title XVIII of the code, relative to place of bringing actions to restrain judicial proceedings and enforcement of judgments, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Mr. Hart moved that the rule 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. Bealer, Calderwood, Carden, Clary, Freeman, Hambleton, Hanna, Hart, Jacobson, Kennedy, Kling, Lowrey, McAllister, McClurkin, McCulloch, McNie, Maben, Mattes, Offill, Olson, Powers, Robinson, Sankey, Saylor, Skinner, Stoltenberg—26.

**The nays were:**

Messrs. Bixby, Buckingham, Coburn, Colclo, Crose, Doran, Dow, Frudden, Geneva, Head, Heles, Hollembeak, Jepson, Jones, Laird, Lamkin, Langan, Leech, Lister, Lundt, McCreary, McDole, Manning, Martin, Mott, Peet, Prevo, Pritchard, Ritter, Spaulding, Stanbery, Temple, Teter, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—40.

**Absent or not voting:**

Messrs. Bailey, Boland, Buchanan, Carstensen, Cassel, Chassell, Cheney, Christianson, Cobb, Conn, Cummings, Dashiell, Davie, DeLano, English, Flenniken, Greeley, Greene, Gregory, Hakes, Harris, Hume, Kendall, Koontz, McElrath, Morris, Nichols, Shaffer, Springer, Summers, Teachout, Washburn, Weeks, Wright—34.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Carstensen of Clinton, House file No. 368, a bill for an act to amend section two thousand one hundred and fourteen (2114) of the code of 1897, providing for reports of accidents by railroad companies, with report of committee recommending assage, was taken up, considered, and the report of the committee adopted.

Mr. Carstensen moved that the rule 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. Bixby, Calderwood, Carden, Carstensen, Clary, Cobb, Coburn, Conn, Crose, Dashiell, Davie, Doran, Dow, English,

Freeman, Frudden, Geneva, Hambleton, Hanna, Hart, Heles, Hollembeak, Jepson, Jones, Kendall, Kling, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Offill, Olson, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Teachout, Temple, Teter, Welden, Whiting, Whitmer, Willson, Wise, Mr. Speaker—68.

The nays were:

Messrs. Head, Jacobson—2.

Absent or not voting:

Messrs. Bailey, Bealer, Boland, Buchanan, Buckingham, Casel, Chassell, Cheney, Christianson, Colclo, Cummings, DeLano, Flenniken, Greeley, Greene, Gregory, Hakes, Harris, Hume, Kennedy, Koontz, McClurkin, Nichols, Pritchard, Springer, Summers, Washburn, Weeks, Wright, Wyland—30.

So the bill passed and the title was agreed to.

On motion of Skinner of Union, House file No. 385, a bill for an act to amend section twenty-two hundred and thirty (2230) of the code, relating to overseer of the poor, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Skinner moved that the rule 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. Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, Doran, English, Freeman, Frudden, Geneva, Hakes, Hambleton, Hanna, Head, Hollembeak, Jones, Kennedy, Kling, Koontz, Laird, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Mattes, Morris, Mott, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Saylor,

Skinner, Springer, Stoltenberg, Summers, Teachout, Temple, Whitmer, Willson, Wise, Wyland—67.

The nays were:

Messrs. Dow, Lamkin, Shaffer, Spaulding, Stanbery, Teter, Welden, Mr. Speaker—8.

Absent or not voting:

Messrs. Bailey, Bealer, Boland, Cassel, Cheney, Christianson, DeLano, Flenniken, Greeley, Greene, Gregory, Harris, Hart, Heles, Hume, Jacobson, Jepson, Kendall, Martin, Nichols, Sankey, Washburn, Weeks, Whiting, Wright—25.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, Senate file No. 86, a bill for an act to empower boards of supervisors, township trustees, city and town councils to buy or condemn land for gravel and other material to improve roads, public highways, streets and alleys, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Kendall moved that the rule 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, Buchanan, Calderwood, Cassel, Chassell, Christianson, Clary, Coburn, Colclo, Conn, Cummings, Dow, Freeman, Frudden, Greene, Hakes, Hambleton, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kling, Leech, Lister, McCreary, McCulloch, Manning, Martin, Mattes, Mott, Offill, Olson, Powers, Prevo, Pritchard, Robinson, Saylor, Shaffer, Spaulding, Stoltenberg, Summers, Teachout, Temple, Welden, Wise, Wyland, Mr. Speaker—48.

The nays were:

Messrs. Bixby, Buckingham, Carden, Carstensen, Cobb, Crose, Davie, Doran, English, Geneva, Hanna, Head, Koontz, Laird,

Lamkin, Langan, Lundt, McAllister, McClurkin, McElrath, McNie, Maben, Morris, Peet, Ritter, Sankey, Skinner, Stanbery, Teter, Whiting, Whitmer, Willson—32.

**Absent or not voting:**

Messrs. Bailey, Boland, Cheney, Dashiell, DeLano, Flenniken, Greeley, Gregory, Harris, Hart, Heles, Hume, Kennedy, Lowrey, McDole, Nichols, Springer, Washburn, Weeks, Wright—20.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Buchanan of Wapello, Senate file No. 112, a bill for an act to provide for the construction of sewers by incorporated towns, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Springer of Buchanan moved to amend by inserting in section one, line seven, before the word "towns" the word "incorporated."

**Adopted.**

Mr. Buchanan moved that the rule 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, Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, Doran, Dow, English, Freeman, Frudden, Geneva, Greene, Hakes, Hambleton, Head, Heles, Hollebeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Summers, Teachout, Temple, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—80.

The nays were:

Mr. Hanna—1.

Absent or not voting:

Messrs. Bailey, Boland, Cheney, DeLano, Flenniken, Greeley, Gregory, Harris, Hart, Hume, Lowrey, McDole, Nichols, Offill, Stoltenberg, Teter, Washburn, Weeks, Wright—19.

So the bill passed and the title was agreed to.

On motion of Buchanan of Wapello, Senate file No. 118, a bill for an act to repeal section seven hundred and thirty-eight (738) of the code, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Mr. Buchanan moved the adoption of the following amendment recommended by the committee:

Amend by striking out all of said bill after the enacting clause and inserting in lieu thereof the following:

“Section 1. That section seven hundred and thirty-eight (738) and seven hundred and thirty-nine (739) of the code, be and the same are hereby repealed.

Sec. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Daily Capital, papers published at Des Moines, Iowa.”

Adopted.

Mr. Buchanan moved that the rule 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, Bixby, Buchanan, Carden, Carstensen, Cassel, Chassell, Christianson, Clary, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, Doran, Freeman, Frudden, Geneva, Greene, Hakes, Hambleton, Hanna, Head, Heles, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Offill, Olson, Peet, Powers, Prevo,



Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Temple, Teter, Welden, Whitmer, Willson, Wise, Wyland, Mr. Speaker—75.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Boland, Buckingham, Calderwood, Cheney, Cobb, DeLano, Dow, English, Flenniken, Greeley, Gregory, Harris, Hart, Hume, McDole, Mott, Nichols, Stoltenberg, Summers, Teachout, Washburn, Weeks, Whiting, Wright—25.

So the bill passed.

Buchanan of Wapello moved to amend the title by adding after the figures "738" the words and figures "seven hundred and thirty-nine (739)."

Adopted.

Title as amended agreed to.

On motion of Teachout of Polk, Senate file No. 310, a bill for an act to authorize cities to protect lots, lands and property within their limits and from damage and danger from floods and high water, by deepening, widening, straightening, altering or changing and otherwise improving water courses within their limits, and by constructing levees, embankments and other works, and to provide for the levy of special assessments and other taxes and the issuance of bonds and certificates to defray the expense of such improvement, additional to chapters 7 and 8, title V, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Jepson of Woodbury moved to amend section five (5) by adding after the word "tax" in the seventh line thereof the following: "not to exceed three (3) mills."

Teachout of Polk moved that the bill be made a special order for 2 o'clock P. M. today.

Motion prevailed.

On motion of Kendall of Monroe, Senate file No. 243, a bill for an act amending the law as it appears in section eleven hundred and twenty-nine (1129) of the code, relating to elections and the payment of the expenses thereof, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Kendall moved that the rule 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. Bixby, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Christianson, Clary, Cobb, Colclo, Conn, Crose, Dashiell, Davie, Doran, English, Freeman, Frudden, Geneva, Greene, Hakes, Hambleton, Hanna, Head, Heles, Hollebeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Teter, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—76.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Boland, Buchanan, Cheney, Coburn, Cummings, DeLano, Dow, Flenniken, Greeley, Gregory, Harris, Hart, Hume, McDole, Nichols, Stoltenberg, Summers, Teachout, Temple, Washburn, Weeks, Wright.—24.

So the bill passed and the title was agreed to.

On motion of Mattes of Sac, Senate file No. 218, a bill for an act making an appropriation to return to the State Board of Veterinary Medical Examiners of Iowa, money paid by them

into the treasury of the State, 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, 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, Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, Doran, Dow, English, Freeman, Frudden, Geneva, Greene, Hakes, Hambleton, Hanna, Heles, Hollebeak, Jacobson, Jepson, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Teachout, Temple, Teter, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Boland, Cheney, DeLano, Flenniken, Greeley, Gregory, Harris, Hart, Head, Hume, Jones, McDole, Mott, Nichols, Summers, Washburn, Weeks, Wright—19.

So the bill passed and the title was agreed to.

On motion of Martin of Pottawattamie, Senate file No. 155, a bill for an act making an appropriation to reimburse certain officers, teachers and employes of the Iowa School for the Deaf, for the loss of wearing apparel and other property by fire at said school on the 9th day of May, 1902, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Mr. Martin moved that the rule 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, Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, Doran, Dow, English, Freeman, Frudden, Geneva, Greene, Hakes, Hambleton, Hanna, Head, Heles, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Teachout, Temple, Teter, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—82.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Boland, Cheney, DeLano, Flenniken, Greeley, Gregory, Harris, Hart, Hume, McDole, Mott, Nichols, Stanbery, Summers, Washburn, Weeks—18.

So the bill passed and the title was agreed to.

SENATE MESSAGES CONSIDERED.

On request of Lowrey of Calhoun, unanimous consent having been given, House file No. 226, a bill for an act to repeal section 1832 of the code, as amended by chapter 47, acts of the Twenty-seventh General Assembly, relating to the fraternal beneficiary associations and providing a substitute therefor, with Senate amendments, was taken up and the amendments read and considered.

Mr. Lowrey moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs Bixby, Buchanan, Calderwood, Carden, Carstensen, Chassell, Christianson, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Davie, Doran, Dow, English, Freeman, Frudden, Greene, Hakes, Hambleton, Hanna, Head, Heles, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Olson, Peet, Powers, Prevo, Robinson, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Summers, Teachout, Teter, Welden, Whitmer, Wise, Mr. Speaker—68.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Boland, Buckingham, Cassel, Cheney, Clary, Cummings, DeLano, Flenniken, Geneva, Greeley, Gregory, Harris, Hart, Hume, Koontz, Langan, McDole, Nichols, Ofill, Pritchard, Ritter, Sankey, Stolttenberg, Temple, Washburn, Weeks, Whiting, Willson, Wright, Wyland—32.

So the House concurred in the Senate amendments.

On request of English of Polk, unanimous consent having been given, House file No. 145, a bill for an act to provide for the consolidation of life insurance companies or the reinsurance of the risks of such companies, with or by other companies authorized by the laws of the State to transact such business within the State and providing a plan for such consolidation or reinsurance, with Senate amendment, was taken up and the amendment read and considered.

Mr. English moved that the House concur in the Senate amendment.

On the question, Shall the House concur?

The yeas were:

Messrs. Bealer, Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, Doran, Dow, English, Freeman, Frudden, Geneva, Greene, Hakes, Hanna, Head, Heles, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Teachout, Temple, Teter, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Boland, Cheney, DeLano, Flenniken, Greeley, Gregory, Hambleton, Harris, Hart, Hume, McDole, Mott, Nichols, Stanbery, Summers, Washburn, Weeks, Wright—19.

So the House concurred in the Senate amendment.

On motion of Kendall of Monroe, House file No. 396 was referred to the committee on Judiciary.

MOTION TO RECONSIDER.

The following motion to reconsider was filed:

I move to reconsider the vote by which House file No. 271 was indefinitely postponed.

F. N. BUCKINGHAM.

I second the motion.

MAHLON HEAD.

On motion of Hambleton of Mahaska House voted to recall House file No. 367 from the Senate.

Maben of Hancock asked unanimous consent to withdraw House file No. 265 from the committee on Appropriations and from further consideration by the House.

Granted.

On motion of Carden of Henry House adjourned until 2 o'clock P. M.

## AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Clarke in the chair.

Special order, Senate file No. 310, at request of Teachout, was deferred.

Kendall of Monroe asked unanimous consent to withdraw House file No. 256 from the committee on Public Lands and Buildings.

Granted.

## INTRODUCTION OF BILLS.

By Crose of Page, House file No. 423, a bill for an act authorizing the appointment of policemen at certain State institutions.

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

## REPORT OF COMMITTEE.

Flenniken of Clayton, 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 provide for primary elections for the purpose of ascertaining the choice of members of political parties for nomination of candidates for elective offices, and the selection and instruction of delegates to conventions, beg leave to report that they have 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 AS AMENDMENT FOR HOUSE FILE NO. 1.

**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 all counties having a population of seventy-five thousand (75,000) or more, the nomination of candidates for all offices filled by election of voters, except those of incorporated towns and school districts, by all political parties, shall be made by conventions composed of delegates, and the selection and instruction of delegates shall be made and given at primary elections conducted under the regulations herein provided.

All delegates chosen and serving as such in convention assembled shall be considered as instructed to vote for, as long as good faith requires, and use their best endeavors to secure the nomination of persons for the various positions to be filled who have received the largest number of votes respectively in the precinct wherein the delegate was elected.

The provisions of chapters three (3) and four (4) title VI (6) and of chapter eight (8) title XXIV (24) of the code, and the law as it appears in sections forty-nine hundred nineteen-a (4919-a), forty-nine hundred nineteen-b (4919-b), forty-nine hundred nineteen-c (4919-c) of the supplement to the code, shall apply to all such primary elections, the same as general elections, when not in conflict with this act.

Sec. 2. This primary election shall consist of an election by all political parties held on the first Tuesday in May preceding the November general election at the usual voting places of the several precincts, and shall be conducted in the same manner as general elections. In cities where registration is required by law, the polls shall be open from 7:00 A. M. to 6:00 P. M. and in all other precincts from 12 o'clock noon to 8:00 P. M.

Sec. 3. The election officers of the first general election after the primary election, shall also be the officers at said primary election. The judges and clerks of election, shall be designated and so notified, at least thirty (30) days prior to the primary election day and shall be required to take the same oath as is required by law for judges and clerks of a general election, and their duties, liabilities and compensation shall be the same. The expense of the primary election provided for in section two (2) of this act, shall be paid by the counties in which said primary election is held, all bills to be audited and passed upon by the board of supervisors.

Sec. 4. Any person is prima facie an elector in such precinct who is a qualified elector in such precinct at the time of such primary election and who has designated the political party with which he desires to be affiliated at the general election held in the preceding November (unless challenged, and if challenged then only in the 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 it is determined by the poll books of the preceding year, that he declared his affiliation. The elector voting at such primary election, shall be allowed to vote for candidates for nomina-



tions on the ticket of only one political party, and that to be the party with which he is registered as affiliated with; provided however, that those who failed to register their party affiliations for any of the reasons enumerated in section five (5) of this act or who become legal voters of the county after the last general election preceding such primary election, who are otherwise qualified electors of such precinct, shall upon complying with the requirements of said section, have their names registered as provided therein and be entitled to vote, when not challenged, and when a challenge is not sustained, such person shall not be permitted to vote until the provisions of this act are complied with. When an elector has changed his residence within the county after the November election and before the primary election following, he may show his party affiliations by a certificate from the county auditor, which certificate shall be issued upon request by such officer. The endorsement of the judges of election shall appear upon the ballots, as provided by law for the ballots issued at the November election. No person shall vote at a primary election who has not registered as herein provided. The judges of election shall instruct the voter that he is to vote for his choice of the candidates for each office, using only the ballot of the party with which he affiliates, and he must return the ballot folded that it may be deposited in the ballot box.

Sec. 5. In order that none but qualified electors and those affiliating with and who are members of any political party shall participate in any primary election held by such political party, a system for the registration of voters is hereby provided, and such registration shall be conducted in form and manner as follows, to wit: At the general election held in November of each year there shall be set aside, on the regular poll books used for the purpose of registering the names of persons who are qualified to and do vote, space for the registration of all persons who may desire to take part in any primary election held thereafter by any political party. Such space shall be provided on the regular election poll books, immediately following the last perpendicularly ruled column in such book, and shall be headed as follows: "Party Affiliation." It shall be the duty of the judges at such general election to ask each person who votes the question, "With what political party do you desire to affiliate?" and the name of the political party given by such person shall be recorded in the column provided on the poll books for that purpose. In case any person does not desire to state his party affiliation he shall not be required so to do nor shall his failure so to do act as a bar to his voting at any election held under the provisions of the general election law, except a primary election.

Any elector who voted at the last general election whose party affiliation was not recorded at such general election or having declared his party affiliation, desires to change the same may, not less than thirty nor more than forty days prior to the date of the primary election, file an affidavit with the officer charged with the custody of the poll books of the last general election, stating his party affiliation and such officer shall enter a record of the same on the poll books in the proper column opposite the voter's name. Any such person who was necessarily absent from the precinct and for said reason was unable to file his affidavit of party affiliation or change of party affiliation during the ten days provided therefor, or any person or persons

who were too ill to vote at the last general election or who were prevented therefrom by sickness or death or other calamity in their family, or any person or persons who have moved into such precinct since the date of the last general election, and who is not provided with a certificate from the county auditor of the county as provided in section four (4) of this act, and who is a qualified elector at the time of said primary election, and any person who became a qualified elector of such precinct since such last general election, shall be allowed an opportunity to register at the time and in the manner set forth herein, as follows, to wit: Any such person may apply at the polls of the precinct in which he resides at the primary election, and make affidavit before the officers of said primary election, who are hereby authorized to administer oath or affirmation thereto, and certify to the same, that he was prevented from registering at the regularly appointed time and the cause for such failure, together with his qualifications as a voter and membership in the political party with which he desires to affiliate. In all such cases the person so applying to the officers of the primary election for registration shall, in addition to his own affidavit, produce the affidavits of at least two well known and reputable electors, residents and freeholders of the precinct, setting forth the qualification of such person as an elector and reason or reasons for the failure of such persons to attend the general election held in November for the purpose of voting and registering thereat. In all cases where illness is given as the cause for failure to register, the affidavit of some reputable physician setting forth the fact shall also be produced. The officers of such primary election shall then register the name of the person so applying in the poll book for the precinct on the page containing the names of those regularly registered, and opposite each name so registered at such primary election shall be marked the words "Specially Registered," and such person if not challenged or if a challenge is not sustained shall thereupon be allowed to vote. Such poll books shall be delivered to the primary election board by the custodian thereof at least one day prior to the day of the primary election, and be returned to such custodian in good condition forthwith after said primary election to be preserved by him as provided by section eleven hundred and forty-five (1145) of the code.

Sec. 6. When the right of any person to vote is challenged, who voted at the last preceding general election and at that time declared and had recorded his party affiliation, or who voted at such general election in some other precinct of the county and there declared and had recorded his party affiliations and has produced the auditor's certificate herein required, or who voted at such preceding general election and declared his party affiliations not less than thirty (30) days before such primary election as herein provided, the election judges shall require of such person his own affidavit showing his qualifications to vote at such primary election.

Sec. 7. The names of candidates for nomination for all county offices, and of candidates for nomination for offices to be determined in representative, senatorial, judicial, congressional and State conventions who are residents of said county, shall be filed with the county auditor at least twenty (20) days before said primary election. And said candidates shall each file therewith an affidavit stating that he is a resident of the county and

that it is his bona fide intention to be candidate for the nomination upon a stated party ticket for the office specified, as follows:

I, A....., being duly sworn, say that I reside at .....street..... (city or town) of....., county of....., State of Iowa, and that the political party with which I affiliate is the.....party; and I am a qualified voter therein, and a.....; that I am a candidate for the nomination to the office of..... to be voted upon at the primary election 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.

(Signed) .....

Subscribed and sworn to (or affirmed) before me.....by ..... on this day of.....190..

Sec. 8. Ten days prior to the primary election day the county auditor shall prepare the primary election ballot for each political party as hereafter provided and a fac simile thereof shall be published at least once in the official papers of the county prior to the primary election day.

The primary election ballot of each political party shall be separately printed upon paper of uniform quality, texture and size and printed in black ink. No two party ballots shall be of the same color or tint of paper. The paper shall be of such quality, thickness and weight and folded in a way that the names of the candidates cannot be seen and the candidate for whom an elector votes cannot be determined, except by opening the ballot. Across the head of each ballot shall be printed in a plain heavy letter the name of the political party, followed in the next line by the words "Primary Election Ballot." On the next lines and in smaller type shall be printed the words "Lists of Candidates for Nomination to be Voted for at the 19 .. Primary Election in..... (precinct)..... (township or ward).....county."

Next following and separated from the above heading by a light-faced dash shall appear the words: "To vote for a person mark a cross (X) in the square at the left of the name of the person for whom you desire to vote."

The remainder of the ballot shall be made up in the same manner as the ballots used at general elections, except that:

Following the name of each office for which nominations are to be made shall be printed in a column the names of all the candidates in alphabetical order preceded by the words "Vote for..... (giving the number to be elected)." Each position with names of the candidates for that position shall be separated by a black-faced dash one inch in length, to separate each position clearly.

Following the last names upon the ticket and separated from them by a black-faced dash, shall be a group of blank spaces headed by the word, "Delegates." On the next line shall be the words, "Vote for.....," designating the number of delegates to which that precinct is entitled.

The requisite number of delegates to which each precinct is entitled shall be determined by the county auditor from the written reports of the chairmen of the respective county central committees, said reports to be filed with the county auditor on or before April 20th of each year, and setting forth the number of delegates to which each precinct is entitled in the county convention of their party. 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. Opposite each blank space on the left shall be placed a square, and the elector voting the ballot may while in the booth write or paste upon the blank spaces his choice of the requisite number of individuals who are bona fide members of that party and qualified residents of the precinct for delegates placing an X in the square opposite the name of each.

Following the group of blank spaces for delegates shall be a blank space with a square set opposite to the left, headed by the word "committeeman." The elector voting the ballot may likewise write upon this space his choice of an individual who is a bona fide member of that party and a qualified resident of that precinct for precinct committeeman, placing an X in the square opposite the name.

In the right hand column at the bottom shall appear upon each ballot the fac simile of the signature of the county auditor making up the tickets, followed by the words, "county auditor." There shall be no printing upon the back of the ballots, or any mark or distinguishing feature other than the party tint or color of paper excepting the initials of one of the judges.

Sec. 9. The primary election board in each voting precinct shall be furnished by the county auditor with the necessary election supplies, including poll books, which shall contain tally sheet pages with the names of the candidates of the several parties for the different offices, also blank spaces for the lists of delegates voted for and for those voted for committeemen, and blank spaces for recording by the clerks of the names of the electors voting at said primary election; and upon the pages provided for the recording 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 the voter is to be recorded and headed at the top of said page with the word "Republican," "Democrat," or the names of whatever political parties authorized by this act to appear upon the ballots used at said primary election to designate the several parties, the names of said political parties to be placed in the order of their numerical strength at the preceding November election held in the county. It shall be the duty of the clerks of the primary election when registering the name of a voter to place in the poll book a cross, thus: (X) in the column designating the party ticket which was given to said voter upon his application for a ticket.

Sec. 10. The party committeeman for each party in each precinct may appoint in writing over his signature, two party agents or representatives, who shall act as challengers for their respective parties, and shall have the same powers as challengers at general elections. The right of a person to vote at a primary election may be challenged upon the same ground and

his right to vote be determined in the same manner as at a general election, also upon any ground touching his qualifications to vote under the provisions of this act. The committeeman of such party may represent the party at the polling place during the canvass of the votes or he may appoint another for that duty.

Sec. 11. The canvass of the votes after the close of the polls shall begin immediately in each precinct by opening the ballot box by the judges who shall 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 then shall fasten each pile together at the top of each ticket.

As soon as the primary election board 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 and for delegates and committeemen upon the ticket of each party. They shall then place the counted ballots in a canvas bag furnished for that purpose by the county auditor, but in no case shall they separate them from each other, and the bag shall be securely fastened and sealed.

After all have been counted and duly certified to by the judges and clerks, they shall seal the returns for all parties in one envelope provided for that purpose, on the outside of which shall be printed in perpendicular columns the names of the several political parties, with the names of the candidates for the different offices under their respective party headings, together with blank spaces under appropriate headings for names of party delegates and committeemen, and opposite each candidate's name shall be placed the number of votes cast for such candidate in said precinct, and the names of the persons voted for under the head of delegates and committeemen shall be listed and opposite these names shall be placed the number of votes cast for each, and at the bottom the total vote cast for each political party in said precinct, to be returned to the county auditor.

Sec. 12. The requisite number of persons for delegates receiving the highest number of votes upon the respective party tickets, shall constitute the delegates from such precinct to the county convention, and a credential certificate shall be issued by the primary election board, upon a blank provided by the county auditor for that purpose, naming said delegates, their precinct, and the party selecting them, which credential shall be placed in the custody of the delegate receiving the highest number of votes, to be delivered to the committee on credentials at the county convention.

In case of a tie vote in any precinct upon any delegate or delegates, the selection shall be determined by lot to be cast then and there as the primary board may determine. It shall be unlawful for any delegate to grant or convey his proxy to another person to serve in his place as a delegate, and the members of the precinct delegations duly selected at the primary election and in attendance at the party convention shall have the authority to either fill any vacancies arising upon the precinct delegation or to cast the full number of votes to which their precinct is entitled in the convention.

Sec. 13. The returns of the vote cast at the primary election together with the canvas bag containing the ballots, shall be made to the county auditor by the primary election boards, including a separately certified list of the delegates chosen to represent the various precincts in the county convention, and also the committeemen elected to serve upon the county committees of the various political parties, by 12 o'clock noon of the next day following that upon which the primary election was held, and the county auditor shall certify a tabulated statement of the returns as reported to him from all the precincts of the county, together with the lists of delegates and committeemen and a list of the candidates for district and State officers voted upon and the vote cast for each, indicating the candidates for each office receiving the largest number of votes for district and State offices, to the chairmen of the respective county committees of the several political parties participating in said primary election by 10 o'clock A. M. of the Friday following the first Tuesday in May, which returns shall be delivered by the county chairman to the county convention of each party hereinafter provided.

Sec. 14. There shall be held conventions of delegates of the several political parties participating in the primary election on the Saturday following the first Tuesday in May at an hour and place designated by the county committees of the respective parties, and the chairman and secretary of the committee shall issue a call for same which shall be published in a newspaper of general circulation in the county at least ten (10) days preceding the time of meeting, designating the hour and place of holding the party convention.

After the party convention shall have been duly constituted and organized, the secretary thereof shall read the detailed certification of returns from the primary election as transmitted by the county auditor through the chairman of the county committee to the convention. If it shall appear that any candidate for any county office shall have a number of instructed delegates sufficient to be a majority of the whole number of delegates constituting the convention, said candidate shall thereupon be declared duly nominated without the formality of a ballot; and for such offices where no candidate shall have a majority of instructed delegates, a roll call shall be had of the various precincts of the county together with the number of votes to which each precinct may be entitled, the delegates announcing by precincts their choice for the particular office called, which balloting shall continue until some candidate for each office shall be declared the nominee of the convention for said office. And no person whose name shall not have appeared upon the primary ticket of his party in the primary election shall be entitled to receive votes in said county convention.

The county convention shall by its chairman and secretary certify to the 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 were printed upon the official ballot of the primary election.

The conventions of the supervisorial districts and of the townships composed of more than one voting precinct shall be held in the forenoon of the same day as the county convention, and the nominees of said convention shall be duly certified to the county auditor as by law provided.

Sec. 15. Candidates for offices in townships and political divisions less than a county, except in cities of 5,000 population or over, receiving the highest number of votes cast as determined upon by a count of the votes by the primary election board, shall be declared the nominees of the party in such divisions. The names of candidates for nomination for offices in such township and political divisions less than a county as heretofore stated shall be presented to the primary election board of their respective elective precincts and said board shall declare the same to the electors voting at said primary election so that said electors may vote for such candidates for nomination the same as for candidates for the various county and other offices.

Sec. 16. There shall not be placed upon any official ballot to be voted in the next general election the name of any candidate of a political party which cast ten (10) per cent or more of the total vote cast at the preceding general election except in the manner hereinbefore provided.

Sec. 17. The county committees of the various political parties recognized by this act shall consist of one elector, a member of that particular political party from each voting precinct in the county, who shall be a legal voter in the precinct he is elected to represent. He shall be known as precinct committeeman and shall be elected at the primary election as hereinbefore provided.

Sec. 18. The provision of section twenty-four hundred and forty-eight (2448) of the code, relating to the closing of saloons on election days, shall apply in like manner to the primary election day, under this act.

Sec. 19. The primary election in cities, as provided in this act, for the selection of delegates to municipal conventions and for voting instructions to delegates for candidates for municipal office and for the election of city committeemen, shall be held on the fourth Tuesday preceding the day of the municipal or city election, and all the provisions of this act shall apply to nomination of candidates for elective offices by political parties for municipal elections in such cities so far as applicable, and said municipalities shall pay the expenses of the same, all bills to be audited and passed upon by the city council.

The city clerk shall receive the affidavits of candidates, and shall arrange, publish, have printed and furnish to the precinct election officers the party tickets and necessary election supplies; to him shall be made the returns by the primary election boards, and he shall make certification of the results of the primary election to the chairmen of the city committees of the several political parties participating in said primary election by 1:30 P. M. of the Friday following said primary election, and perform such other duties relating the city primary election, which shall be applicable thereto, as are provided for the county auditor in the primary election.

A city convention of the various political parties participating in a primary election shall be held on the Saturday next following the day of holding the primary election, and in a like manner as provided for a county convention by this act. The delegates to the city convention shall nominate the candidates by a majority vote of said delegates from among those whose names were on the printed ballot of that party, and who were voted for a said primary election.

The city committees of the various political parties recognized by this act shall consist of one elector, a member of that particular political party, from each voting precinct in the city, who shall be a legal voter in the precinct he is elected to represent. He shall be known as precinct committee-man, and shall be elected at the city primary election.

Sec. 20. Any public officer, upon whom a duty is imposed by this act or by acts herein made applicable to primary elections, who shall wilfully neglect to perform such duty or who shall wilfully perform it in such a way as to hinder the objects thereof or shall disclose to anyone, except as may be ordered by any court or justice the contents of any ballot or any part thereof, as to the manner in which the same may have been voted, shall be punished by a fine of not less than one hundred (\$100) dollars nor more than one thousand (\$1,000) dollars, or by imprisonment in the penitentiary not less than one or more than five years or by both fine and imprisonment.

Sec. 21. Any person who shall agree to perform any services in the interest of any candidate, in consideration of any money or other valuable thing, or who shall accept any money or other valuable thing for such services performed in the interest of any candidate, shall be punished by a fine of not more than three hundred dollars (\$300) or be imprisoned in the county jail not exceeding thirty days. But nothing herein shall be construed to include persons making contracts in good faith for the conveyance of voters to and from polling places on the day of the primary election and the payment of any reasonable compensation for such services.

Sec. 22. Any person offering or giving a bribe either in money or other consideration to any elector for the purpose of influencing his vote at any primary election, or any elector entitled to vote at any such election receiving and accepting such bribe, any person making false answer to any of the provisions 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 (6) months next preceding said primary election, or at the primary election, is not twenty-one (21) 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 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 a sum not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars, and be imprisoned in the county jail not less than ten (10) days and not more than ninety (90) days.

Sec. 23. This act shall not apply to the nomination of candidates or choice of delegates made prior to the next general election.

Sec. 24. This act shall take effect and be in force from and after its publication in the Register and Leader and the Daily Iowa Capital, newspapers published in Des Moines, Iowa, and the same shall be published in the official newspapers of the county wherein same shall be applicable at the expense of the respective counties.

And that when so amended the same do pass.

J. C. FLENNIKEN,  
*Chairman.*

Ordered passed on file.



## BILLS ON THEIR PASSAGE.

On motion of Kendall of Monroe, unanimous consent being given, Senate file No. 256, a bill for an act to authorize and empower the Governor of Iowa to relinquish and re-convey to the United States, certain lands in Dickinson county, Iowa, granted to the State of Iowa by the act of Congress entitled "An act for a grant of land to the State of Iowa in alternate sections to aid in the construction of a railroad in the State of Iowa," approved May 12, A. D. 1864, which have not been earned pursuant to the provisions of said act, was taken up and considered.

Mr. Kendall moved that the rule 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, Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Doran, Dow, English, Freeman, Geneva, Greeley, Greene, Hambleton, Hanna, Head, Heles, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lowrey, Lundt, McAllister, McCreary, McCulloch, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Welden, Whiting, Willson, Wyland, Mr. Speaker—77.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Boland, Cheney, Davie, DeLano, Flenniken, Frudden, Gregory, Hakes, Harris, Hart, Hume, Koontz, Lister, McClurkin, McDole, Nichols, Robinson, Washburn, Weeks, Whitmer, Wise, Wright—23.

So the bill passed and the title was agreed to.

House resumed consideration of Senate file No. 310.

Jepson of Woodbury withdrew the amendment offered by him, and offered the following in lieu thereof:

Amend section three (3) by inserting after the word "tax," in the fifteenth line thereof, the following words, "if not more than four (4) mills in any one year."

And further amend section five (5) by inserting after the word "tax," in the seventh line thereof, the following words, "of not more than four (4) mills in any one year."

Adopted.

Teachout of Polk 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. Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Dow, English, Freeman, Frudden, Greeley, Greene, Hakes, Hambleton, Hanna, Head, Heles, Hollebeak, Jacobson, Jones, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Ofill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Welden, Whiting, Wise, Wyland, Mr. Speaker—75.

The nays were:

Messrs. Doran, Wright—2.

Absent or not voting:

Messrs. Bailey, Bealer, Boland, Cheney, Davie, DeLano, Fleniken, Geneva, Gregory, Harris, Hart, Hume, Jepson, Kendall, Lungan, McDole, Nichols, Peet, Skinner, Washburn, Weeks, Whitmer, Willson—23

So the bill passed and the title was agreed to.

On motion of Koontz of Johnson, Senate file No. 265, 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.

Mr. Koontz 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. Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Christianson, Clary, Coburn, Colclo, Crose, Cummings, Dashiell, Davie, Doran, Dow, English, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Head, Heles, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Boland, Chassell, Cheney, Cobb, Conn, DeLano, Flenniken, Gregory, Harris, Hart, Hume, Lister, McDole, Nichols, Washburn, Weeks, Wright—19.

So the bill passed and the title was agreed to.

On motion of Robinson of Emmet, House file No. 277, a bill for an act relating to meandered lake beds in the State, and authorizing the Executive Council to survey, lease or sell the same, with report of Judiciary committee recommending passage as amended by substitute, was taken up and the substitute amendment read and considered and the report of the committee adopted.

Mr. Robinson moved the adoption of the following substitute amendment recommended by the committee:

A BILL for an act relating to the meandered lake beds in the State, and authorizing the executive council to survey, lease or sell the same.

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

Section 1. The Executive Council of the State is hereby authorized and empowered to survey the meandered lakes and lake beds within this State, and to lease or sell the same as hereinafter provided, and to determine what lakes shall be maintained as the property of the State and what meandered lake beds belonging to the State may be drained, improved, demised or sold.

Sec. 2. Upon the presentation to the executive council of a statement signed by not less than fifty (50) freeholders, twenty (20) of whom shall be actual residents of the township or townships in which said lake or lake beds are situated, of any county that any meandered lake or lake bed in such county is detrimental to the public health or the general welfare of the citizens of the county, and that it is unwise to maintain such meandered lake or lake bed as a permanent body of water, and that the interest of the State will be subserved by draining and improving such lake bed, the Governor shall, within thirty (30) days after the receipt of such statement, appoint a competent engineer who shall at once examine the situation and condition of such lake or lake bed, make a survey and plat thereof, and ascertain whether its location is such that it can be drained and improved, and make a full report to the executive council of the area and depth of water in the lake and of its general physical condition, which report shall be accompanied by his plat, field notes and profile of his survey.

Sec. 3. Upon receipt of the report of the engineer, the Executive Council shall determine whether such lake or lake bed shall be maintained and preserved as the property of the State, or whether the same shall be drained, improved, and the land included within the meander lines thereof sold in the manner hereinafter specified; and to that end they may hear evidence upon any question involved in such determination at such time and place within the county, or within the counties, if more than one, as may be fixed by the council, and may appoint a commissioner to take evidence in the county or counties, if more than one, in which the lake or lake bed is located, or at such other place or places within the State as may be directed by the Executive Council; and notice of the time and place of hearing by the council or by such commissioner shall be published once each week for four consecutive weeks in some newspaper within the county, or in a newspaper within each of the counties, if more than one, where the lake or lake bed is located, the last publication being at least ten (10) days prior to the day fixed for such hearing. The compensation of such commissioner shall be fixed by the Executive Council, which compensation and the cost of the publication of such notice shall be paid from the State treasury upon the order of the council.

Sec. 4. If the Executive Council shall determine that such lake or lake bed ought not to be drained, demised or sold, the same shall be kept and maintained as the property of the State for the benefit of the general public.

If the executive council shall determine that it is to the interest of the State and the general public that the lake or lake bed, as to which the statement is presented, be drained, improved, demised or sold, it may permit the same to be drained under the provisions of the drainage law of the State, and the land included within the meander lines of such lake, which belongs to the State, shall bear its just proportion of the expense of draining such lake and shall be assessed for such expense in the same manner as the lands of private individuals are permitted to be assessed under the drainage laws of the State.

Sec. 5. Whenever the Executive Council shall determine that any lake or lakebed within the State should be drained, improved, demised or sold, it shall have the right, either before or after such lake or lake bed is drained, to sell and convey by deed or patent the land lying within the meander lines of such lake or lake bed and which belongs to the State; and express authority is hereby given to the Executive Council to make such sale or sales for and in behalf of the State, and to execute and deliver to the purchaser of such land the necessary deed or patent to insure to him title thereto, which deed or patent shall be executed by the Governor in behalf of the State, and have the seal of the State attached thereto. But no sale of any of the lands composing any of the lake beds of the State shall be made by the Executive Council until a complete survey thereof has been made and the same subdivided to correspond with the government subdivisions of public land.

Sec. 6. After such lake or lake bed has been surveyed and the land composing the same subdivided as hereinbefore required, and a plat of such survey filed with the Secretary of State, and the county auditor of the county in which said lake or lake bed is situated, the lands belonging to the State which lie within the meander lines of the original government survey, and composing the lake beds, shall be appraised by a commission appointed by the Governor, consisting of three (3) disinterested freeholders of the State, one of whom shall be a resident of the county in which the land is situated, who shall examine and appraise said land, and return a written report of such appraisement to the Governor, which report shall be filed in the office of the Secretary of State.

Sec. 7. After the report of the appraisers has been received and filed in the office of the Secretary of State the executive council shall offer the land belonging to the State and composing such lake bed, and included in such survey and appraisement, for sale, and the persons owning lands abutting upon such lake or lake bed, and contiguous to lands owned by the State therein, shall have the first right to purchase the lands offered for sale by the State, in an amount sufficient to make the lands owned by them, which abut upon the lake or lake bed and are contiguous to the lands of the State, conform to the smallest government subdivisions of public lands at the price fixed by the appraisers.

All other lands included in such survey and composing the lake bed belonging to the State, which may be sold under the provisions thereof, shall be sold for the highest price obtainable; but no sale of any of said land shall be made at less than the appraised value thereof. Provided, however, that in any case where it is made to appear to the Executive Council by a duly

certified copy of the deed, certified to by the recorder of deeds and the county auditor of the county in which the lake or lake bed is situated, and by the sworn statement of the present owner, that the board of supervisors of the county in which such lake or lake bed is situated has heretofore, in good faith, sold and conveyed by deed, any lake or lake bed in such deed named, specified and described, to a bona fide purchaser who has paid to the county the reasonable value of such lake or lake bed, and who has heretofore paid taxes or made valuable improvements in such lake bed; then and in such case the governor shall execute, or cause to be executed, to the county in which such lake or lake bed is situated, a deed or patent, under the seal of the State, conveying to said county all the right, title and interest of the State of Iowa in and to such lake or lake bed, and the title so conveyed shall enure to the grantee of such lake or lake bed holding the same under title derived from the county in which such lake or lake bed is situated, in the manner in this section provided.

Sec. 8. All sales of land under this act, except as otherwise provided in section seven of this act, shall be for cash, and the purchase price thereof shall be paid to the Secretary of State and by him over to the State Treasurer. All expenses of the survey of the lakes and lake beds herein provided for, and the appraisement thereof, and all assessments made against the lands belonging to the State for draining such lake or lake beds, shall be audited by the executive council, and by it certified to the Auditor of State and paid out of the general fund of the State treasury upon the warrant of the Auditor of State.

Sec. 9. After deducting all costs and expenses connected with the survey, appraisement, drainage and sale of said lands, the net proceeds derived from the sale thereof shall be transmitted by the Treasurer of State to the county treasurer of the county in which the land is situated, and the county treasurer to whom such proceeds are transmitted shall execute his receipt in duplicate for the same to the Treasurer of State, and one of such receipts shall be filed in the office of the county auditor in the county where the land is located. The money received by the county treasurer shall be placed to the credit of the county road fund and expended under the direction of the board of supervisors in the same manner as other road funds.

Sec. 10. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published at the city of Des Moines, Iowa.

**Adopted.**

Buckingham of Buena Vista moved to amend by striking out the words "to lease or" from the third line of section 1.

**Adopted.**

Mr. Robinson 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 Bixby, Buchanan, Calderwood, Carstensen, Cassel, Christianson, Clary, Conn, Crose, Cummings, Dashiell, Dow, English, Greeley, Greene, Hakes, Head, Heles, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McNie, Maben, Manning, Mattes, Morris, Mott, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Welden, Willson, Wise, Wright, Mr. Speaker—63.

The nays were:

Messrs. Buckingham, Cobb, Coburn, Colclo, Doran, Freeman, Geneva, Hanna, Laird, Lowrey, McElrath, Martin, Whiting—13.

Absent or not voting:

Messrs. Bailey, Bealer, Boland, Carden, Chassell, Cheney, Davie, DeLano, Flenniken, Frudden, Gregory, Hambleton, Harris, Hart, Hume, Kennedy, McCulloch, McDole, Nichols, Sankey, Washburn, Weeks, Whitmer, Wyland—24.

So the bill passed.

Kendall of Monroe moved to amend the title by striking out the words "lease or" and inserting the word "and" in lieu thereof.

Adopted.

Title as amended agreed to.

On motion of Kennedy of Lee, Senate file No. 159, a bill for an act to appropriate money to reimburse the ex-commissioners of pharmacy for the State of Iowa and their attorneys for moneys paid by them and expenses incurred in the enforcement of law, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Kennedy 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. Bixby, Buchanan, Buckingham, Calderwood, Carstensen, Chassell, Christianson, Clary, Conn, Crose, Cummings, Dashiell, Doran, Dow, English, Freeman, Frudden, Greeley, Hakes, Hanna, Head, Hollembek, Jacobson, Jepson, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, McAllister, McClurkin, McCreary, McCulloch, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Temple, Teter, Welden, Whiting, Wise, Wyland, Mr. Speaker—68.

The nays were:

Mr. Geneva—1.

Absent or not voting:

Messrs. Bailey, Bealer, Boland, Carden, Cassel, Cheney, Cobb, Coburn, Colclo, Davie, DeLano, Flenniken, Greene, Gregory, Hambleton, Harris, Hart, Heles, Hume, Jones, Lundt, McDole, Nichols, Robinson, Springer, Teachout, Washburn, Weeks, Whitmer, Willson, Wright—31.

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. 307, a bill for an act defining the powers of the educational examiners, relative to the issuance of State certificates and fixing the fees 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. 165, a bill for an act amending section 2803 of the code, in reference to attending school in another corporation.

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 memorializing Congress in regard to a bill pending in the Congress of the United States to establish a library post:

WHEREAS, A bill has been introduced in Congress by the Honorable Henry Cabot Lodge, and the Honorable George P. Lawrence, which provides that books sent to or from libraries supported in whole or in part by taxation or exempt from taxation, may pass through the mails at the rate of one cent a pound, which is the rate now established in the case of newspapers and magazines, and,

WHEREAS, The said bill has the approval and support of many library, educational and other bodies and persons in Iowa and throughout the United States, and is believed to be important and necessary for effective, economic and progressive library administration,

*Resolved*, That the General Assembly of the State of Iowa hereby commends the said bill to the earnest support of the senators and representatives in congress from this commonwealth.

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. 52, a bill for an act against docking horses.

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 repealing section eighteen hundred and seventy-one of the code, relating to the examination of barks, and enacting 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. 254, a bill for an act in regard to supervisor 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. 253, a bill for an act authorizing the Executive Council of the State to grant the right of way to the Chicago, Anamosa & Northern Railway Company, over and across the east half of the southwest quarter of section 34, township 85, range 4 west of the fifth P. M.

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. 57, a bill for an act making an appropriation for the payment of certain costs which were incurred by reason of the intervention of the State of Iowa in certain suits originally commenced in the district court of Humboldt county, 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. 190, a bill for an act to amend title VII, chapter 4 of the code, and chapter 37, acts of the of the Twenty-seventh General Assembly, and chapter 57, acts of the Twenty-eighth General Assembly, and chapter 63, acts of the Twenty-ninth General Assembly, providing that part of the collateral inheritance taxes collected by the State shall be paid to the counties from whence they are collected.

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. 305, a bill for an act requiring railway and other corporations owning real estate to report the same to the Executive Council for assessment, and amending section 1334 of the code, and chapter 58, acts 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. 340, a bill for an act to provide for the payment of costs and expenses which accrue from the care and investigation of persons found to be insane in counties in which they do not have a legal settlement.

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. 319, a bill for an act to amend section 1788 of the code, relating to stipulated premium and assessment life associations.

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. 50, a bill for an act to amend section 5256 of the code, relating to clerks of grand juries and providing for the appointment and compensation thereof.

GEO. A. NEWMAN,  
*Secretary.*

## SENATE MESSAGES CONSIDERED.

Senate file No. 307, a bill for an act defining the powers of the educational examiners relative to the issuance of State certificates and fixing the fees thereot.

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

Senate file No. 11, a bill for an act repealing section 1871 of the code, relating to the examination of banks and enacting a substitute therefor.

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

Senate file No. 165, a bill for an act amending section 2803 of the code, in reference to attending school in another corporation.

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

Journal of Wednesday, March 23d, was corrected and approved.

On motion of Mattes of Sac, House voted to ask the Senate to return House file No. 385.

Crose of Page moved that when the House adjourns today it be until tomorrow at 10 o'clock A. M.

Motion prevailed.

Freeman of Pottawattamie moved that when the House adjourns tomorrow it be until Tuesday at 9 o'clock A. M.

Motion prevailed.

## MOTION TO RECONSIDER.

The following motions to reconsider were filed:

MR. SPEAKER—I move to reconsider the vote by which House file No. 385 passed the House and by which it passed to its third reading.

JOS. MATTES.

I second the motion.

JOHN LISTER.

Senate file No. 253, a bill for act authorizing the Executive Council of the State to grant the right of way to the Chicago, Anamosa & Northern Railway Company over and across the east half of the S. W.  $\frac{1}{4}$  of section 33, township 85, range 4 west, 5th P. M.

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

Senate file No. 254, a bill for an act in regard to supervisor districts.

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

Senate concurrent resolution relative to memorializing Congress in regard to a bill pending in the Congress of the United States to establish a library post.

Laid over under rule 34.

On request of Clary of Chickasaw leave of absence was granted Springer of Buchanan and Lundt of Tama.

On request of Wise of Black Hawk, unanimous consent having been given, House file No. 305, a bill for an act requiring railway and other corporations owning real estate, to report same to the Executive Council for assessment and amending section thirteen hundred thirty-four (1334) of the code, and chapter fifty-eight (58) acts of the Twenty-ninth (29th) General Assembly, with Senate amendments, was taken up and the amendments read and considered.

Mr. Wise moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Clary, Cobb, Colclo, Conn, Crose, Dashiell, Doran, Dow, English, Freeman, Frudden, Greeley, Greene, Hakes, Hanna, Head, Heles, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin,

Leech, Lister, Lowrey, McAllister, McCulloch, McElrath, Maben, Manning, Martin, Mattes, Morris, Mott, Ofill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Teter, Welden, Whiting, Willson, Wise, Wyland, Mr. Speaker—70.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Boland, Cheney, Christianson, Coburn, Cummings, Davie, DeLano, Flenniken, Geneva, Gregory, Hambleton, Harris, Hart Hume, Langan, Lundt, McClurkin, McCreary, McDole, McNie, Nichols, Sankey, Springer, Temple, Washburn, Weeks, Whitmer, Wright—30.

So the House concurred in the Senate amendments.

On request of Lowrey of Calhoun, unanimous consent being given, House file No. 57, a bill for an act making an appropriation for the payment of certain costs which were incurred by reason of the intervention of the State of Iowa in certain suits, originally commenced in the district court of Humboldt, Iowa, with Senate amendment, was taken up and the amendments read and considered.

Mr. Lowrey moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bixby, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Clary, Cobb, Colclo, Conn, Crose, Dashiell, Davie, Doran, Dow, English, Freeman, Geneva, Greeley, Hakes, Heles, Hollembeak, Jacobson, Jepson, Jones, Kennedy, Kling, Laird, Lamkin, Leech, Lowrey, McAllister, McClurkin, McCreary, McCulloch, McElrath, Maben, Manning, Martin, Mattes, Morris, Mott, Ofill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stanbery,

Stoltenberg, Summers, Teachout, Teter, Welden, Willson, Wise, Wyland, Mr. Speaker—66.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Boland, Buckingham, Cheney, Christianson, Coburn, Cummings, DeLano, Flenniken, Frudden, Greene, Gregory, Hambleton, Hanna, Harris, Hart, Head, Hume, Kendall, Koontz, Langan, Lister, Lundt, McDole, McNie, Nichols, Springer, Temple, Washburn, Weeks, Whiting, Whitmer, Wright—34.

So the House concurred in the Senate amendments.

The House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 26, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. A. S. Henderson of Shenandoah, Iowa.

Journal of Friday, March 25th, was corrected and approved.

On request, leave of absence was granted McAllister of Linn until Tuesday.

On request of Davie of Crawford leave of absence was granted Clary of Chickasaw until Tuesday.

On request of Spaulding of Howard leave of absence was granted Lamkin of Lyon until Tuesday.

On request of McAllister of Linn leave of absence was granted Freeman of Pottawattamie until Tuesday.

On request of Cassel of Jefferson leave of absence was granted Hambleton of Mahaska until Tuesday.

On request of Carstensen of Clinton leave of absence was granted Maben of Hancock until Tuesday.

On request of Conn of Butler leave of absence was granted Welden of Hardin until Tuesday.



On request of Pritchard of Wright, leave of absence was granted Head of Greene until Wednesday.

On request of Weeks of Guthrie, leave of absence was granted Bixby of Delaware until Tuesday.

On request of Dashiell of Warren, leave of absence was granted Cobb of Taylor until Tuesday.

On request of Jacobson of Winneshiek, leave of absence was granted Shaffer of Fayette until Tuesday.

On request, leave of absence was granted Powers of Floyd until Tuesday afternoon.

On request of McNie of Benton leave of absence was granted Boland of Iowa until Tuesday.

On request of Kling of Harrison leave of absence was granted Jones of Montgomery until Tuesday.

On request of Carden of Henry leave of absence was granted Skinner of Union until Tuesday.

#### PETITIONS AND MEMORIALS.

Buckingham of Buena Vista presented memorial of James Miller Post No. 503, G. A. R., relative to House file No. 301.

Read and referred to committee on Appropriations.

Croze of Page presented memorial of Burnside Post No. 56, G. A. R., relative to House file No. 301.

Referred to committee on Appropriations.

Weeks of Guthrie presented memorial of alumni of Iowa University, relative to State institutions.

Read and referred to committee on Appropriations.

Frudden of Dubuque presented petition of the educational division of the Dubuque Woman's Club relative to juvenile courts.

Referred to committee on Judiciary.

Doran of Boone presented three petitions of citizens of Shelby county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Kling of Harrison presented memorial of Eaton Post No. 86, G. A. R., relative to House file No. 301.

Referred to committee on Appropriations.

Bealer of Linn presented memorial of C. G. Francis Post No. 181, G. A. R., relative to House file No. 301.

Referred to committee on Appropriations.

Bealer of Linn presented memorial of Kinsman Post No. 7, G. A. R., relative to House file No. 301.

Referred to committee on Appropriations.

Bealer of Linn presented petition of citizens of Linn county, relative to the tax ferret law.

Referred to committee on Ways and Means.

Koontz of Johnson offered the following resolution and moved that the rule be suspended and the resolution be adopted:

WHEREAS, The Hon George W. Wagner of Johnson county, an honored member of this House in the Twenty-second General Assembly, departed this life on the 16 h day of December, 1903; therefore, be it

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

Adopted.

Speaker appointed as committee in accordance with the above resolution, Koontz of Johnson, Calderwood of Scott, Bealer of Linn.

Robinson of Emmet offered the following resolution and moved that the rule be suspended and the resolution be adopted.

WHEREAS, The Hon. W. H. H. Meyers, a distinguished and honored member of this House during the Twenty-eighth General Assembly, departed this life at his home in Milford, Dickinson county, Iowa, since the closing of the Twenty-ninth General Assembly; therefore, be it

*Resolved*, That a committee of three be appointed by the Speaker to draft suitable resolutions commemorating the life, character and public service of the deceased and present the same to this House.

Adopted.

Speaker appointed as committee in accordance with above resolution, Robinson of Emmet, Temple of Clarke, Koontz of Johnson.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, from 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. 111, a bill for an act to amend section twenty-five hundred and sixty-four (2564) of the code relating to the meetings of the State Board of Health.

Also, House file No. 254, a bill for an act providing the manner in which telegraph and telephone companies shall report for assessment purposes, amendatory of code sections number thirteen hundred twenty-eight (1328), and thirteen hundred twenty-nine (1329).

Also, House file No. 307, a bill for an act authorizing the Executive Council to sell the property known as "State Square", being block twenty-seven (27) in Stewart's Addition to the city of Des Moines, Iowa, and use the proceeds of the sale in the purchase of other property.

Also, House file No. 302, a bill for an act to amend section two hundred and twelve (212) of the code, relating to the salary of the Assistant Attorney General, and fixing his compensation.

March 23, 1904.

H. L. SPAULDING,  
*Chairman.*

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 2, a bill for an act to amend section one hundred and thirteen (113) of the code, and to provide for securing to the State interest on public funds.

Also, Senate file No. 223, a bill for an act to amend the law as it appears in section twenty-six hundred and ninety-one (2691) of the code, and to repeal section twenty six hundred and ninety-two (2692) of the supplement to the code and enact a substitute therefor, relating to the support of the Iowa Soldiers', Orphans' Home.

H. L. SPAULDING,  
*Chairman House Committee.*

D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

## REPORTS OF COMMITTEES.

Buchanan of Wapello, from the committee on Municipal Corporations, 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 to protect lots, lands and property within their limits from danger and damage from floods and high water by deepening, widening, straightening, altering or changing and otherwise improving water courses within their limits and by constructing levees, embankments and other works and to provide for the levy of special assessments and other taxes and the issuance of bonds and certificates to defray the expense of such improvements. Additional to chapters seven (7) and eight (8) of title V (5) 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.

A. W. BUCHANAN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 69, a bill for an act to amend section eight hundred and eighty-one (881) of the code relative to condemnation and purchase of land for sewer outlets and for sewer and garbage disposal plants, beg leave to report that they have 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 the original bill after the enacting clause and inserting in lieu thereof the following:

Section 1. That section eight hundred and eighty-one (881) of the code be and the same is hereby repealed and the following be enacted in lieu thereof:

Sec. 2. Cities and towns shall have the power to acquire real estate within and without their territorial limits necessary for sewer outlets, garbage disposal plants, sewage disposal plants and dump grounds, by purchase or condemnation as in this chapter provided, and the expense of such acquisition of real estate for sewer outlets, garbage disposal plants, sewage disposal plants and dump grounds, shall, in the case of garbage disposal plants and dump grounds, be paid out of the general fund, and in the case of sewer outlets and sewage disposal plants, out of the general fund or out of the sewer fund of the sewer district for which the sewer outlet or sewage disposal plant is established.

Sec. 3. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

And when so amended that the same do pass.

A. W. BUCHANAN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 69, a bill for an act to authorize cities and towns to purchase, establish, maintain and operate sewerage and garbage disposal plants, beg leave to report that they have 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. W. BUCHANAN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 81, a bill for an act to repeal section seven hundred and thirty-eight (738) 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.

A. W. BUCHANAN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 85, a bill for an act to amend chapter five (5), Title V (5) of the code relative 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 be indefinitely postponed.

A. W. BUCHANAN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 86, a bill for an act to provide for the construction of sewers by 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 indefinitely postponed.

A. W. BUCHANAN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 207, a bill for an act to authorize cities and towns to levy a tax for the purpose of erecting public buildings and procuring grounds for 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.

A. W. BUCHANAN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 345, a bill for an act to regulate civil service in certain cities of the first and second 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 indefinitely postponed.

A. W. BUCHANAN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 365, a bill for an act to amend section seven hundred and thirty-eight (738) of the code, in relation to sewers in towns and small 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.

A. W. BUCHANAN,  
*Secretary.*

Adopted and the bill was indefinitely postponed.

English of Polk, from the committee on Insurance, submitted the following report:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 393, a bill for an act to provide for the licensing of insurance companies and 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 amended as follows:

Amend section one (1) of the bill by inserting therein, after the word "agent" in the seventh line, the following:

“Which license shall terminate at the end of the insurance year for which such company or association is authorized to transact business.”

And when so amended that the same do pass.

EMORY H. ENGLISH,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 389, a bill for an act to provide for the approval of policies or contracts of life insurance companies contemplated by chapter six (6) of title IX 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:

Amend section two (2) by inserting in the last line after the word “examiner” the words “or medical board,” and when so amended that the same do pass.

EMORY H. ENGLISH,  
*Chairman.*

Ordered passed on file.

Koontz of Johnson, from the committee on Public Libraries, submitted the following report:

MR. SPEAKER—Your committee on Public Libraries, to whom was referred House file No. 402, a bill for an act providing for the disposition of State documents, publications and laws, not required for public uses, beg leave to report that they 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. KOONTZ,  
*Chairman.*

Ordered passed on file.

Leech of Cedar, from the committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 230, a bill for an act to repeal chapter eleven (11), title XII (12), as the same now appears in the code and sections two thousand five hundred and three (2503), two thousand five hundred and eight (2508) and two thousand five hundred and eight-a (2508-a) as the same now appears in the supplement to the code, relating to the inspection of petroleum products 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 recommendation that the same be amended by adopting the following substitute.

## COMMITTEE SUBSTITUTE AS AMENDMENT FOR HOUSE FILE NO. 230.

A BILL for an act to repeal chapter eleven (11), title XII (12), of the code, and sections two thousand five hundred and three (2503), two thousand five hundred and eight (2508) and two thousand five hundred and eight-a (2508-a), as the same now appears in the supplement to the code, relating to the inspection of petroleum products and enacting a substitute therefor.

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

Section 1. The Governor shall appoint inspectors of products of petroleum, not exceeding fourteen in number, one of whom shall be designated as chief inspector, who shall have general supervision of the inspection service of the State, except in the matter of making reports and the payment and receipt of fees. All differences arising in the inspection of oils shall be referred to the chief inspector and his decision of the question shall be final. The chief inspector shall make such recommendations to the State Board of Health as may be deemed necessary to improve the inspection service. He shall devote his time and service wholly to the inspection of oil and the duties of his office. Inspectors may appoint such deputies, helpers and branders as may be necessary in the proper discharge of their official duties, but such appointments before becoming effective must be submitted to, approved and confirmed, and their compensation fixed by the Executive Council as their judgment may be necessary, equitable and just. Each inspector shall be a resident of the State, and not interested directly or indirectly in the manufacture or sale of products of petroleum. His term of office shall begin on the first day of July in each even numbered year. He shall give bond to the State in the penal sum of five thousand dollars, conditioned for the faithful performance of his duties, with sureties who shall, in addition to the usual justification, make oath, entered on the bond, that they are not directly or indirectly interested in the manufacture or sale of products of petroleum for illuminating purposes, which bond shall be for the benefit of all persons injured through the failure of the inspector to perform his duties, and shall be filed with, and the sureties thereon approved by, the Secretary of State.

Sec. 2. The State Board of Health shall make rules and regulations for the inspection of petroleum products, for the government of inspectors, and prescribe the instruments and apparatus to be used. Such rules and regulations shall be approved by the Governor, and, when so approved, shall be binding upon all inspectors.

Sec. 3. Each inspector shall be furnished, at reasonable expense to the State, with the necessary supplies, instruments and apparatus for testing, and shall promptly make inspection, and test and brand all illuminating oils kept for sale, and for such purpose may enter upon the premises of any person. He shall reject all oils for illuminating purposes which will omit a combustible vapor at a temperature of 105 degrees, standard Fahrenheit thermometer, closed test, not less than one-half pint of oil to be used in the flash test. If upon test and examination the oil shall meet the requirements, he shall brand over his official signature and date the barrel or package holding the same, "Approved Flash Test.....Degrees," inserting in the blank the number. Should it fail to meet the requirements, it shall be branded



under his official signature and date, "Rejected for Illuminating Purposes." All inspections shall be made within the State, and paid for by the person for whom the inspection is made, at the rate of ten cents per barrel, fifty-five gallons for this purpose constituting a barrel, which charge shall be a lien upon the oil inspected, and be collected by the inspector, reported and paid to the Secretary of State, on or before the fifteenth day of each month. For the purpose of this act, gasoline, benzine and naphtha shall be deemed illuminating oil. No gasoline shall be sold, given away or delivered to any person in this State until the package, cask, barrel or vessel containing the same has been plainly marked "gasoline" in such manner as the Executive Council may prescribe. There shall be no refund nor rebate of charges made or paid for inspection except upon a duly verified certificate of the owner that the goods, for which such rebate is asked, have been disposed of outside of the State. Said certificate to be in such form as shall be prescribed by the Secretary of State and shall be delivered to the inspector and attached to his monthly report. The expense of inspection shall be deducted from any rebate or refund so granted. Any person, firm, corporation or agent violating any of the provisions of this act shall be deemed guilty of a misdemeanor and punished accordingly. All necessary supplies, labels, instruments and apparatus as contemplated in this chapter, shall be purchased by the Executive Council, and shall be furnished to inspectors as needed by them, upon requisition therefor, made to the chief inspector, approved by him and forwarded to the Executive Council. Every person who receives products of petroleum for sale which have not been inspected as provided in this chapter, shall, within five days after the receipt thereof, notify the inspector of that inspection district that the same is in his possession; and to neglect so to do shall be deemed a misdemeanor.

Sec. 4. Each inspector shall keep an accurate record of all oils inspected and branded, the number of gallons, the number and kind of barrels or packages, the date and number of gallons approved, the number rejected, the name of the person for whom inspection was made, and the amount of money received therefor, the necessary traveling expenses incurred, and the expenses incurred in prosecution, which record at all reasonable times shall be open to public inspection. A copy of this record duly verified under oath for the preceding month shall be filed with the Secretary of State on or before the fifteenth day of each month, who shall examine said report and if found correct endorse his approval thereon, and certify the same to the Executive Council, and when approved by said council, the Auditor of State shall issue his warrant upon the Treasurer of State for the amount so approved and due the several inspectors, and no item of expense shall be allowed and paid not shown in such reports. It shall be the duty of all persons, firms or corporations, officers or agents thereof within the State, receiving any of the products of petroleum subject to inspection, to file with the Secretary of State on or before the tenth day of each month, a certificate duly verified, in such form as shall be approved by the Secretary of State, to cover the month preceding the one in which said report is made. Such reports shall show the number of tanks or barrels, and if in tanks the tank number, of each product inspected for such person, firm, corporation, officer or agent, the amount of fees paid for such inspection, to whom paid, and that the amounts so stated are all the products received by him or them which are

subject to inspection during such period. For any failure to make the reports contemplated in this section the person, firm, corporation, officer, agent or employee shall be liable to a fine of not less than ten dollars nor more than one hundred dollars.

Sec. 5. Each inspector shall be allowed as full compensation for his services all fees and commissions earned and collected by him up to fifty dollars per month, and twenty-five per cent of any sum collected in any one month in excess of fifty dollars, but in no case shall his compensation exceed one hundred dollars per month, except that the chief inspector shall be allowed twenty-five per cent of any sum collected by him in any one month in excess of fifty dollars, up to and not exceeding one hundred and fifty dollars. Inspectors shall also be allowed such other sums necessarily and actually expended in the discharge of their official duties and for necessary expenses incurred for prosecution of violation of the provisions of this chapter and for necessary help in branding barrels. All money collected each month by inspectors, shall, on or before the fifteenth day of the following month, be paid to the Secretary of State, and by him accounted for as other fees of his office.

Sec. 6. If any person, company or corporation, or agent thereof, shall sell or attempt to sell, any product of petroleum for illuminating purposes which has not been inspected and branded as in this chapter provided, or shall falsely brand any barrel or package containing such petroleum product, or shall refill with products of petroleum barrels or packages having the inspector's brand thereon without erasing such brand and having the contents thereof inspected and the barrel or package rebranded, or shall purchase, sell or dispose of any empty barrel or package without thoroughly removing the inspection brand, or shall knowingly or negligently sell, or cause to be sold, or shall use or cause to be used, any product of petroleum mentioned in this chapter not inspected and tested, except as otherwise authorized herein; or if any person shall adulterate with any substance for the purpose of sale or use any product of petroleum to be used for illuminating purposes in such manner as to render it dangerous, or shall sell or offer for sale, or use any product of petroleum for illuminating purposes which will omit a combustible vapor at a temperature of less than 105 degrees, standard Fahrenheit thermometer, closed test, except as otherwise provided in this section for illuminating railway cars, boats and public conveyances, and except when the oils from which said gas or vapor is generated in closed reservoirs outside the building to be lighted thereby, and except the lighter products of petroleum when used in such lamps or apparatus which, having been submitted to the State Board of Health, and having been examined and tested by said board, shall be found to be safe for the use of the public and for street light by street lamps, shall be fined not less than ten dollars nor more than fifty dollars, or if any common carrier shall carry in any railway passenger, baggage, mail or express car, street railway car, boat, stage coach, omnibus, or other means of public conveyance, or use or burn therein any oil or fluid, whether composed wholly or in part of petroleum or its products, which will ignite and burn at a temperature of 300 degrees Fahrenheit thermometer, open test, for lighting any lamp, vessel, or fixture of any kind, or boat or street railway car, stage coach or other means of public conveyance; or if any inspector shall falsely brand any package or

barrel, or shall practice any fraud or deceit in office, or be guilty of any official misconduct or culpable negligence to the injury of another, or shall deal or have any pecuniary interest, directly or indirectly, in any oils or fluids sold for illuminating purposes while holding such office, he or such person, company, corporation or agent shall be fined not less than fifty dollars, and shall be liable in a civil action for all damages which may be sustained on account thereof, and each such inspector shall be fined in a sum not less than ten dollars nor more than one thousand dollars, or imprisoned in the county jail not exceeding six months, or be punished by both fine and imprisonment.

Sec. 7. The State Board of Health shall examine the particular design, mechanism, and workmanship of such lamps or apparatus as shall be presented to such board, and test said lamps or apparatus, and, if it shall find any lamp or apparatus to be safe, said board shall enter the findings of the board upon the records of the proceedings of said board. The board shall have power, in case it comes to the notice of the board that any lamp or apparatus which it has heretofore approved as safe, because either of change of design, the use of unsuitable material, or poor workmanship in the construction of such lamps or apparatus, or for any other cause, is unsafe as then manufactured, and dangerous to public safety, to cancel its approval of such lamp or apparatus, and after such cancellation of the approval of said lamp or apparatus, it shall be unlawful to use the same, and no lamps or apparatus manufactured or sold after such disapproval shall be used in burning the lighter products of petroleum for illuminating purposes. The State Board of Health shall notify by registered letter the several inspectors of any approval or disapproval by them of any lamp or apparatus submitted to them for examination.

Sec. 8. It shall be the duty of the Governor to remove from office any inspector who is incompetent or unfaithful in the discharge of his official duty, or, having knowledge of the violation of any of the provisions of this chapter, shall neglect or refuse to prosecute the offender. In July of each year each inspector shall file with the secretary of the Executive Council an inventory of all instruments and apparatus belonging to the State, in his possession, or that of his deputy or helper, which shall be fully accounted for in such manner as may be prescribed by the Executive Council.

Sec. 9. The Secretary of State shall make and deliver to the Governor a report, for the fiscal year ending on the thirtieth day of June in each odd numbered year, of all inspections made, the receipts and expenditures therefor, and such other items as are by this chapter required to be made of record.

Sec. 10. Chapter eleven (11), title XII (12), as the same now appears in the code and sections two thousand five hundred and three (2503), two thousand five hundred and eight (2508) and two thousand five hundred and eight-a (2508-a), as the same now appears in the supplement to the code, relating to the inspection of petroleum products are hereby repealed and the foregoing enacted in lieu thereof.

And that when so amended the same do pass.

L. J. LERCH,  
*Chairman.*

Ordered passed on file.

**Also:**

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 351, a bill for an act providing for the coloring of kerosene and coal oil and providing a penalty for the violation thereof and making it a misdemeanor to color gasoline the same color, beg leave to report that they have 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.

L. J. LEECH,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Bealer of Linn, 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. 410, a bill for an act to amend section four hundred and ninety-one (491) of the code, relating to salaries of deputy 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.

E. J. C. BEALER.  
*Chairman.*

Ordered passed on file.

REPORT OF COMMITTEE ON STATE NORMAL SCHOOL.

MR. CHAIRMAN—Your committee that was directed to visit the State Normal School and make a report thereon, beg to file the following in addition to the report heretofore made:

The original report filed in the case states that some additional legislation is, in our judgment, required for the best results at this institution. And we wish to now state that it seems to us, after farther and more mature consideration that the interests of this school, and those of the State as well, can be best served by placing this institution along with the State University, at Iowa City, and the Iowa State College of Agriculture and Mechanic Arts, at Ames, under a single board of managers, and we now recommend that this be done.

Reporting farther, we desire to state that our conclusion in this matter has not been reached because of any mismanagement discovered, or suspected by us in the affairs of the Normal School. There is no word of condemnation for this institution in our original report that we now desire to take back or modify. But we most heartily recommend the single board plan for the reason that we believe its adoption will result in great and permanent good to all three of these institutions and to the State.

B. F. ROBINSON,  
T. H. HUME,  
JNO. T. BROOKS,  
*Committee.*

Frudden of Dubuque, from the joint committee appointed to visit the School for the Deaf at Council Bluffs, submitted the following report:

REPORT OF COMMITTEE.

*To the General Assembly of the State of Iowa:*

Your special joint committee under and by authority of a concurrent resolution, adopted by the House on March 18th, and concurred in by the Senate on March 21st to investigate the site of the School for the Deaf at Council Bluffs, Iowa, to report the particulars concerning said institution in regard thereto beg leave to submit the following report:

*First.* We find that the State owns about 172 acres of land, all, or nearly so, above high water mark; no overflow from the Missouri river has ever been known, as the bottom between the ground and the river to the west is nearly five miles. Half way between the grounds and the river is Lake Manawa, surrounded by beautiful cottages, on practically the same level as the west part of the State grounds. The creek running along the roadside east and west to the north of the grounds does, in time of a cloud burst, get over its embankment and will back the water up on the State grounds for a short distance at the extreme northwest corner of the grounds, which is fully a quarter of a mile from the building site proper. We were informed that last year during those heavy rains about three acres of State land in that particular spot had been flooded. The main site, probably 100 acres, is located on the side of the bluff to the west, in a triangular or kite shape, surrounded by a road on all three sides; seventeen acres, or about that, are located on top of the bluff, the highest point of which is 120 feet above building, to the east of the large tract mentioned before, on which the reservoir is located. The balance of the land owned by the State is to the west of the triangular piece, between the main road and the Wabash track, and part of it west of the Wabash track; both pieces very level and used for pasture. Along the east side of the road running nearly north and south, to the east of the triangular piece, the Commercial Club of Council Bluffs claim to have an option on the land lying east of said road and north and south of the seventeen acres the State now owns, and if cottages are to be built, as recommended by the Board of Control in their report (which can be found on page 209 Senate Journal, February 17th), your committee would recommend that the State purchase the land alongside of the road and erect the cottages thereon.

Although your committee is of the opinion that there is ample room on the high ground suitable for school buildings and dormitories necessary for the need of the institution, and to the north of the high ground there is a splendid grove of nearly fifteen acres, from ten to fifteen feet above high water mark. Your committee further finds that the State own an adequate artesian water supply plant. We find to the south of the high ground a beautiful piece of ground, all above high water for gardening purposes. Between that and the part, due west of the high ground whereon the buildings are located, we find a level piece about of same elevation as ground now used for pasture, as mentioned before.

*Second.* In view of the above facts your committee do not recommend moving the Home for the Deaf to any other locality; but recommend that

enough money be appropriated by this General Assembly to erect suitable buildings in place of those destroyed by fire nearly two years ago.

*Third.* Your committee further recommends that the Board of Control be instructed to at once take steps to put present buildings in proper shape; the outside woodwork on all the buildings needs painting very much, in fact no paint is visible on some of the woodwork. The brick sidewalks are in a dilapidated condition and a disgrace to the place; and the brick walls need pointing up and painting at as early a date as possible; and if no money is available at present for these purposes we recommend that a sufficient appropriation be made now.

*Fourth.* Your committee further recommend that an appropriation not to exceed five thousand dollars (\$5,000) for the next biennial period be made, same to be expended under the direction of some competent landscape engineer selected by the Board of Control for grading and beautifying the grounds.

*Fifth.* Our inspection of the institution leads us to the conclusion that the Board of Control should be empowered to appoint and maintain a building inspector, whose duty it shall be to visit the different State institutions owned by the State, as often as possible, to see to it that all buildings are kept in proper repair; that the proper material is used in said repairs and in constructing new buildings, and to oversee the workmanship in all its details. Unless this is done, in a very few years our buildings will decay on our hands, if not in the meantime consumed by fire.

All of which is respectfully submitted for your consideration.

A. F. FRUDDEN,  
E. J. C. BEALER,  
STANLEY CONN,  
C. A. KENNEDY,  
WM. WELDEN,  
R. N. PEET,  
RAYMOND C. LANGAN,  
*On part of House.*

JOE H. JAMISON,  
W. C. STUCKSLAGER,  
R. A. HASSELQUIST,  
D. A. YOUNG,  
*On part of Senate.*

Frudden of Dubuque moved that the report be adopted, printed in the Journal, and the committee discharged.

Motion prevailed.

On motion of English of Polk, House file No. 1, a bill for an act to provide for primary elections for the purpose of ascertaining the choice of members of political parties for the nomination of candidates for elective offices and the selection and instruction of delegates to conventions, with report of committee recommending passage as amended by substitute was taken up, the substitute amendment read and considered, and the report of the committee, with substitute as amendment, adopted.

Mr. English moved the adoption of the following substitute amendment recommended by the committee:

SUBSTITUTE AS AMENDMENT FOR HOUSE FILE NO. 1.

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 all counties having a population of seventy-five thousand (75,000) or more, the nomination of candidates for all offices filled by election of voters, except those of incorporated towns and school districts, by all political parties, shall be made by conventions composed of delegates, and the selection and instruction of delegates shall be made and given at primary elections conducted under the regulations herein provided.

All delegates chosen and serving as such in convention assembled shall be considered as instructed to vote for, as long as good faith requires, and use their best endeavors to secure the nomination of persons for the various positions to be filled who have received the largest number of votes respectively in the precinct wherein the delegate was elected.

The provisions of chapters three (3) and four (4) title VI (6) and of chapter eight (8) title XXIV (24) of the code, and the law as it appears in sections forty-nine hundred nineteen-a (4919-a), forty-nine hundred nineteen-b (4919-b), forty-nine hundred nineteen-c (4919-c) of the supplement to the code, shall apply to all such primary elections, the same as general elections, when not in conflict with this act.

Sec. 2. This primary election shall consist of an election by all political parties held on the first Tuesday in May preceding the November general election at the usual voting places of the several precincts, and shall be conducted in the same manner as general elections. In cities where registration is required by law, the polls shall be open from 7:00 A. M. to 6:00 P. M. and in all other precincts from 12 o'clock noon to 8:00 P. M.

Sec. 3. The election officers of the first general election after the primary election, shall also be the officers at said primary election. The judges and clerks of election, shall be designated and so notified, at least thirty (30) days prior to the primary election day and shall be required to take the same oath as is required by law for judges and clerks of a general election, and their duties, liabilities and compensation shall be the same. The expense of the primary election provided for in section two (2) of this act, shall be paid by the counties in which said primary election is held, all bills to be audited and passed upon by the board of supervisors.

Sec. 4. Any person is prima facie an elector in such precinct who is a qualified elector in such precinct at the time of such primary election and who has designated the political party with which he desires to be affiliated at the general election held in the preceding November (unless challenged, and if challenged then only in the 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 it is determined by the poll books of the preceding year, that he declared his affiliation. The elector voting at such primary election, shall be allowed to vote for candidates for nomina-

tions on the ticket of only one political party, and that to be the party with which he is registered as affiliated with; provided however, that those who failed to register their party affiliations for any of the reasons enumerated in section five (5) of this act or who become legal voters of the county after the last general election preceding such primary election, who are otherwise qualified electors of such precinct, shall upon complying with the requirements of said section, have their names registered as provided therein and be entitled to vote, when not challenged, and when a challenge is not sustained, such person shall not be permitted to vote until the provisions of this act are complied with. When an elector has changed his residence within the county after the November election and before the primary election following, he may show his party affiliations by a certificate from the county auditor, which certificate shall be issued upon request by such officer. The endorsement of the judges of election shall appear upon the ballots, as provided by law for the ballots issued at the November election. No person shall vote at a primary election who has not registered as herein provided. The judges of election shall instruct the voter that he is to vote for his choice of the candidates for each office, using only the ballot of the party with which he affiliates, and he must return the ballot folded that it may be deposited in the ballot box.

Sec. 5. In order that none but qualified electors and those affiliating with and who are members of any political party shall participate in any primary election held by such political party, a system for the registration of voters is hereby provided, and such registration shall be conducted in form and manner as follows, to wit: At the general election held in November of each year there shall be set aside, on the regular poll books used for the purpose of registering the names of persons who are qualified to and do vote, space for the registration of all persons who may desire to take part in any primary election held thereafter by any political party. Such space shall be provided on the regular election poll books, immediately following the last perpendicularly ruled column in such book, and shall be headed as follows: "Party Affiliation." It shall be the duty of the judges at such general election to ask each person who votes the question, "With what political party do you desire to affiliate?" and the name of the political party given by such person shall be recorded in the column provided on the poll books for that purpose. In case any person does not desire to state his party affiliation he shall not be required so to do nor shall his failure so to do act as a bar to his voting at any election held under the provisions of the general election law, except a primary election.

Any elector who voted at the last general election whose party affiliation was not recorded at such general election or having declared his party affiliation, desires to change the same may, not less than thirty nor more than forty days prior to the date of the primary election, file an affidavit with the officer charged with the custody of the poll books of the last general election, stating his party affiliation and such officer shall enter a record of the same on the poll books in the proper column opposite the voter's name. Any such person who was necessarily absent from the precinct and for said reason was unable to file his affidavit of party affiliation or change of party affiliation during the ten days provided therefor, or any person or persons



who were too ill to vote at the last general election or who were prevented therefrom by sickness or death or other calamity in their family, or any person or persons who have moved into such precinct since the date of the last general election, and who is not provided with a certificate from the county auditor of the county as provided in section four (4) of this act, and who is a qualified elector at the time of said primary election, and any person who became a qualified elector of such precinct since such last general election, shall be allowed an opportunity to register at the time and in the manner set forth herein, as follows, to wit: Any such person may apply at the polls of the precinct in which he resides at the primary election, and make affidavit before the officers of said primary election, who are hereby authorized to administer oath or affirmation thereto, and certify to the same, that he was prevented from registering at the regularly appointed time and the cause for such failure, together with his qualifications as a voter and membership in the political party with which he desires to affiliate. In all such cases the person so applying to the officers of the primary election for registration shall, in addition to his own affidavit, produce the affidavits of at least two well known and reputable electors, residents and freeholders of the precinct, setting forth the qualification of such person as an elector and reason or reasons for the failure of such persons to attend the general election held in November for the purpose of voting and registering thereat. In all cases where illness is given as the cause for failure to register, the affidavit of some reputable physician setting forth the fact shall also be produced. The officers of such primary election shall then register the name of the person so applying in the poll book for the precinct on the page containing the names of those regularly registered, and opposite each name so registered at such primary election shall be marked the words "Specially Registered," and such person if not challenged or if a challenge is not sustained shall thereupon be allowed to vote. Such poll books shall be delivered to the primary election board by the custodian thereof at least one day prior to the day of the primary election, and be returned to such custodian in good condition forthwith after said primary election to be preserved by him as provided by section eleven hundred and forty-five (1145) of the code.

Sec. 6. When the right of any person to vote is challenged, who voted at the last preceding general election and at that time declared and had recorded his party affiliation, or who voted at such general election in some other precinct of the county and there declared and had recorded his party affiliations and has produced the auditor's certificate herein required, or who voted at such preceding general election and declared his party affiliations not less than thirty (30) days before such primary election as herein provided, the election judges shall require of such person his own affidavit showing his qualifications to vote at such primary election.

Sec. 7. The names of candidates for nomination for all county offices, and of candidates for nomination for offices to be determined in representative, senatorial, judicial, congressional and State conventions who are residents of said county, shall be filed with the county auditor at least twenty (20) days before said primary election. And said candidates shall each file therewith an affidavit stating that he is a resident of the county and

that it is his bona fide intention to be candidate for the nomination upon a stated party ticket for the office specified, as follows:

I, A....., being duly sworn, say that I reside at .....street..... (city or town) of....., county of....., State of Iowa, and that the political party with which I affiliate is the.....party; and I am a qualified voter therein, and a.....; that I am a candidate for the nomination to the office of..... to be voted upon at the primary election 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.

(Signed) . . . . .

Subscribed and sworn to (or affirmed) before me.....by ..... on this day of.....190..

Sec. 8. Ten days prior to the primary election day the county auditor shall prepare the primary election ballot for each political party as hereafter provided and a fac simile thereof shall be published at least once in the official papers of the county prior to the primary election day.

The primary election ballot of each political party shall be separately printed upon paper of uniform quality, texture and size and printed in black ink. No two party ballots shall be of the same color or tint of paper. The paper shall be of such quality, thickness and weight and folded in a way that the names of the candidates cannot be seen and the candidate for whom an elector votes cannot be determined, except by opening the ballot. Across the head of each ballot shall be printed in a plain heavy letter the name of the political party, followed in the next line by the words "Primary Election Ballot." On the next lines and in smaller type shall be printed the words "Lists of Candidates for Nomination to be Voted for at the 19... Primary Election in.....(precinct).....(township or ward).....county."

Next following and separated from the above heading by a light-faced dash shall appear the words: "To vote for a person mark a cross (X) in the square at the left of the name of the person for whom you desire to vote."

The remainder of the ballot shall be made up in the same manner as the ballots used at general elections, except that:

Following the name of each office for which nominations are to be made shall be printed in a column the names of all the candidates in alphabetical order preceded by the words "Vote for.....(giving the number to be elected)." Each position with names of the candidates for that position shall be separated by a black-faced dash one inch in length, to separate each position clearly.

Following the last names upon the ticket and separated from them by a black-faced dash, shall be a group of blank spaces headed by the word, "Delegates." On the next line shall be the words, "Vote for.....," designating the number of delegates to which that precinct is entitled.

The requisite number of delegates to which each precinct is entitled shall be determined by the county auditor from the written reports of the chairmen of the respective county central committees, said reports to be filed with the county auditor on or before April 20th of each year, and setting forth the number of delegates to which each precinct is entitled in the county convention of their party. 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. Opposite each blank space on the left shall be placed a square, and the elector voting the ballot may while in the booth write or paste upon the blank spaces his choice of the requisite number of individuals who are bona fide members of that party and qualified residents of the precinct for delegates placing an X in the square opposite the name of each.

Following the group of blank spaces for delegates shall be a blank space with a square set opposite to the left, headed by the word "committeeman." The elector voting the ballot may likewise write upon this space his choice of an individual who is a bona fide member of that party and a qualified resident of that precinct for precinct committeeman, placing an X in the square opposite the name.

In the right hand column at the bottom shall appear upon each ballot the fac simile of the signature of the county auditor making up the tickets, followed by the words, "county auditor." There shall be no printing upon the back of the ballots, or any mark or distinguishing feature other than the party tint or color of paper excepting the initials of one of the judges.

Sec. 9. The primary election board in each voting precinct shall be furnished by the county auditor with the necessary election supplies, including poll books, which shall contain tally sheet pages with the names of the candidates of the several parties for the different offices, also blank spaces for the lists of delegates voted for and for those voted for committeemen, and blank spaces for recording by the clerks of the names of the electors voting at said primary election; and upon the pages provided for the recording 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 the voter is to be recorded and headed at the top of said page with the word "Republican," "Democrat," or the names of whatever political parties authorized by this act to appear upon the ballots used at said primary election to designate the several parties, the names of said political parties to be placed in the order of their numerical strength at the preceding November election held in the county. It shall be the duty of the clerks of the primary election when registering the name of a voter to place in the poll book a cross, thus: (X) in the column designating the party ticket which was given to said voter upon his application for a ticket.

Sec. 10. The party committeeman for each party in each precinct may appoint in writing over his signature, two party agents or representatives, who shall act as challengers for their respective parties, and shall have the same powers as challengers at general elections. The right of a person to vote at a primary election may be challenged upon the same ground and

his right to vote be determined in the same manner as at a general election, also upon any ground touching his qualifications to vote under the provisions of this act. The committeeman of such party may represent the party at the polling place during the canvass of the votes or he may appoint another for that duty.

Sec. 11. The canvass of the votes after the close of the polls shall begin immediately in each precinct by opening the ballot box by the judges who shall 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 then shall fasten each pile together at the top of each ticket.

As soon as the primary election board 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 and for delegates and committeemen upon the ticket of each party. They shall then place the counted ballots in a canvas bag furnished for that purpose by the county auditor, but in no case shall they separate them from each other, and the bag shall be securely fastened and sealed.

After all have been counted and duly certified to by the judges and clerks, they shall seal the returns for all parties in one envelope provided for that purpose, on the outside of which shall be printed in perpendicular columns the names of the several political parties, with the names of the candidates for the different offices under their respective party headings, together with blank spaces under appropriate headings for names of party delegates and committeemen, and opposite each candidate's name shall be placed the number of votes cast for such candidate in said precinct, and the names of the persons voted for under the head of delegates and committeemen shall be listed and opposite these names shall be placed the number of votes cast for each, and at the bottom the total vote cast for each political party in said precinct, to be returned to the county auditor.

Sec. 12. The requisite number of persons for delegates receiving the highest number of votes upon the respective party tickets, shall constitute the delegates from such precinct to the county convention, and a credential certificate shall be issued by the primary election board, upon a blank provided by the county auditor for that purpose, naming said delegates, their precinct, and the party selecting them, which credential shall be placed in the custody of the delegate receiving the highest number of votes, to be delivered to the committee on credentials at the county convention.

In case of a tie vote in any precinct upon any delegate or delegates, the selection shall be determined by lot to be cast then and there as the primary board may determine. It shall be unlawful for any delegate to grant or convey his proxy to another person to serve in his place as a delegate, and the members of the precinct delegations duly selected at the primary election and in attendance at the party convention shall have the authority to either fill any vacancies arising upon the precinct delegation or to cast the full number of votes to which their precinct is entitled in the convention.

Sec. 13. The returns of the vote cast at the primary election together with the canvas bag containing the ballots, shall be made to the county auditor by the primary election boards, including a separately certified list of the delegates chosen to represent the various precincts in the county convention, and also the committeemen elected to serve upon the county committees of the various political parties, by 12 o'clock noon of the next day following that upon which the primary election was held, and the county auditor shall certify a tabulated statement of the returns as reported to him from all the precincts of the county, together with the lists of delegates and committeemen and a list of the candidates for district and State officers voted upon and the vote cast for each, indicating the candidates for each office receiving the largest number of votes for district and State offices, to the chairmen of the respective county committees of the several political parties participating in said primary election by 10 o'clock A. M. of the Friday following the first Tuesday in May, which returns shall be delivered by the county chairman to the county convention of each party hereinafter provided.

Sec. 14. There shall be held conventions of delegates of the several political parties participating in the primary election on the Saturday following the first Tuesday in May at an hour and place designated by the county committees of the respective parties, and the chairman and secretary of the committee shall issue a call for same which shall be published in a newspaper of general circulation in the county at least ten (10) days preceding the time of meeting, designating the hour and place of holding the party convention.

After the party convention shall have been duly constituted and organized, the secretary thereof shall read the detailed certification of returns from the primary election as transmitted by the county auditor through the chairman of the county committee to the convention. If it shall appear that any candidate for any county office shall have a number of instructed delegates sufficient to be a majority of the whole number of delegates constituting the convention, said candidate shall thereupon be declared duly nominated without the formality of a ballot; and for such offices where no candidate shall have a majority of instructed delegates, a roll call shall be had of the various precincts of the county together with the number of votes to which each precinct may be entitled, the delegates announcing by precincts their choice for the particular office called, which balloting shall continue until some candidate for each office shall be declared the nominee of the convention for said office. And no person whose name shall not have appeared upon the primary ticket of his party in the primary election shall be entitled to receive votes in said county convention.

The county convention shall by its chairman and secretary certify to the 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 were printed upon the official ballot of the primary election.

The conventions of the supervisorial districts and of the townships composed of more than one voting precinct shall be held in the forenoon of the same day as the county convention, and the nominees of said convention shall be duly certified to the county auditor as by law provided.

Sec. 15. Candidates for offices in townships and political divisions less than a county, except in cities of 5,000 population or over, receiving the highest number of votes cast as determined upon by a count of the votes by the primary election board, shall be declared the nominees of the party in such divisions. The names of candidates for nomination for offices in such township and political divisions less than a county as heretofore stated shall be presented to the primary election board of their respective elective precincts and said board shall declare the same to the electors voting at said primary election so that said electors may vote for such candidates for nomination the same as for candidates for the various county and other offices.

Sec. 16. There shall not be placed upon any official ballot to be voted in the next general election the name of any candidate of a political party which cast ten (10) per cent or more of the total vote cast at the preceding general election except in the manner hereinbefore provided.

Sec. 17. The county committees of the various political parties recognized by this act shall consist of one elector, a member of that particular political party from each voting precinct in the county, who shall be a legal voter in the precinct he is elected to represent. He shall be known as precinct committeeman and shall be elected at the primary election as hereinbefore provided.

Sec. 18. The provision of section twenty-four hundred and forty-eight (2448) of the code, relating to the closing of saloons on election days, shall apply in like manner to the primary election day, under this act.

Sec. 19. The primary election in cities, as provided in this act, for the selection of delegates to municipal conventions and for voting instructions to delegates for candidates for municipal office and for the election of city committeemen, shall be held on the fourth Tuesday preceding the day of the municipal or city election, and all the provisions of this act shall apply to nomination of candidates for elective offices by political parties for municipal elections in such cities so far as applicable, and said municipalities shall pay the expenses of the same, all bills to be audited and passed upon by the city council.

The city clerk shall receive the affidavits of candidates, and shall arrange, publish, have printed and furnish to the precinct election officers the party tickets and necessary election supplies; to him shall be made the returns by the primary election boards, and he shall make certification of the results of the primary election to the chairmen of the city committees of the several political parties participating in said primary election by 1:30 P. M. of the Friday following said primary election, and perform such other duties relative to the city primary election, which shall be applicable thereto, as are provided for the county auditor in the primary election.

A city convention of the various political parties participating in a primary election shall be held on the Saturday next following the day of holding the primary election, and in a like manner as provided for a county convention by this act. The delegates to the city convention shall nominate the candidates by a majority vote of said delegates from among those whose names were on the printed ballot of that party, and who were voted for at said primary election.

The city committees of the various political parties recognized by this act shall consist of one elector, a member of that particular political party, from each voting precinct in the city, who shall be a legal voter in the precinct he is elected to represent. He shall be known as precinct committeeman, and shall be elected at the city primary election.

Sec. 20. Any public officer, upon whom a duty is imposed by this act or by acts herein made applicable to primary elections, who shall wilfully neglect to perform such duty or who shall wilfully perform it in such a way as to hinder the objects thereof or shall disclose to anyone, except as may be ordered by any court or justice the contents of any ballot or any part thereof, as to the manner in which the same may have been voted, shall be punished by a fine of not less than one hundred (\$100) dollars nor more than one thousand (\$1,000) dollars, or by imprisonment in the penitentiary not less than one or more than five years or by both fine and imprisonment.

Sec. 21. Any person who shall agree to perform any services in the interest of any candidate, in consideration of any money or other valuable thing, or who shall accept any money or other valuable thing for such services performed in the interest of any candidate, shall be punished by a fine of not more than three hundred dollars (\$300) or be imprisoned in the county jail not exceeding thirty days. But nothing herein shall be construed to include persons making contracts in good faith for the conveyance of voters to and from polling places on the day of the primary election and the payment of any reasonable compensation for such services.

Sec. 22. Any person offering or giving a bribe either in money or other consideration to any elector for the purpose of influencing his vote at any primary election, or any elector entitled to vote at any such election receiving and accepting such bribe, any person making false answer to any of the provisions 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 (6) months next preceding said primary election, or at the primary election, is not twenty-one (21) 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 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 a sum not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars, and be imprisoned in the county jail not less than ten (10) days and not more than ninety (90) days.

Sec. 23. This act shall not apply to the nomination of candidates or choice of delegates made prior to the next general election.

Sec. 24. This act shall take effect and be in force from and after its publication in the Register and Leader and the Daily Iowa Capital, newspapers published in Des Moines, Iowa, and the same shall be published in the official newspapers of the county wherein same shall be applicable at the expense of the respective counties.

Adopted.

On motion of Gregory of Adams, House file No. 387, a bill for an act to amend section 2538-i of the supplement to the code, and provide for registering without examination veterinarians registered in other states or in foreign countries, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Mr. Gregory 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. Bealer, Buchanan, Buckingham, Carden, Carstensen, Cassel, Chassell, Christianson, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Frudden, Greeley, Greene, Gregory, Hakes, Hanna, Hollembeak, Jacobson, Kendall, Kennedy, Kling, Koontz, Laird, Langan, Leech, Lister, Lowrey, McAllister, McClurkin, McCreary, McCulloch, McElrath, McNie, Manning, Martin, Mattes, Morris, Mott, Offill, Olson, Peet, Pritchard, Ritter, Sankey, Spaulding, Stanbery, Stoltenberg, Summers, Teter, Weeks, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—64.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bixby, Boland, Calderwood, Cheney, Clary, Cobb, Coburn, Cummings, Freeman, Geneva, Hambleton, Harris, Hart, Head, Heles, Hume, Jepson, Jones, Lamkin, Lundt, McDole, Maben, Nichols, Powers, Prevo, Robinson, Saylor, Shaffer, Skinner, Springer, Teachout, Temple, Washburn, Welden, Wright—36.

So the bill passed and the title was agreed to.

On motion of English of Polk, House file No. 393, a bill for an act to provide for the licensing of agents of insurance companies and associations, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted. Mr. English moved the adoption of the following amendment recommended by the committee:



Amend section one (1) of the bill by inserting therein after the word "agent" in the seventh line, the following: "which license shall terminate at the end of the insurance year for which such company or association is authorized to transact business".

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. Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassel, Christianson, Colclo, Conn, Crose, Dashiell, Davie, DeLano, English, Flenniken, Frudden, Greeley, Gregory, Hollembeak, Jacobson, Jepson, Kendall, Kennedy, Kling, Koontz, Laird, Langan, Leech, Lister, Lowrey, McElrath, McNie, Martin, Mattes, Morris, Mott, Offill, Olson, Pritchard, Robinson, Sankey, Spaulding, Stanbery, Stoltenberg, Summers, Teter, Weeks, Whiting, Wise, Wyland, Mr. Speaker—51.

The nays were:

Messrs. Doran, Dow, McCreary, McCulloch—4.

Absent or not voting:

Messrs. Bailey, Bealer, Bixby, Boland, Buckingham, Cheney, Clary, Cobb, Coburn, Cummings, Freeman, Geneva, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hume, Jones, Lamkin, Lundt, McAllister, McClurkin, McDole, Maben, Manning, Nichols, Peet, Powers, Prevo, Ritter, Saylor, Shaffer, Skinner, Springer, Teachout, Temple, Washburn, Welden, Whitmer, Willson, Wright—45.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 50, a bill for an act to amend section fifty-two hundred and fifty-six (5256) of the code relating to clerks of grand juries, and providing for the appointment and compensation thereof.

Also, House file No. 52, a bill for an act to prohibit docking horses, and providing penalties for the violation thereof.

Also, House file No. 319, a bill for an act to amend section seventeen hundred and eighty-eight (1788) of the code, relating to stipulated premium, and assessment life insurance associations.

Also, House file No. 339, a bill for an act to authorize the city of Marshalltown to construct and maintain a sewer through land of the State used by the Iowa Soldiers' Home.

Also, House file No. 340, a bill for an act to provide for the payment of costs and expenses which accrue from the care and investigation of persons found to be insane in counties in which they do not have a legal settlement.

Also House file No. 382, a bill for an act prohibiting the willful taking of any electric current, gas or water from the wires, meters, pipes, or any apparatus of any electric light, electric motor, gas or water plant with intent to defraud. (Additional to chapter five (5), title XXIV (24), of the code.)

Also, House file No. 381, a bill for an act to repeal section four thousand eight hundred and seven (4807) of the code and of the supplement to the code, and to enact a substitute therefor, relating to malicious mischief and trespass.

H. L. SPAULDING,  
*Chairman.*

**Adopted.**

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 50, a bill for an act to amend section fifty-two hundred and fifty-six (5256) of the code relating to clerks of grand juries, and providing for the appointment and compensation thereof.

Also, House file No. 52, a bill for an act to prohibit docking horses, and providing penalties for the violation thereof.

Also, House file No. 319, a bill for an act to amend section seventeen hundred and eighty-eight (1788) of the code, relating to stipulated premium, and assessment life insurance associations.

Also, House file No. 339, a bill for an act to authorize the city of Marshalltown to construct and maintain a sewer through land of the State used by the Soldiers' Home.

Also, House file No. 340, a bill for an act to provide for the payment of costs and expenses which accrue from the care and investigation of persons found to be insane in counties in which they do not have a legal settlement.

Also, House file No. 382, a bill for an act prohibiting the willful taking of any electric current, gas or water from the wires, meters, pipes or any apparatus of any electric light, electric motor, gas or water plant with intent to defraud. (Additional to chapter five (5) title XXIV of the code.)

Also, House file No. 381, a bill for an act to repeal section four thousand eight hundred and seven (4807) of the code and of the supplement to the code, and to enact a substitute therefor, relating to malicious mischief and trespass.

H. L. SPAULDING,  
*Chairman House Committee.*

D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Wise of Black Hawk, House file No. 424, a bill for an act empowering the Governor to execute quitclaim deeds to all right, title and interest of the State of Iowa in and to lot 6 of block 8, lot 8 of block 14, lot 6 of block 15, and lot 2 of block 35, all in Railroad Addition to Cedar Falls, Iowa.

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

By Kling of Harrison, House file No. 425, a bill for an act to provide for the regulation of persons, firms, companies, partnerships, associations or corporations, other than building and loan associations and insurance companies and associations, which issue, place, sell or otherwise engage in the business of handling certificates, memberships, shares, contracts, debentures, bonds, stocks, tontine contracts or other investment securities or agreements of any kind or character, on the partial payment or installment plan, prescribing the terms and conditions upon which such persons, firms, companies, partnerships, associations or corporations shall be permitted to do business within this State.

Read first and second time and referred to committee on Building and Loan.

By committee on Insurance, House file No. 426, a bill for an act to amend the law as it appears in section 1806 of the supplement of the code, relating to the investment of funds of insurance companies and associations.

Read first and second time and passed on file.

By committee on Insurance, House file No. 427, a bill for an act to amend the law as it appears in section 1766 of the code, relating to the examination and expenses of State mutual insurance associations.

Read first and second time and passed on file.

By Buckingham of Buena Vista, House file No. 428, a bill for an act to amend section 4625 of the code.

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

By Teter of Marion, House file No. 429, a bill for an act authorizing the Executive Council of the State to pay the costs and attorneys fees in certain cases brought in Marion county to revoke fraudulent naturalization papers, and to pay the costs incurred by the State in the case of the State vs. William McFarland and others.

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

Speaker announced that he had signed in the presence of the House, Senate files No. 223, No. 2; House files No. 52, No. 50, No. 319, No. 382, No. 340, No. 339, No. 381.

On motion of Colclo of Carroll the House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 29, 1904. }

House met pursuant to adjournment.

Speaker pro tem Cummings in the chair.

Prayer was offered by the Rev. W. A. Schwimley of Anita Iowa.

On request of Frudden of Dubuque leave of absence was granted Heles of Dubuque until Thursday.

On request of Weeks of Guthrie leave of absence was granted Cheney of Clay for this morning's session.

On request of Springer of Buchanan leave of absence was granted Geneva of Keokuk until Wednesday.

On request of Spaulding of Howard leave of absence was granted Hume of Mitchell until Tuesday.

PETITIONS AND MEMORIALS.

Mott of Audubon presented petition of citizens of Des Moines asking the passage of the juvenile court and probation bill.

Referred to committee on Judiciary.

Springer of Buchanan presented memorial of E. C. Little Post, No. 54 G. A. R., relative to House file No. 301.

Referred to committee on Appropriations.

Buchanan of Wapello presented memorial of Vorhis Post, No. 73 G. A. R., relative to the purchase of Camp McClellan.

Referred to committee on Appropriations.

## REPORTS OF COMMITTEES.

Mattes of Sac, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred a bill for an act making an appropriation for the construction, repair, improvement and contingent funds for the State hospitals, penitentiaries, industrial schools, Institution for Feeble-Minded Children, College for the Blind, School for the Deaf, Iowa Soldiers' Home and Iowa Soldiers' Orphans' Home, and authorizing a change in the use of certain other appropriations heretofore made, beg leave to report that they 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.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

Jepson of Woodbury, 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. 391, a bill for an act to define certain powers of the county superintendent in relation to 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.

C. N. JEPSON,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Schools and Text-Books, to whom was referred Senate file No. 165, a bill for an act amending section twenty-eight hundred and three (2803) of the code, in reference to attending school in another corporation, beg leave to report that they have 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. N. JEPSON,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Schools and Text-Books to whom was referred House file No. 414, a bill for an act to legalize the acts of the voters

of the school corporations within this State at the annual meetings thereof, where such voters have attempted to exercise the powers given by section twenty-seven hundred and forty-nine (2749) of the code, when no notice of the proposition acted upon by them was given in the manner provided in such section, beg leave to report that they have 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: "But nothing in this act shall in any manner affect pending litigation." And that when so amended the same do pass.

C. N. JEPSON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Schools and Text-Books, to whom was referred House file No. 134, a bill for an act to amend section two thousand eight hundred and twenty-three-a (2823-a) and two thousand eight hundred and twenty-three-e (2823-e) of the code in relation to 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 indefinitely postponed.

C. N. JEPSON,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on School and Text-Books, to whom was referred House file No. 355, a bill for an act to amend section twenty-seven hundred thirty-nine (2739); twenty-seven hundred fifty-seven (2757); twenty-seven hundred sixty-four (2764); twenty-seven hundred sixty-five (2765); twenty-seven hundred sixty-nine (2769); twenty-seven hundred seventy-three (2773); twenty-seven hundred eighty-five (2785); twenty-seven hundred ninety-three (2793), and twenty-eight hundred and one (2801) of the code, relating to the school year, regular meeting of school boards, school census, and the annual reports of school 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.

C. N. JEPSON,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Schools and Text-Books, to whom was referred House file No. 72, a bill for an act to repeal section one (1) chapter one hundred and twenty-eight (128) of the acts of the Twenty-ninth General Assembly, and to enact a substitute therefor, relating to 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 striking out all after the enacting clause and substituting in lieu thereof the following:

Section 1. That section twenty-eight hundred and twenty-three-a (2823-a) of the supplement to the code, be and the same is hereby repealed, and there is hereby enacted in lieu thereof the following:

Any person having control of any child of the age of seven (7) to fourteen (14) years, inclusive, in good physical and mental condition to attend school, shall cause such child to attend some public, parochial, or private school wherein the common school branches of reading, writing, spelling, arithmetic, grammar, geography, physiology and United States history are taught, for at least sixteen (16) weeks in each year, beginning as soon after the first day of September of each year as the school opens after said date, and must attend continuously whenever said school is in session until the full sixteen (16) weeks of school has been attended. Provided, that this section shall not apply to any child who lives more than two (2) miles from any school by the nearest traveled road, except in those districts in which pupils are transported at public expense, or who is excused for sufficient reasons by the school directors of the districts.

Any person who shall violate the provisions of this section by allowing such child to be absent from said school for twenty (20) consecutive days or otherwise, of said required period of attendance, shall be deemed guilty of misdemeanor, and upon conviction thereof shall pay a fine of not less than ten (10) dollars nor more than fifty (50) dollars, for each offense.

And that when so amended the same do pass.

C. N. JEPSON,  
*Chairman.*

**Ordered passed on file.**

**Also:**

MR. SPEAKER—Your committee on Schools and Text-Books, to whom was referred Senate file No. 307, a bill for an act defining the powers of the Board of Educational Examiners relative to the issuance of State certificates and fixing the fee 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. N. JEPSON,  
*Chairman.*

**Ordered passed on file.**



Doran of Boone, from the committee on Animal Industry, submitted the following report:

MR. SPEAKER—Your committee on Animal Industry, to whom was referred Senate file No. 205, a bill for an act to amend the law as it appears in sections twenty-five hundred and thirty-eight-j (2538-j) and twenty-five hundred and thirty-eight-p (2538-p) of the supplement to the code in reference to the department of veterinary surgery and medicine, beg leave to report that they 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. R. DORAN,  
*Chairman.*

Adopted.

Greeley of Story, from the committee on Public Lands and Buildings, submitted the following report:

MR. SPEAKER—Your committee on Public Lands and Buildings, to whom was referred Senate file No. 253, a bill for an act authorizing the Executive Council of the State to grant the right of way to the Chicago, Anamosa & Northern Railway Company over and across the east half of the southwest quarter of section 33, township 85, range 4 west of the fifth principal meridian, beg leave to report that they 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. M. GREELEY,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Public Lands and Buildings, to whom was referred Senate file No. 142, a bill for an act to authorize the Executive Council to have surveyed and to convey an island newly formed by accretion in the Mississippi river off the southeastern portion of Green Bay township being township 69 north, range 3 west, of the fifth P. M. in Lee 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.

W. M. GREELEY,  
*Chairman.*

Ordered passed on file.

## INTRODUCTION OF BILLS.

By Springer of Buchanan, House file No. 430, a bill for an act to legalize the incorporation of the town of Quasqueton, Buchanan 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.

WHEREAS, Doubts have arisen as to the legality of the incorporation of the town of Quasqueton, Buchanan county, Iowa, the election of its officers, the passage of its ordinances and resolutions, the signing of the same by the mayor, and the record thereof, therefore

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

Section 1. That the incorporation of the town of Quasqueton, Buchanan county, Iowa, the election of its officers, the passage of its ordinances and resolutions, the signing of the same by the mayor or lack thereof, and all the official acts done by said town council not in contravention with the laws of the State, are hereby legalized and the same are declared to be valid and binding the same as though the law had in all respects been strictly complied with in the incorporation of said town, the election of its officers, and all official acts done by said council, the proper signing and record thereof or the lack of same. 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 Register and Leader and The Quasquetonian, newspapers published at Des Moines and Quasqueton, Iowa, without expense to the State of Iowa.

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

By Cassel of Jefferson, House file No. 431, a bill for an act to amend the law as found in sections fifteen hundred and twenty-eight (1528) and fifteen hundred and fifty-four (1554) and twenty-five hundred and seventy-one (2571) of the supplement to the code, relative to the annual meeting of township trustees and of local boards of health.

Read first and second time and referred to committee on County and Township Organization.

By committee on Appropriations, House file No. 432, a bill for an act to make appropriations for construction, repair, improvement and contingent funds for State institutions under the State Board of Health.

Read first and second time and passed on file.

By Teter of Marion (by request), House file No. 433, a bill for an act to repeal section two thousand one hundred and sixty-one (2161) of the code and to enact a substitute in lieu thereof, in relation to telegraph and telephone lines.

Read first and second time and referred to committee on Telegraph, Telephone and Express.

By Calderwood of Scott (by request), House file No. 434, a bill for an act to grant any and all lands which the State may have in, along, or about the boundary and inland rivers of the State to the owners, to whom they properly belong, of the abutting riparian lands of which they are part if the laws of accretion and reliction are applied thereto, and to provide that all lands hereafter formed in, along or about said rivers, which would, except for this act, become the property of the State, shall become instead the property of the owner of the abutting riparian lands of which they will be part of the laws of accretion and reliction are applied thereto, in order that all such lands now existing or hereafter formed shall become and be the subject of taxation.

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

#### BILLS ON THEIR PASSAGE.

Summers of Van Buren moved that Calendar No. 188, House file 117, be passed and allowed to retain its place on the Calendar.

Motion prevailed.

On motion of Flenniken of Clayton, Senate file No. 67, a bill for an act amending the law relating to deputy and assistant dairy commissioners, appearing as section twenty-five hundred fifteen (2515) of the supplement to the code, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Flenniken 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, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Cassel, Chassell, Christianson, Clary, Cobb, Colclo, Crose, Cummings, Davie, Doran, English, Flenniken, Freeman, Frudden, Greeley, Gregory, Hakes, Hambleton, Harris, Hart, Hollembeak, Jacobson, Jepson, Kendall, Kennedy, Kling, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McCreary, McCulloch, McDole, McElrath, McNie, Manning, Mattes, Morris, Mott, Nichols, Olson, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teter, Washburn, Weeks, Whiting, Willson, Wise, Wright, Wyland—68.

The nays were:

Mr. Dow—1.

Absent or not voting:

Messrs. Buckingham, Carstensen, Cheney, Coburn, Conn, Dashiell, Geneva, Greene, Hanna, Head, Heles, Hume, Jones, Koontz, Laird, Langan, McClurkin, Maben, Martin, Offill, Peet, Powers, Prevo, Pritchard, Saylor, Teachout, Temple, Welden, Whitmer, Mr. Speaker—31.

So the bill passed and the title was agreed to.

On motion of Weeks of Guthrie, House file No. 410, a bill for an act to amend section 491 of the code, relating to salaries of deputy county treasurers, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Weeks moved that the rule 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. Bailey, Bealer, Boland, Calderwood, Chassell, Colclo

Davie, Flenniken, Hart, Hollebeak, Kennedy, Leech, McClurkin, Manning, Morris, Nichols, Sankey, Spaulding, Stanbery, Summers, Weeks, Whiting, Wyland—23.

The nays were:

Messrs. Bixby, Buchanan, Carden, Christianson, Cobb, Conn, Crose, Cummings, DeLano, Freeman, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Jepson, Kendall, Kling, Lamkin, Lister, Lowrey, Lundt, McAllister, McCreary, McCulloch, McDole, McElrath, McNie, Mott, Olson, Peet, Pritchard, Ritter, Robinson, Skinner, Springer, Stoltenberg, Washburn, Whitmer, Wise, Wright—42.

Absent or not voting:

Messrs. Buckingham, Carstensen, Cassel, Cheney, Clary, Coburn, Dashiell, Doran, Dow, English, Frudden, Geneva, Greeley, Head, Heles, Hume, Jacobson, Jones, Koontz, Laird, Langan, Maben, Martin, Mattes, Offill, Powers, Prevo, Saylor, Shaffer, Teachout, Temple, Teter, Welden, Willson, Mr. Speaker—35.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Dow of Franklin, House file No. 69, a bill for an act to amend section 881 of the code, relative to condemnation and purchase of land for sewer outlets and for sewer and garbage disposal plants, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Dow moved the adoption of the following amendments recommended by the committee:

Amend by striking out all of the original bill after the enacting clause and inserting in lieu thereof the following:

Section 1. That section eight hundred and eighty-one (881) of the code be and the same is hereby repealed and the following be enacted in lieu thereof:

Sec. 2. Cities and towns shall have the power to acquire real estate within and without their territorial limits necessary for sewer outlets, garbage disposal plants, sewage disposal plants and dump grounds, by purchase or condemnation as in this chapter provided, and the expense of such acquisition of real estate for sewer outlets, garbage disposal plants, sewage

disposal plants and dump grounds, shall, in the case of garbage disposal plants and dump grounds, be paid out of the general fund, and in the case of sewer outlets and sewage disposal plants, out of the general fund or out of the sewer fund of the sewer district for which the sewer outlet or sewage disposal plant is established.

Sec. 3. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

**Adopted.**

Mr. Dow moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Cassel, Chassell, Christianson, Clary, Colclo, Conn, Crose, Cummings, Davie, DeLano, Doran, Dow, English, Flenniken, Frudden, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Hollebeak, Jacobson, Jepson, Kendall, Kennedy, Kling, Koontz, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Manning, Mattes, Morris, Mott, Nichols, Olson, Peet, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Teter, Washburn, Weeks, Whiting, Willson, Wise, Wright—71.

The nays were:

None.

Absent or not voting:

Messrs. Buckingham, Carstensen, Cheney, Cobb, Coburn, Dashiell, Freeman, Geneva, Greeley, Head, Heles, Hume, Jones, Laird, Langan, Maben, Martin, Offill, Powers, Prevo, Saylor, Stoltenberg, Summers, Teachout, Temple, Welden, Whitmer, Wyland, Mr. Speaker—29.

So the bill passed.

Dow of Franklin moved to amend the title by inserting the words "eight hundred and eighty-one" after the word "section" in the first line and enclosing the figures "881" in parentheses.

**Adopted.**

Title as amended agreed to.

On motion of Teter of Marion, House file No. 389, a bill for an act to provide for the approval of policies or contracts of life insurance companies, contemplated by chapter 6 title IX of the code, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Mr. Teter moved the adoption of the following amendment recommended by the committee:

Amend section two (2) by inserting in the last line after the word "examiner" the words "or medical board."

**Adopted.**

Mr. Teter moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Cassel, Chassell, Christianson, Clary, Cobb, Colclo, Conn, Crose, Cummings, Davie, DeLano, Doran, English, Flenniken, Freeman, Frudden, Greene, Gregory, Hakes, Hambleton, Hanna, Hart, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McCreary, McCulloch, McElrath, McNie, Mattes, Morris, Mott, Nichols, Olson, Peet, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Summers, Teter, Washburn, Whiting, Whitmer, Willson, Wise, Wright—69.

**The nays were:**

None.

**Absent or not voting:**

Messrs. Buckingham, Carstensen, Cheney, Coburn, Dashiell, Dow, Geneva, Greeley, Harris, Head, Heles, Hume, Koontz, Laird, Langan, McClurkin, McDole, Maben, Manning, Martin, Ofill, Powers, Prevo, Saylor, Stoltenberg, Teachout, Temple, Weeks, Welden, Wyland, Mr. Speaker—31.

So the bill passed and the title was agreed to.

On motion of McNie of Benton, House file No. 402, a bill for an act providing for the disposition of State documents, publications and laws not required for public use, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. McNie moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Cassel, Chassell, Christianson, Clary, Cobb, Colclo, Conn, Crose, Cummings, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Greeley, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Hollembeak, Jepson, Jones, Kendall, Kennedy, Kling, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McNie, Manning, Mattes, Morris, Mott, Nichols, Olson, Peet, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Summers, Temple, Teter, Washburn, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland—74.

The nays were:

None.

**Absent or not voting:**

Messrs. Buckingham, Carstensen, Cheney, Coburn, Dashiell, Geneva, Greene, Head, Heles, Hume, Jacobson, Koontz, Laird,



Langan, McElrath, Maben, Martin, Offill, Powers, Prevo, Saylor Stoltenberg, Teachout, Weeks, Mr. Speaker--26.

So the bill passed and the title was agreed to.

MESSAGES FORM 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. 293, a bill for an act to amend section 3656 of the code, relating to trials in equity 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. 296, a bill for an act to amend section 999 of the code, relating to the condemnation of land by 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. 266, a bill for an act to amend sections 728, 729, 731 of the code, relating to the appointment of library trustees, their powers and 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. 151, a bill for an act to amend section 2816 of the code, in relation to reversion of schoolhouse sites.

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. 295, a bill for an act to amend section 1571 of the code, relating to steam engines on public roads.

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. 335, a bill for an act to legalize certain actions of the board of supervisors of Clayton county, Iowa, relating to the purchase 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. 329, a bill for an act to amend section 560 of the code, relating to township clerk and 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 Senate was asked:

House file No. 25, a bill for an act to amend section 1889 of chapter 12 of the code, in relation to savings and State banks and loan and trust companies and the capital and examination 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. 378, a bill for an act to legalize the acts of the board of supervisors of Delaware 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 House is asked:

Substitute for Senate file No. 263, a bill for an act to amend section 2510-a chapter 16 title XII of the supplement to the code, and to repeal section 2570-b of the same chapter and title, relating to the payment of expenses of local boards of health in restricting the spread of infectious 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 Senate was asked:

House file No. 96, a bill for an act providing for the re-recording of instruments in which errors have been made in recording.

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 to amend section 4884 of the code, relating to the punishment of sheriffs or other officers for receiving bribes.

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. 169, a bill for an act to amend section 403 of the code, relating to funding and refunding outstanding county indebtedness.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate herewith returns, as requested, House file No. 385, a bill for an act to amend section 2230 of the code, relating to overseer of the poor.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate herewith returns, as requested, House file No. 367, a bill for an act to amend section 1129 of the code, relative to expense of election.

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 the following bill in which the concurrence of the Senate was asked:

Senate file No. 310, a bill for an act to authorize cities to protect lots, lands and property within their limits from danger and damage from floods and high water by deepening, widening, straightening, altering or changing and otherwise improving water courses within their limits and by constructing levees, embankments and other works and to provide for the levy of special assessment and other taxes and the issuance of bonds and certificates to defray the expenses of such improvements, additional to chapters 7 and 8, of title V of the code.

GEO. A. NEWMAN,  
*Secretary.*

Nichols of Muscatine asked unanimous consent to have the Journal show that had he been present when the report of the joint committee appointed to visit the School for the Deaf was submitted he would have signed said report.

Granted.

On motion of Kendall of Monroe the House adjourned until 2 o'clock P. M.

## AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker pro tem Cummings in the chair.

## BILLS ON THEIR PASSAGE.

Leech of Cedar called up the motion to reconsider the vote whereby House file No. 173, a bill for an act to provide for the establishment and maintenance of a bacteriological laboratory and for the appointment of a director thereof, (additional to chapter 16, title XII), was lost, and by which same passed to its third reading.

Motion prevailed.

Chassell of Plymouth moved to amend as follows:

Amend by inserting in section 1, line two of the printed bill, after the word "laboratory," "at Iowa City in connection with the medical department of the State University of Iowa;" also by striking out of line three the word "May" and inserting the word "July" in lieu thereof, as shown in the printed bill.

Adopted.

Jones of Montgomery moved that the bill be re-referred to the committee on Public Health.

Lost.

Frudden of Dubuque moved to amend by striking out the words and figures "eighteen hundred dollars (\$1,800)" and inserting in lieu thereof the words and figures "three thousand dollars (\$3,000)."

Lost.

Chassell of Plymouth moved that the rule 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. Bailey, Bealer, Bixby, Boland, Calderwood, Carden, Crose, Cummings, DeLano, Dow, English, Greene, Hakes, Hambleton, Harris, Hart, Hollebeak, Jacobson, Jones, Kennedy, Kling, Koontz, Leech, Lister, Lundt, McAllister, McClurkin,

McCreary, McNie, Martin, Mattes, Morris, Nichols, Olson, Peet, Pritchard, Ritter, Shaffer, Stoltenberg, Summers, Whiting, Willson, Wise, Wright, Wyland—45.

**The nays were:**

Messrs. Buchanan, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Colclo, Conn, Dashiell, Doran, Freeman, Frudden, Gregory, Hanna, Jepson, Kendall, Lamkin, Lowery, McCulloch, McDole, McElrath, Manning, Mott, Offill, Powers, Robinson, Sankey, Skinner, Spaulding, Stanbery, Temple, Washburn, Welden, Whitmer—35.

**Absent or not voting:**

Messrs. Buckingham, Carstensen, Coburn, Davie, Flenniken, Geneva, Greeley, Head, Heles, Hume, Laird, Langan, Maben, Prevo, Saylor, Springer, Teachout, Teter, Weeks, Mr. Speaker—20.

Chassell of Plymouth moved that the bill be re-referred to the committee on Public Health.

Motion prevailed and the bill was so referred.

On motion of English of Polk, House resumed consideration of House file No. 1, a bill for an act to provide for primary elections for the purpose of ascertaining the choice of members of political parties for the nomination of candidates.

Mr. English moved to amend the bill as printed in the House Journal as follows:

Amend section 2 by inserting after the word "from" in the fifth line the word "seven," and after the word "to," the word "six," and enclose the numerals "7:00" and "6:00" in parentheses; also by inserting after the word "from" in the sixth line the word "twelve" and after the word "to" the word "six," and by striking out the numeral "8" and inserting the numeral "6," and by enclosing the numerals "12" and "6:00" in parentheses.

Amend section 3 by striking out the word "the" where it last appears in the second line, and inserting in lieu thereof the word "such."

Amend section 4 by striking out the word "that" in the fifth line, and inserting in the eighteenth line after the word "sustained" the word "but;" also by inserting in the twentieth line after the word "election" the following: "at which he voted and registered his party affiliations."

Amend section 5 by striking out the word "any" where it first appears in the second line and inserting in lieu thereof the word "a;" also by striking out of the eighteenth and nineteenth lines the words "election

held under the provisions of the General Election law, except" and insert in lieu thereof the word "but;" also by inserting after the word "the" where it last appears in the thirty-ninth line the words "time of the."

Amend section 8 by inserting after the word "write" in the forty-ninth line the words "or paste."

Amend section 10 by inserting after the word "representatives" in section 10 the words "supporting different candidates for nomination for an office upon which the principal contest at said primary is being made, when there are two or more candidates for such position in the same party."

Amend section 20 by inserting after the word "any" in the first line the words "primary election or other."

Amend section 22 by striking out the words "any person" in the ninth line and inserting in lieu thereof the word "or." Also, by inserting after the word "violating" in the eleventh line of said section the words "any of."

Amend section 4 by striking out the word "such" in the first line and inserting the word "a" in lieu thereof.

Amend section 7 by inserting after the word "officers" in the first line the words "also members of board of supervisors and township offices in townships composed of more than one precinct."

Amend section 15 by striking out the first six lines thereof and substituting therefor the following:

"Candidates for township offices, except in townships composed of more than one precinct, receiving the highest number of votes cast as determined upon by a count of the votes by the primary election board shall be declared the nominee of the party in such township. The names of candidates for nomination for offices in such townships as heretofore stated, shall." Also add to section 15 the following: "and the nominees for township offices in such townships shall be duly certified to the county auditor by the officers of the primary election as by law provided."

The amendments were taken up and considered one at a time and all of them adopted.

Teter of Marion moved to amend section twenty-one (21) by striking out all that part beginning with the word "but" immediately following the word "days" in said section, and inserting in lieu thereof the following:

Nothing in this act shall be construed to prohibit any candidate for representative in the congress of the United States, or for any public office created by the Constitution or laws of this State, from the payment of his legitimate assessment by the person, committee or organization in charge of his campaign, provided that such assessment is for the purpose of defraying the expenses of holding and conducting of public meetings for the discussion of public questions, or for the conveyance of voters to and from polling places on the day of the primary election, and then not in the aggregate in excess of the sum to be determined upon the following basis, namely:

for five thousand (5000) voters or less, one hundred dollars (\$100); for each one hundred (100) voters over five thousand (5000) and under twenty-five thousand (25000), one dollar and fifty cents (\$1 50); for each one hundred voters over twenty-five thousand (25000) and under fifty thousand (50000), one dollar (\$1.00); and nothing additional for voters over fifty thousand (50000).

Also amend by numbering the publication clause "section twenty-seven (27)"; and by adding as sections twenty-four (24), twenty-five (25) and twenty-six (26), the following:

"Sec. 24. Every candidate for any office to be voted for at such primary shall, within five (5) days after such primary, file with the auditor of the county of the residence of said candidate, a verified statement of account of his campaign expenses, including all expenditures by, for, or on behalf of said candidate, up to and including the day of said primary, which statement of account shall include the assessment by any person, committee or organization in charge of the campaign of said candidate."

Sec. 25. "Any candidate who shall have violated any of the provisions of this act, shall be disqualified to hold the office to which he has been nominated."

Sec. 26. "One-half of the money fines provided for by any of the provisions of this act shall, on conviction of the accused, be paid to the informant."

#### Amendments lost.

English of Polk moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Cassel, Chassell, Cheney, Christianson, Clary, Conn, Crose, Cummings, Dashiell, Doran, Dow, English, Flenniken, Freeman, Frudden, Greeley, Greene, Hambleton, Hanna, Harris, Hollebeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Lamkin, Leech, Lister, Lowrey, McAllister, McCulloch, McDole, McNie, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Pritchard, Robinson, Shaffer, Skinner, Spaulding, Temple, Teter, Washburn, Weeks, Welden, Whiting, Wise, Wright—64.

The nays were:

Messrs. Davie, DeLano, Gregory, Hart, Lundt, McCreary, Peet, Sankey, Springer, Wyland—10.



**Absent or not voting:**

Messrs. Buckingham, Carstensen, Cobb, Coburn, Colclo, Geneva, Hakes, Head, Heles, Hume, Koontz, Laird, Langan, McClurkin, McElrath, Maben, Prevo, Ritter, Saylor, Stanbery, Stoltenberg, Summers, Teachout, Whitmer, Willson, Mr. Speaker—26.

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. 211, a bill for an act providing for the completion of the historical, memorial and art building.

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. 76, a bill for an act to repeal the law as it appears in sections 2503, 2505, 2506, 2507, 2508, 2509 of the code, in relation to the inspection of petroleum products.

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. 141, a bill for an act making an appropriation for the Department of Agriculture for the purpose of erecting a fireproof building.

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. 184, a bill for an act making an appropriation for the Benedict Home, 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. 284, a bill for an act making an appropriation for the Dubuque Rescue Home, at Dubuque, Iowa.

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. 159, a bill for an act making an appropriation for the Woman's and Baby's Home at 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. 350, a bill for an act to legalize the incorporation of the town of Wall Lake, Sac county, 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. 107, a bill for an act to amend section 227 of the supplement to the code, relating to judicial districts.

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. 361, a bill for an act to repeal chapter 150 of the acts of the Twenty-ninth General Assembly and sections 4999-e, 4999-f, 4999-g, 4999-h, 4999-i, 4999-j, of the supplement to the code, and enact in lieu thereof the following: "relative to 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 same and imposing penalties for violation thereof, additional to chapter 10 of title XXIV of the code, relating to offenses against the public health."

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. 195, a bill for an act amending chapter 53, acts of the Twenty-ninth General Assembly, relative to the duties of township trustees.

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 the following bill in which the concurrence of the Senate was asked:

Senate file No. 112, a bill for an act to provide for the construction of sewers by incorporated towns.

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 the following bill in which the concurrence of the Senate was asked:

Senate file No. 118, a bill for an act to repeal section 738 of the code.

GEO. A. NEWMAN,  
*Secretary.*

□ McClurkin of Louisa moved that House file No. 117 be made a special order for 10 o'clock A. M. tomorrow.

Motion prevailed.

#### REPORTS OF COMMITTEES.

Kendall of Monroe, from the committee on Judiciary, submitted the following report

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 416, a bill for an act to legalize the incorporation of the town of Titonka, Kossuth county, Iowa, the election of its officers, and all acts done and ordinances passed 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.

N. E. KENDALL,  
*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 empowering the Governor to execute quit-claim deeds to all right, title and interest of the State of Iowa in and to lot No. six (6) of block No. eight (8); lot No. eight (8) of block No. fourteen (14); lot No. six (6) of block No. fifteen (15), and lot No. two (2) of block No. thirty-five (35), all in railroad addition to Cedar Falls, 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 430, a bill for an act to legalize the incorporation of the town of Quasqueton, Buchanan 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, beg leave to report that they 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.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 404, a bill for an act to amend section one thousand three hundred and thirteen (1313) of the code, relating to the place of listing personal property for taxation by administrators, guardians and 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 231, a bill for an act relating to the distribution of the code and supplement to the code, and other State 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 383, a bill for an act to amend section eight hundred and sixty of the supplement to the code, as the same is found in said section of the code and the supplement thereto, relating to the creation and improvement of parks in towns and cities having a population of twelve thousand five hundred and less, beg leave to report that they 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.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 283, a bill for an act to provide for the appointment by the board of supervisors of examiners for county offices, defining the qualifications and duties, and limiting the compensation thereof, and providing a uniform system of keeping the books of county treasurers and county auditors, beg 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 be indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

**Also:**

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 324, a bill for an act to legalize the official acts of Harry C. Wright, a notary public in and for Wayne 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 indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

**Also:**

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 434, a bill for an act to grant any and all lands which the State may have in, along or about the boundary and inland rivers of the State to the owners to whom they belong of the abutting riparian lands of which they are part, if the laws of accretion and reliction are applied thereto; and to provide that all lands hereafter formed in, along or about said rivers which would except for this act become the property of the State, shall become instead, the property of the owners of the abutting riparian lands of which they will be part if the laws of accretion and reliction are applied thereto, in order that all such lands now existing or hereafter formed shall become and be the subject of 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

**Also:**

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 428, a bill for an act to amend section forty-six hundred and twenty five (4625) 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.

N. E. KENDALL,  
*Secretary.*

Adopted, and the bill was indefinitely postponed.

**Also:**

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 54, a bill for an act prohibiting insurance companies, other

than life, from taking notes in payment of the premiums or assessments, payable at a place other than in the county of the residence of the insured, or where the property insured is located, 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 be indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

McNie of Benton, from the committee on Claims, submitted the following report:

MR. SPEAKER—Your committee on Claims, to whom was referred House file No. 429, a bill for an act authorizing the Executive Council of the State to pay the costs and attorneys' fees in certain cases brought in Marion county to revoke fraudulent naturalization papers, and to pay the costs incurred by the State in the case of the State v. William 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.

MALCOLM F. MCNIE,  
*Chairman.*

Ordered passed on file.

Mattes of Sac, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 36, a bill for an act providing for the establishment, location, erection and operation of a State hospital for dipsomaniacs, inebriates, and for those addicted to the excessive use of narcotics, and providing for its support, and for the discipline of persons committed to it, and for the repeal of all laws inconsistent herewith, beg leave to report that they 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.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 301, a bill for an act to appropriate money for the

purchase of Camp McClellan at Davenport, Iowa, in conjunction with the city of Davenport, and to provide for its improvement as a public park and its preservation as a place of historic and patriotic interest, beg leave to report that they have 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 and figures "fifty thousand dollars (\$50,000)" in the first line of section one (1) and inserting the words and figures "twenty-five thousand dollars (\$25,000)" in lieu thereof; and further amend said House file by striking out the period in the fifth line of section six (6) and adding thereto the following: "and no further appropriation shall be made by the State of Iowa for purchase of additional land or improvement of said park," and when so amended that the same do pass.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

REPORT OF SUB-COMMITTEE ON HOUSE FILE NO. 301.

*To Hon. Joseph Mattes, Chairman of Committee on Appropriations, and to the Members of said Committee:*

The subscribers hereto were elected as a sub-committee to consider House file No. 301, pertaining to the purchase of Camp McClellan, and they submit the following as their report:

On the 25th inst. your committee viewed the premises known as old Camp McClellan, the same being a part of the east half (½) of section thirty (30), township seventy-eight (78), north range four (4) east of the 5th P. M., in Scott county, State of Iowa.

This tract of land contains about 216 $\frac{5}{8}$  $\frac{0}{100}$  acres, the same being practically unoccupied and covered with native trees, very rough and rolling, with high points, and deep gulleys in which was running water. It is bounded on the east by the Mississippi river. It is crossed in its northern part, from north to south, by a well-traveled highway, known as the Le-Claire road, and in the southern part near the river brink, by a paved street, a trolley line and a railroad, making it very accessible, easily reached from any direction.

These premises are within the corporate limits of the city of Davenport and under the supervision of the city government.

The topography of these premises is natural woodland, shady valleys, running brooks, high hills from which magnificent views are to be had, and along its entire width on the south, the mighty Mississippi river flows, in majesty to the Gulf.

These are some of the natural qualifications of this tract of land, and which makes it suitable for park purposes and a place of resort.

While Nature has done much to make Camp McClellan a place of interest, Man has added more to make it a place in which not only the citizens of Davenport and vicinity are interested, but the people throughout the State are concerned.



During the War of the Rebellion, forty-five (45) of the forty-eight (48) regiments raised in the State of Iowa were camped upon this tract of land. Upon it were kept for some time a large number of Sioux Indian prisoners taken during the war. Just across the Mississippi river, spread out in plain view, is the celebrated Rock Island, where, during the War of the Rebellion, were kept some 10,000 rebel prisoners, and which is used by the government for the manufacture of arms and the storage of munitions of war and captured property, and there is maintained by the United States government, one of its greatest arsenals.

These historical facts, combined with the location of the premises and its natural conditions, make Camp McClellan an ideal place for a park.

The city of Davenport has a number of other parks well kept and maintained. The citizens of that city are proud of their open air resorts, and are very anxious to maintain and continue Old Camp McClellan in its natural state as one, and in view of the patriotic and educational features that naturally draw the minds of the people of Iowa to this historic spot, your committee believe that the State ought to co-operate in some measure with the good people of Davenport in preserving Camp McClellan for the good of the present and future generations of the people of Iowa.

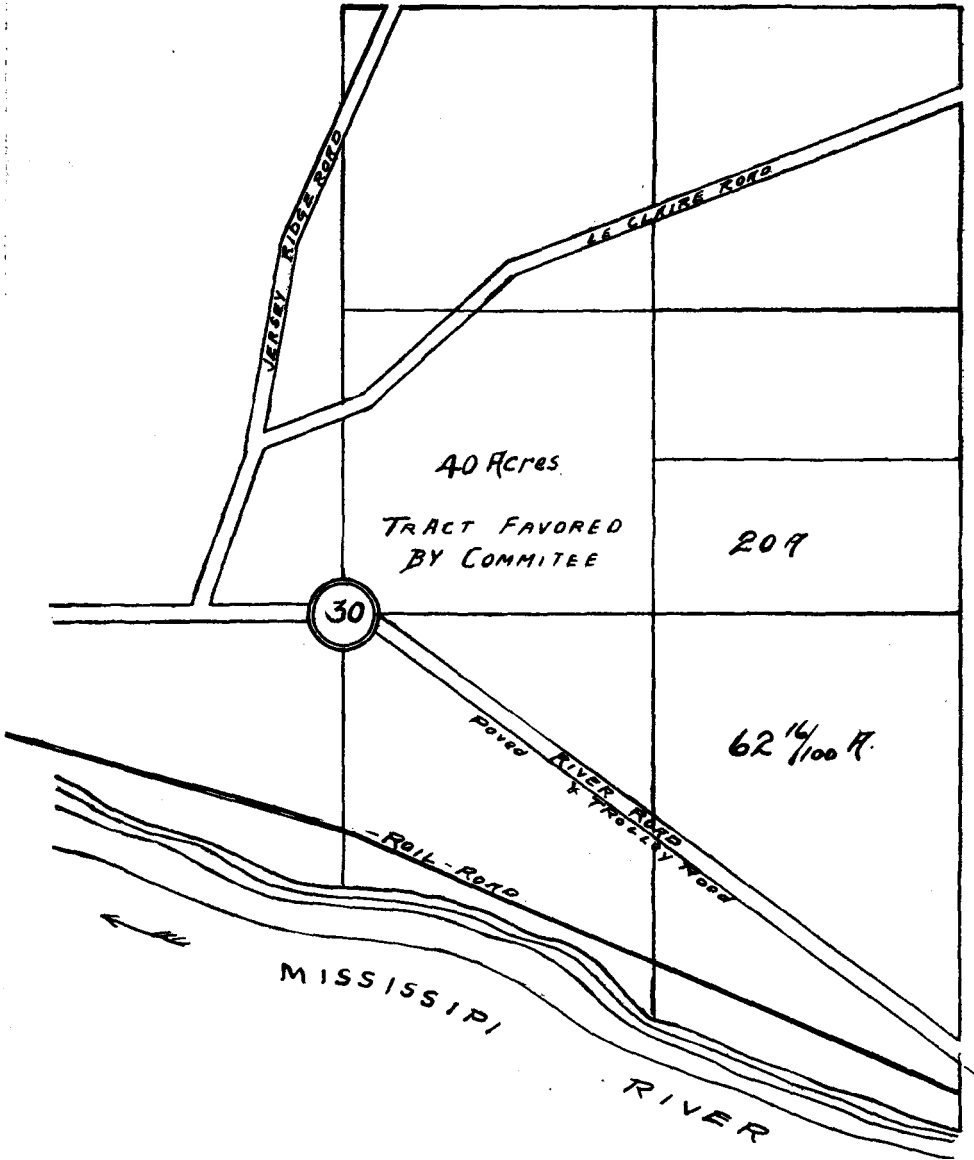
Your committee, however, feel that it is unnecessary to use the entire tract for that purpose. As hereinbefore stated, there are some 216 acres of land in the tract. Your committee believes that a suitable park, embracing all the historical points of Camp McClellan and all of its magnificent views, could be made upon the following land, to wit:

The southwest quarter (SW  $\frac{1}{4}$ ) of the northeast quarter (NE  $\frac{1}{4}$ ), and the south half (S  $\frac{1}{2}$ ) of the southeast quarter (SE  $\frac{1}{4}$ ) of the northeast quarter (NE  $\frac{1}{4}$ ), and all of the southeast quarter (SE  $\frac{1}{4}$ ), of section thirty (30), township seventy-eight (78), north of range four (4), east of the 5th P. M., in Scott county, Iowa.

This would contain  $122\frac{1}{10}$  acres of land, and the same would not be deprived, as near as your committee is able to judge, of any of the transportation facilities referred to herein.

Hereto attached is a plat of said premises, showing the entire tract, also showing the  $122\frac{1}{10}$  acres which your committee believes sufficient for park purposes; also we submit a map of the city of Davenport and its surroundings, showing the location of old "Camp McClellan."

FRACTIONAL  
E 1/2 - SEC 30 - TWP 78 - R-24  
- WEST 5th P.M. IOWA. -



Your committee, therefore, recommends, with the conditions hereinafter set forth, that there shall be appropriated under the terms of and for the purposes mentioned in bill known as House file No. 301, the sum of twenty-five thousand dollars (\$25,000). This recommendation is made upon the conditions that said sum of money is available, and if taken would not deprive any of the institutions of the State of funds needed for their proper support and maintainance, or in any way interfere with the appropriations as already agreed upon by the different committees on appropriations; and that said amount would not raise the present tax levy if added to contemplated appropriations.

E. W. WEEKS,  
J. C. FLENNIKEN,  
L. L. DELANO,  
*Committee*

Ordered passed on file.

SENATE MESSAGES CONSIDERED.

Senate file No. 295, a bill for an act to amend section 1571 of the code, relating to steam engines on public roads.

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

Senate file No. 266, a bill for an act to amend sections 728, 729, 731 of the code, relating to the appointment of library trustees, their powers and duties.

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

Senate file No. 293, a bill for an act to amend section 3656 of the code, relating to trials in equity cases.

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

Senate file No. 169, a bill for an act to amend section 403 of the code, relating to funding and refunding outstanding county indebtedness.

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

Senate file No. 151, a bill for an act to amend section 2816 of the code, in relation to the reversion of schoolhouse sites.

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

Senate file No. 152, a bill for an act to amend section 4884 of the code, relating to the punishment of sheriffs or other officers forreceiving bribes.

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

Senate file No. 296, a bill for an act to amend section 999 of the code, relating to the condemnation of land by cities under special charter.

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

Senate file No. 263, a bill for an act to amend section 2510-a, chapter 16, title XII of the supplement to the code, and to repeal section 2570-b of the same chapter and title, relating to the payment of expenses of local boards of health in restricting the spread of infectious diseases.

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

Senate file No. 76, a bill for an act to repeal the law as it appears in sections 2503, 2505, 2506, 2507, 2508, 2509 of the code, in relation to the inspection of petroleum products.

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

## INTRODUCTION OF BILLS.

By Hart of Allamakee (by request), House file No. 435, a bill for an act to amend section fourteen hundred and fifty-nine (1459) of the code, relative to the payment of State funds by county treasurers.

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

On motion of Leech of Cedar, the House adjourned until 9 o'clock A. M. tomorrow.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 30, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. A. A. Walburn of Audubon, Iowa.

Journal of Tuesday, March 29th, was corrected and approved.

On request of Kendall of Monroe leave of absence was granted Pritchard of Wright, Lister of Grundy, Robinson of Emmet, Wright of Webster and Conn of Butler, for today on account of a meeting of the committee on Agriculture.

#### PETITIONS AND MEMORIALS.

McAllister of Linn presented petition of citizens of Linn county relative to the tax ferret law.

Referred to committee on Ways and Means.

Doran of Boone presented petition of the business men of Shelby relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Lundt of Tama presented petition of citizens of Tama county relative to Senate file No. 137.

Referred to committee on Railroads and Commerce.

Skinner of Union presented memorial of T. J. Potter Post No. 444, G. A. R., relative to House file No. 301.

Referred to committee on Appropriations.

Wise of Black Hawk presented petition of citizens of Iowa relative to House file No. 364.

Referred to committee on Labor.

Teter of Marion presented memorial of Geo. R. Taylor Post No. 317, G. A. R., relative to House file No. 301.

Referred to committee on Appropriations.

#### 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 Senate file No. 225, a bill for an act to amend section 1476 of the code, relating to collection of tax on collateral inheritance, beg leave to report that they 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. 435, a bill for an act to amend section 1450 of the code relative to the payment of State funds by 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 be indefinitely postponed.

M. L. TEMPLE,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Ways and Means, to whom was referred House file No. 247, a bill for an act relating to the payment by the State of the premiums of surety companies on the bond of the State treasurer and deputy State Treasurer and to the payment into the State fund of all interest from State money loaned or deposited in 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 all after the enacting clause and inserting the following in lieu thereof:

Section 1. That there is hereby appropriated for the payment on the bond of the State Treasurer and deputy State treasurer, out of any money in the State treasury, not otherwise appropriated, annually, the sum of two thousand dollars (\$2,000) or so much thereof as is necessary to pay the bond of the State Treasurer and deputy State treasurer.

And when so amended the same do pass.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.

Bailey of Ringgold, from the committee on Roads and Highways, submitted the following report:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred Senate file No. 295, a bill for an act to amend the law as it appears in section fifteen hundred seventy-one (1571) of the code, relating to steam engines 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 do pass.

M. Z. BAILEY,  
*Chairman*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Roads and Highways, to whom was referred Senate file No. 281, a bill for an act to encourage the use of wagons with wide tires on public highways and providing for a rebate of a portion of their road tax to persons using wagons with tires not less than three inches in width when hauling heavy loads on the public highways of 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 indefinitely postponed.

M. Z. BAILEY,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Hambleton of Mahaska called up concurrent resolution relative to the appointment of a joint committee to consider the advisability of the concentration and consolidation of the educational interests of the State, and moved its adoption.

Resolution lost.



Calderwood of Scott offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved*, That the thanks of the members of the House of Representatives of the Thirtieth General Assembly, be extended to the Honorable George W. Koontz of Johnson county, to the Iowa City Commercial Club, to President George 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, March 24, 1904. Be it further

*Resolved*, That a vote of thanks be extended to the officials of the Chicago, Rock Island & Pacific Railway for placing at the service of the members of the Thirtieth General Assembly a special train.

Adopted.

#### INTRODUCTION OF BILLS.

By Cheney of Clay (by request):

#### HOUSE JOINT RESOLUTION NO. 7.

JOINT RESOLUTION 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

*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.

Read first and second time and referred to the committee on Constitutional Amendments.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 226, a bill

for an act to repeal the law which appears as section eighteen hundred and thirty-two (1832) of the supplement to the code, relating to fraternal beneficiary associations and to enact a substitute therefor.

Also, House file No. 258, a bill for an act to amend chapter fourteen (14) of title thirteen (13) of the code, relating to the system of common schools, and the incurring of indebtedness for schoolhouse purposes.

Also, House file No. 256, a bill for an act to provide for consolidation or reinsurance of the risks of fraternal beneficiary societies with or by other societies or organizations, and providing a plan therefor.

Also, House file No. 305, a bill for an act requiring railway and other corporations owning real estate to report the same to the Executive Council for assessment and amending the law as it appears in section thirteen hundred thirty-four (1334) of the supplement to the code.

Also, House file No. 145, a bill for an act to provide for the consolidation or reinsurance of the risks of insurance companies or associations with or by other companies or associations authorized to transact business within this State, and providing a plan for such consolidation of reinsurance.

Also, House file No. 57, a bill for an act making an appropriation for the payment of certain costs which were incurred by reason of the intervention of the State of Iowa in certain suits originally commenced in the district court of Humboldt county, Iowa.

Also, House file No. 329, a bill for an act to amend section five hundred sixty (560) of the code relating to township clerk and trustees.

Also, House file No. 25, a bill for an act to amend section eighteen hundred and eighty-nine (1889) of the code in relation to savings and State banks and loan trust companies, and the capital and examination thereof.

Also, House file No. 96, a bill for an act to amend section four hundred ninety-four (494) of the code, relating to the duties of the county recorder.

Also, House file No. 378, a bill for an act to legalize the acts of the board of supervisors of Delaware county, Iowa, relating to the levying of a tax for the support of the poor, and legalizing the tax so levied.

Also, House file No. 304, a bill for an act to repeal the law as it appears in section two thousand and seventy-eight (2078) of the code and enact a substitute therefor, and providing for the classification of railways.

H. L. SPAULDING,  
*Chairman.*

### Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 226, a

bill for an act to repeal the law which appears as section eighteen hundred and thirty-two (1832) of the supplement to the code, relating to fraternal beneficiary associations and to enact a substitute therefor.

Also, House file No. 258, a bill for an act to amend chapter fourteen (14) of title XIII (13) of the code, relating to the system of common schools, and the incurring of indebtedness for schoolhouse purposes.

Also, House file No. 256, a bill for an act to provide for consolidation or reinsurance of the risks of fraternal beneficiary societies with or by other societies or organizations, and providing a plan therefor.

Also, House file No. 305, a bill for an act requiring railway and other corporations owning real estate to report the same to the Executive Council for assessment, and amending the law as it appears in section thirteen hundred thirty-four (1334) of the supplement to the code.

Also, House file No. 145, a bill for an act to provide for the consolidation or reinsurance of the risks of insurance companies or associations with or by other companies or associations authorized to transact business within this State, and providing a plan for such consolidation or reinsurance.

Also, House file No. 57, a bill for an act making an appropriation for the payment of certain costs which were incurred by reason of the intervention of the State of Iowa in certain suits originally commenced in the district court of Humboldt county, Iowa.

Also, House file No. 329, a bill for an act to amend section five hundred sixty (560) of the code, relating to township clerk and trustees.

Also, House file No. 25, a bill for an act to amend section eighteen hundred and eighty-nine (1889) of the code, in relation to savings and State banks and loan and trust companies, and the capital and examination thereof.

Also, House file No. 96, a bill for an act to amend section four hundred ninety-four (494) of the code, relating to the duties of the county recorder.

Also, House file No. 378, a bill for an act to legalize the acts of the board of supervisors of Delaware county, Iowa, relating to the levying of a tax for the support of the poor, and legalizing the tax so levied.

Also, House file No. 304, a bill for an act to repeal the law as it appears in section two thousand and seventy-eight (2078) of the code, and enact a substitute therefor, and providing for the classification of railways.

H. L. SPAULDING,  
*Chairman House Committee.*

D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 50, a bill for an act to amend section fifty two hundred and fifty-six (5256) of the code, relating to clerks of grand juries, and providing for the appointment and compensation thereof.

Also, House file No. 52, a bill for an act to prohibit docking horses, and providing penalties for the violation thereof.

Also, House file No. 319, a bill for an act to amend section seventeen hundred and eighty-eight (1788) of the code, relating to stipulated premium, and assessment life insurance associations.

Also, House file No. 339, a bill for an act to authorize the city of Marshalltown to construct and maintain a sewer through land of the State used by the Iowa Soldiers' Home.

Also, House file No. 340, a bill for an act to provide for the payment of costs and expenses which accrue from the care and investigation of persons found to be insane in counties in which they do not have a legal settlement.

Also, House file No. 382, a bill for an act prohibiting the wilful taking of any electric current, gas or water from the wires, meters, pipes or any apparatus of any electric light, electric motor, gas or water plant with intent to defraud. (Additional to chapter five (5), title XXIV (24) of the code.)

Also, House file No. 381, a bill for an act to repeal section four thousand eight hundred and seven (4807) of the code and of the supplement to the code, and to enact a substitute therefor, relating to malicious mischief and trespass.

March 29, 1904.

H. L. SPAULDING,  
*Chairman.*

### Adopted.

Speaker announced that he had signed in the presence of the House, House files No. 226, No. 378, No. 304, No. 57, No. 329, No. 25, No. 96, No. 145, No. 305, No. 256, No. 258.

### SENATE MESSAGES CONSIDERED.

On request of Temple of Clarke, House joint resolution No. 2, joint resolution proposing to amend the Constitution of the State of Iowa, relating to the apportionment of Senators and Representatives in the General Assembly, with Senate amendment to the title, was taken up and the amendment was read and considered.

Mr. Temple moved that the House concur in the Senate amendment to the title, making the joint resolution, with the title as amended, read as follows:

## HOUSE JOINT RESOLUTION NO. 2.

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 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 the following amendment to the constitution of the State of Iowa be, and the same is hereby proposed:

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:

Sec. 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 foregoing amendment to the constitution to the State of Iowa, having been adopted by the Twenty-ninth General Assembly in manner and form, and by the majority required by the constitution of the State of Iowa, and the statutes thereof, shall be submitted for ratification or rejection by the electors of the State of Iowa, at the general election of State officers to be held in November, 1904.

On the question, Shall the House concur in the Senate amendment to the title of House joint resolution No. 2?

The yeas were:

Messrs. Bailey, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Crose, Dashiell, Davie, DeLano, Doran, Dow, Freeman, Frudden, Geneva, Greeley,

Hanna, Harris, Hart, Hollembeak, Hume, Jacobson, Jepson, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Morris, Mott, Nichols, Olson, Peet, Powers, Ritter, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—79.

The nays were:

Mr. Hambleton.—1.

Absent or not voting:

Messrs. Bealer, Conn, Cummings, English, Flenniken, Greene, Gregory, Hakes, Head, Heles, Jones, Langan, Lister, Mattes, Offill, Prevo, Pritchard, Robinson, Springer, Wright—20.

So the House concurred in the Senate amendment to the title to House joint resolution No. 2.

On request of Jepson of Woodbury, unanimous consent having been given, House file No. 159, a bill for an act making an appropriation for the Woman's and Baby's Home at Sioux City, Iowa, with Senate amendments, was taken up and the amendments read and considered.

Mr. Jepson moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Cobb, Coburn, Colclo, Crose, Cummings, Davie, DeLano, Doran, Dow, English, Freeman, Frudden, Geneva, Greeley, Gregory, Hambleton, Hanna, Harris, Hart, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Powers, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Summers,

Teachout, Temple, Teter, Washburn, Welden, Whiting, Whitmer, Wise, Mr. Speaker—77.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Cassel, Clary, Conn, Dashiell, Flenniken, Greene, Hakes, Head, Heles, Langan, Lister, Offill, Peet, Prevo, Pritchard, Ritter, Robinson, Stoltenberg, Weeks, Willson, Wright, Wyland—23.

So the House concurred in the Senate amendment to House file No. 159.

On request of Clary of Chickasaw, unanimous consent having been given, House file No. 361, a bill for an act to repeal chapter 150 of the acts of the Twenty-ninth General Assembly and sections 4999-e, 4999-f, 4999-g, 4999-h, 4999-i, 4999-j, of the supplement to the code, and enact in lieu thereof the following: "Relative to 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 same and imposing penalties for violation thereof, additional to chapter 10 of title XXIV of the code, relating to offenses against public health," with Senate amendments, was taken up and the amendments read and considered.

Mr. Clary moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Crose, Cummings, Davie, DeLano, Doran, Dow, Freeman, Frudden, Geneva, Greeley, Gregory, Hambleton, Hanna, Harris, Hart, Head, Hollemeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lowrey, Lundt, McAllister, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Morris, Mott, Nichols, Olson,

Peet, Powers, Ritter, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Welden, Whiting, Whitmer, Willson, Wise, Mr. Speaker—78.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Buckingham, Cassel, Conn, Dashiell, English, Flenniken, Greene, Hakes, Heles, Langan, Lister, McClurkin, Mattes, Offill, Prevo, Pritchard, Robinson, Springer, Weeks, Wright, Wyland—22.

So the House concurred in the Senate amendment to House file No. 361.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 226, a bill for an act to repeal the law which appears as section eighteen hundred and thirty-two (1832) of the supplement to the code, relating to fraternal beneficiary associations and to enact a substitute therefor.

Also, House file No. 258, a bill for an act to amend chapter fourteen (14) of title XIII (13) of the code, relating to the system of common schools, and the incurring of indebtedness for schoolhouse purposes.

Also, House file No. 256, a bill for an act to provide for consolidation or reinsurance of the risks of fraternal beneficiary societies with or by other societies or organizations, and providing a plan therefor.

Also, House file No. 305, a bill for an act requiring railway and other corporations owning real estate to report the same to the Executive Council for assessment and amending the law as it appears in section thirteen hundred thirty-four (1334) of the supplement to the code.

Also, House file No. 145, a bill for an act to provide for the consolidation or reinsurance of the risks of insurance companies or associations with or by other companies or associations authorized to transact business within this State, and providing a plan for such consolidation or reinsurance.

Also, House file No. 57, a bill for an act making an appropriation for the payment of certain costs which were incurred by reason of the intervention of the State of Iowa in certain suits originally commenced in the district court of Humboldt county, Iowa.



Also, House file No. 329, a bill for an act to amend section five hundred and sixty (560) of the code, relating to township clerk and trustees.

Also, House file No. 25, a bill for an act to amend section eighteen hundred and eighty-nine (1889) of the code, in relation to savings and State banks and loan and trust companies, and the capital and examination thereof.

Also, House file No. 96, a bill for an act to amend section four hundred ninety-four (494) of the code, relating to the duties of the county recorder.

Also, House file No. 378, a bill for an act to legalize the acts of the board of supervisors of Delaware county, Iowa, relating to the levying of a tax for the support of the poor, and legalizing the tax so levied.

Also, House file No. 304, a bill for an act to repeal the law as it appears in section two thousand and seventy-eight (2078) of the code, and enact a substitute therefor, and providing for the classification of railways,

March 30, 1904.

H. L. SPAULDING,  
*Chairman.*

### Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 155, a bill for an act making an appropriation to reimburse certain officers, teachers and employes of the Iowa School for the Deaf, for the loss of wearing apparel and other property, by fire, at said school on the ninth day of May, 1902.

Also, substitute for Senate file No. 159, a bill for an act to appropriate money to reimburse the ex-commissioners of pharmacy for the State of Iowa and their attorneys for moneys paid by them and expenses incurred in the enforcement of law.

Also, Senate file No. 218, a bill for an act making appropriation to return to the State board of veterinary medical examiners of Iowa, money paid by them into the treasury of the State.

Also, Senate file No. 243, a bill for an act amending the law as it appears in section eleven hundred and twenty-nine (1129) of the code, relating to elections and the payment of the expenses thereof.

Also, Senate file No. 256, a bill for an act to authorize and empower the Governor of Iowa to relinquish and reconvey to the United States, certain lands in Dickinson county, Iowa, granted to the State of Iowa by the act of Congress entitled, "An act for a grant of land to the State of Iowa in alternate sections to aid in the construction of a railroad in the State of

Iowa," approved May 12, A. D. 1864, which have not been earned pursuant to the provisions of said act.

Also, Senate file No. 265, a bill for an act to protect the property of public libraries and reading rooms.

Also, Senate file No. 310, a bill for an act to authorize cities to protect lots, lands and property within their limits from danger and damage from floods and high water, by deepening, widening, straightening, altering or changing and otherwise improving water courses within their limits, and by constructing levees, embankments and other works, and to provide for the levy of special assessments and other taxes and the issuance of bonds and certificates to defray the expenses of such improvements. Additional to chapters seven and eight of title V, of the code.

Also, Senate file No. 112, a bill for an act to provide for the construction of sewers by incorporated towns.

Also, Senate file No. 118, a bill for an act repealing sections seven hundred and thirty-eight (738) and seven hundred and thirty-nine (739) of the code.

H. L. SPAULDING,  
*Chairman House Committee.*

D. W. TURNER,  
*Chairman Senate Committee.*

### Adopted.

Speaker announced that he had signed in the presence of the House, Senate files No. 112, No. 118, No. 155, No. 159, No. 218, No. 243, No. 256, No. 265, No. 310.

### BILLS ON THEIR PASSAGE.

Mattes of Sac called up the motion to reconsider the vote by which House file No. 385 passed the House and by which same passed to its third reading.

Motion prevailed.

Teter of Marion moved to amend by striking out all that part beginning with the word "which" in the fourth line of section 1 and ending with the word "board" in the fifth line of said section, printed bill.

Lost.

Kendall of Monroe moved that the bill be indefinitely postponed.

Motion prevailed, and the bill was indefinitely postponed.

## SPECIAL ORDER.

The hour of 10 o'clock having arrived, and House file No. 117, a bill for an act to establish and maintain a sanatorium for the treatment and cure of persons afflicted with tuberculosis, being a special order for that time, same was taken up and considered.

Summers of Van Buren moved to amend by striking out the word "financial" in the third line of section 3; also by striking out all of section 4; also by striking out the word "health" in the second line of section 5 and inserting the word "control" in lieu thereof.

Adopted.

Mr. Summers moved that the rule 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. Bailey, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Christianson, Clary, Cobb, Coburn, Colclo, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Hollembeak, Hume, Jacobson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lowrey, Lundt, McClurkin, McCreary, McCulloch, McDole, McElrath, Maben, Manning, Martin, Morris, Mott, Nichols, Olson, Peet, Powers, Ritter, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Washburn, Weeks, Welden Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—81.

The nays were:

Messrs. Cheney, Jepson, McAllister—3.

Absent or not voting:

Messrs. Bealer, Cassel, Conn, Greeley, Greene, Head, Heles, Lister, McNie, Mattes, Offill, Prevo, Pritchard, Robinson, Teter, Wright—16.

So the bill passed and the title was agreed to.

## THIRD READING OF BILLS.

On motion of Wise of Black Hawk, House file No. 424, a bill for an act empowering the Governor to execute quitclaim deeds to all right, title and interest of the State of Iowa in and to lot 6 of block 8, lot 8 of block 14, lot 6 of block 15, and lot 2 of block 35, all in Railroad Addition to Cedar Falls, Iowa, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Wise moved that the rule 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. Bailey, Bixby, Boland, Buckingham, Calderwood, Carden, Cassel, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Crose, Cummings, Dashiell, Davie, DeLano, Dow, English, Flenniken, Freeman, Frudden, Greeley, Greene, Gregory, Hambleton, Hanna, Harris, Hart, Head, Hollebeak, Humé, Jacobson, Jepson, Kennedy, Kling, Laird, Lamkin, Leech, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Peet, Powers, Ritter, Sankey, Shaffer, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—77.

The nays were:

Messrs. Chassell, Doran—2.

Absent or not voting:

Messrs. Bealer, Buchanan, Carstensen, Conn, Geneva, Hakes, Heles, Jones, Kendall, Koontz, Langan, Lister, Offill, Prevo, Pritchard, Robinson, Saylor, Skinner, Temple, Weeks, Wright—21.

So the bill passed and the title was agreed to.

On motion of Hanna of Kossuth, House file No. 416, a bill for an act to legalize the incorporation of the town of Titonka, Kossuth county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Hanna moved that the rule 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. Bailey, Bixby, Boland, Buckingham, Calderwood, Carden, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Crose, Cummings, Dashiell, Davie, Doran, Dow, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hambleton, Hanna, Harris, Hart, Head, Hollembeak, Hume, Jacobson, Jepson, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Peet, Powers, Ritter, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—83.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Buchanan, Carstensen, Conn, DeLano, English, Hakes, Heles, Jones, Kendall, Langan, Lister, Offill, Prevo, Pritchard, Robinson, Wright—17.

So the bill passed and the title was agreed to.

On motion of Jepson of Woodbury, House file No. 414, a bill for an act to legalize the acts of the voters of the school corporations within this State at the annual meetings thereof, where

such voters have attempted to exercise the powers given by section 2749 of the code, when no notice of the proposition acted upon by them was given in the manner provided in such section, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Jepson moved the adoption of the following amendment, recommended by the committee:

Amend by adding thereto the following: "But nothing in this act shall in any manner affect pending litigation."

Adopted.

Chassell of Plymouth moved to amend by adding the following as section 2:

Sec. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after the date of its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa.

Accepted unanimously.

Jepson of Woodbury moved that the rule 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. Bailey, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Crose, Cummings, Dashiell, Davie, DeLano, Dow, English, Flenniken, Freeman, Frudden, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Peet, Powers, Ritter, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—86.

The nays were:

Messrs Sankey, Teter—2.

Absent or not voting:

Messrs. Bealer, Conn, Doran, Geneva, Heles, Koontz, Lister, Offill, Prevo, Pritchard, Robinson, Wright—12.

So the bill passed and the title was agreed to.

On motion of Nichols of Muscatine, House file No. 355, a bill for an act to amend sections 2739, 2757, 2764, 2765, 2769, 2773, 2785, 2793 and 2801 of the code, relating to the school year, regular meeting of school boards, school census and the annual reports of school officers, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Nichols moved that the rule 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. Bailey, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Chassell, Cheney, Cobb, Coburn, Colclo, Crose, Cummings, Davie, DeLano, Dow, English, Flenniken, Frudden, Greeley, Greene, Gregory, Hambleton, Hanna, Harris, Hart, Head, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lundt, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Peet, Powers, Ritter, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Mr. Speaker—73.

The nays were:

Messrs. Carstensen, Christianson, Clary, Doran, Freeman, McAllister, Springer—7.

### Absent or not voting:

Messrs. Bealer, Cassel, Conn, Dashiell, Geneva, Hakes, Heles, Langan, Lister, Lowrey, Offill, Prevo, Pritchard, Robinson, Sankey, Stoltenberg, Willson, Wright, Wise, Wyland—20.

So the bill passed and the title was agreed to.

On motion of Laird of Fremont, House file No. 72, a bill for an act to repeal section I of chapter 128 of the acts of the Twenty-ninth General Assembly, and to enact a substitute therefor, relating to compulsory education, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

The following committee amendments were recommended by the committee on Schools and Text-Books:

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

Section 1. That section twenty-eight hundred and twenty-three-a (2823-a) of the supplement to the code, be and the same is hereby repealed, and there is hereby enacted in lieu thereof the following:

Any person having control of any child of the age of seven (7) to fourteen (14) years, inclusive, in good physical and mental condition to attend school, shall cause such child to attend some public, parochial, or private school wherein the common school branches of reading, writing, spelling, arithmetic, grammar, geography, physiology and United States history are taught, for at least sixteen (16) weeks in each year, beginning as soon after the first day of September of each year as the school opens after said date, and must attend continuously whenever said school is in session until the full sixteen (16) weeks of school has been attended. Provided, that this section shall not apply to any child who lives more than two (2) miles from any school by the nearest traveled road, except in those districts in which pupils are transported at public expense, or who is excused for sufficient reasons by the school directors of the districts.

Any person who shall violate the provisions of this section by allowing such child to be absent from said school for twenty (20) consecutive days or otherwise, of said required period of attendance, shall be deemed guilty of misdemeanor, and upon conviction thereof shall pay a fine of not less than ten (10) dollars nor more than fifty (50) dollars for each offense.

Mr. Laird moved to amend the committee amendments by inserting after the word "attend" in the twelfth line thereof the following: "but the school board may in certain cases, change the



date of the beginning of said term of attendance to a later date, but not later than the first of December.”

Adopted.

Kendall of Monroe moved to amend by inserting between the words “taught” and “for,” in the ninth line, the following: “or to attend upon equivalent instructions by a competent teacher elsewhere than at school.”

Accepted unanimously.

On motion of Kendall of Monroe the House adjourned until 2 o'clock P. M.

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#### AFTERNOON SESSION.

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House met pursuant to adjournment.

Speaker Clarke in the chair.

House resumed the consideration of House file No. 72.

Laird of Fremont asked unanimous consent to defer further consideration of House file No. 72 until tomorrow.

Granted.

Manning of Lucas asked unanimous consent to withdraw House files No. 411 and No. 412 from Judiciary committee and from further consideration by the House.

Granted.

Leech of Cedar asked unanimous consent that House file No. 398 be withdrawn from committee on Public Health and from consideration by the House.

Granted.

Teter of Marion moved that House file No. 429 be re-referred to the committee on Appropriations.

Motion prevailed.

Chassell of Plymouth offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved*, That the Secretary of State be requested to compile and print lists showing the number of public documents, reports and other publications to which each member of the Thirtieth General Assembly is entitled by law or resolution.

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 indefinitely postponed the following bill in which the concurrence of the Senate was asked:

House file No. 364, a bill for an act relating to the hours of labor of railway employes and limiting the same, additional to chapter 5, title X of the code.

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. 139, a bill for an act to amend section 1850, chapter 10, title IX, paragraph 4 of the code, relating to the investment of funds of 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:

Substitute for Senate file No. 303, a bill for an act providing for the filing with county auditors of maps of telephone and telegraph lines of several counties of 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. 320, a bill for an act to amend section 2727-a of the supplement of the code, in regard to the employment of architect by the Board of Control of State 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 House is asked:

Substitute for Senate file No. 300, a bill for an act relating to offenses by persons in this State attempted to be consummated or consummated elsewhere than within the borders of this State, and to offenses by persons out of this State attempted to be consummated or consummated within 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:

Substitute for Senate file No. 269, a bill for an act to amend section 3504 of the code, in relation to grounds for a change of place of trial in any civil action.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

House file No. 165, a bill for an act to repeal section 1 of chapter 32, acts of Twenty-seventh General Assembly, and to enact a substitute therefor, relating to the vocation of peddlers, defining the same and fixing a tax therefor.

GEO. A. NEWMAN,  
*Secretary.*

Buchanan of Wapello presented petition of citizens of Wapello county relative to saloons.

Referred to committee on Suppression of Intemperance.

#### REPORTS OF COMMITTEES.

Leech of Cedar, from the committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 418, a bill for an act to require the registration of births and deaths in 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.

L. J. LEECH,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 312, a bill for an act to regulate the removal of persons sick with infectious and contagious diseases from one city, town or township to another city, town or township, additional to chapter sixteen (16), title XII (12) 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 the adoption of the following substitute:

SUBSTITUTE AS AMENDMENT FOR HOUSE FILE NO. 312.

A BILL for an act to regulate the removal of persons sick with infectious and contagious diseases from one city, town or township to another city, town or township. Additional to chapter sixteen (16) title XII (12) of the code.

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

Section 1. That no person known to be infected, or sick with any contagious disease dangerous to the public health shall move or be removed from one city, town or township to another city, town or township except as hereinafter provided and by written permission of the local board of health of the city, town or township to which such person is to be removed.

Sec. 2. If any person known to be infected or sick with smallpox or other contagious disease dangerous to the public health shall with the knowledge or consent of any member of the local board of health of the city, town or township in which he resides be removed from said city, town or township to another city, town or township, either with or without the permission of the local board of such city, town or township to which he is removed, all expense of quarantine or care of such person incurred by the city, town or township to which he is removed shall be paid by the city, town or township from which such person was so removed, in the manner provided in section two thousand five hundred and seventy-a (2570-a) of the supplement to the code. If said person be so removed to another county, said expenses shall in the first instance be paid by such county and recovered from the county from which such person had been removed.

Sec. 3. When it is determined by any physician or health officer that any person is sick with smallpox or any other contagious diseases dangerous to the public health while in any city, town or township other than the one

in which he resides, provided the distance be not to exceed fifteen (15) miles from his place of residence, then and in that event if the person so diseased elect to be moved to the city, town or township in which he resides, he may be so removed by private conveyance along the least frequented highways under escort of a health officer to his abode immediately on determining that he is so diseased; and every such vehicle shall carry as a signal of warning, conspicuously displayed, a yellow flag not less than two feet square. All expenses of removal, care and quarantine of such person shall be paid by the city, town or township to which he is removed and shall be paid in the manner provided in section two (2) of this chapter.

Sec. 4. Any person who shall move, or any physician or any member of a local board of health who shall cause or assist any person known to be infected or sick with smallpox, or any contagious disease dangerous to the public health to be removed from one city, town or township, to another city, town or township, contrary to the provisions of this act or of any regulation of the State Board of Health, shall be guilty of a misdemeanor, and be punished by a fine not exceeding one hundred dollars (\$100) or imprisonment not exceeding thirty (30) days, or both at the discretion of the court.

And when so amended that the same do pass.

L. J. LEECH,  
*Chairman.*

Ordered passed on file.

Skinner of Union, from the committee on Police Regulations, submitted the following report:

MR. SPEAKER—Your committee on Police Regulations, to whom was referred House file No. 423, a bill for an act authorizing the appointment of policemen at certain 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.

SCOTT SKINNER,  
*Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By Weeks of Guthrie, House file No. 436, a bill for an act to legalize the election of the town council of the incorporated town of Minburn, Dallas county, Iowa, and all the acts thereof during the ten (10) years last passed.

WHEREAS, Doubts have arisen as to the legality of the town council of the town of Minburn, Dallas county, Iowa, during the past ten (10) years, including the present council of said town, because of omissions and irregularities in the nomination and election of said council; and,

WHEREAS, Some of the acts and ordinances passed by said council have been so done irregularly and unlawfully; therefore

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

Sec. 1. That the nomination and election of all the members of the town council of the said town of Minburn, Dallas county, Iowa, during the last ten (10) years, including the present council of said town, be and the same are hereby legalized and declared to be legal, valid and binding to the same extent and with the same force and effect as though the laws had in all respects been fully and strictly complied with in all matters pertaining to the nomination and election of said council.

Sec. 2. That all the ordinances of the incorporated town of Minburn, Dallas county, Iowa, and all the official acts done under and by virtue of such ordinances by the officers of said town, not in contravention with the laws of the State of Iowa, and all the official acts of the town council of said town of Minburn, Dallas county, Iowa, be and the same are hereby legalized, validated and declared to be legal, valid and binding to the same extent and with the same force and effect as though said ordinances and said acts and all things done in reference thereto, were in all respects in strict conformity with all the rules and laws in regard to said matter and that the said ordinances had been legally and properly passed and adopted and recorded, and properly authenticated.

Sec. 3. Nothing herein contained shall affect pending litigation.

Sec. 4. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Register and Leader and the Minburn Star, newspapers published at Des Moines and Minburn, Iowa, without expense to the State of Iowa.

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

By Head of Greene, House file No. 437, a bill for an act to amend section 3376 of the code of Iowa, as to distributive share of surviving spouse as affected by will.

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

By committee on Representative Districts, House file No. 438, 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.

By Mattes of Sac, House file No. 439, a bill for an act legalizing the acts and proceedings of the council of the incorporated

town of Schaller, Iowa, in granting a franchise to the Schaller Gas Light and Fuel Company and contracting with said gas light and fuel company for lights, and legalizing the ordinance granting such franchise and the franchise so granted, and the contract made between said town and the Schaller Gas Light and Fuel Company, and the levy of a tax by said town to defray the expense of lighting the streets thereof.

WHEREAS, At a meeting of the council of the incorporated town of Schaller, Sac county, Iowa, on the 5th day of January, 1903, W. R. Brooks made application for a franchise for building and maintaining a light and heating plant in said town, and that the question of granting such franchise be submitted to the voters of said town at the regular municipal election in the March following, which said application was made for and on behalf of the Schaller Gas Light and Fuel Company, a prospective corporation then in process of organization and not incorporated under the laws of the State, and,

WHEREAS, At the time of making such application the said W. R. Brooks was a member of said town council and was also interested in the proposed corporation, and upon the incorporation of the Schaller Gas Light and Fuel Company then being organized, became a stockholder and officer thereof, and one other member of said town council was likewise interested; and,

WHEREAS, The said application was granted as petitioned for; and,

WHEREAS, In the record made by the clerk it was made to erroneously appear that such application was made and the franchise asked by W. R. Brooks individually instead of on behalf of the Schaller Gas Light and Fuel Company as was in truth and fact the purport and substance of such application; and,

WHEREAS, The Schaller Gas Light and Fuel Company was duly organized and incorporated under the laws of the State of Iowa, on the 21st day of January, 1903, and,

WHEREAS, On the 3rd day of February, 1903, the council of the incorporated town of Schaller did enact an ordinance granting to the said Schaller Gas Light and Fuel Company a franchise to erect and maintain a light and heating plant in the said town and under and upon the streets thereof, subject to a ratification by a vote of the said town in accordance with the provisions of section seven hundred and seventy-six (776) of the code, which said ordinance was duly published as required by law, on the 5th day of February, 1903, and,

WHEREAS, Proper proclamation was made and notice given for the holding of an election upon the question of granting such franchise under such ordinance in the manner required by law; and,

WHEREAS, At the time of the passage of such ordinance, and the granting of the franchise hereinbefore set out, two members of the town council of Schaller were stockholders and officers of the Schaller Gas Light and Fuel Company; and,

WHEREAS, In the preparation of the ballots for the election to determine upon the granting of the said franchise separate ballots were not used, but same were printed upon the official ballot for the election of officers of the town, and such ballots recited that said proposed franchise was to be granted to W. R. Brooks instead of the Schaller Gas Light and Fuel Company; and,

WHEREAS, After eighteen (18) ballots had been cast at such election, the error in said ballots was discovered and new ballots were prepared and printed in conformity with law, and each of the eighteen (18) voters who had voted such irregular ballots, was given the opportunity to vote anew upon the question of such franchise, of which privilege sixteen (16) of said voters availed themselves; and,

WHEREAS, None of said eighteen (18) votes first cast were counted, and after the preparation and printing of ballots in conformity to law, there was cast for the granting of such franchise seventy-three (73) ballots, and against the granting of such franchise ten (10) ballots; upon which vote the town council declared the franchise granted as set out in the ordinance with reference thereto; and,

WHEREAS, After the granting of the said franchise the Schaller Gas Light and Fuel Company did, under and by virtue thereof and in good faith, construct and establish in the said town a plant for furnishing light and heat for the said town and the citizens thereof; and,

WHEREAS, On the 20th day of July, 1903, the town council did contract with the said Schaller Gas Light and Fuel Company to light the streets of said town for a certain period at a certain agreed and stipulated price, which said contract was renewed on the first day of October, 1903, for a period of one year thereafter, at a regular meeting of said town council; and,

WHEREAS, On the 3d day of August, 1903, at a regular meeting, the town council did vote to levy a tax of five (5) mills on all taxable property in said town for the purpose of paying the expense of lighting the streets, which levy was certified by the proper authorities as having been duly made according to law; and,

WHEREAS, At the time of making such contract with the Schaller Gas Light and Fuel Company, the extension thereof, and the levying of a tax to pay the expense of lighting the streets, one member of the said town council was a stockholder in the Schaller Gas Light and Fuel Company, which said member, however, did not vote upon any of the questions; and,

WHEREAS, Doubts have arisen as to the legality of the proceedings and actions of said town council in receiving and acting upon the application for franchise by said W. R. Brooks in behalf of the Schaller Gas Light and Fuel Company and in adopting the ordinance with reference thereto, and in calling the election thereupon, and in granting the said franchise as hereinbefore set out, and in making the contract between the incorporated town of Schaller and the Schaller Gas Light and Fuel Company and making the renewal or extension thereof, and in levying a tax of five (5) mills to pay the expense of lighting the streets under such contract; and,



WHEREAS, There is also doubts as to the validity and legality of the election held on the 30th day of March, 1903, upon the question of granting such franchise; and,

WHEREAS, There is also doubt as to the validity and legality and binding force of the ordinance granting to the Schaller Gas Light and Fuel Company the franchise to establish and maintain its heating and lighting plant, and as to the franchise granted and given by said town to the Schaller Gas Light and Fuel Company, and as to the contract for street lighting made and entered into between said town and the Schaller Gas Light and Fuel Company, and as to the levy of tax by the said town to pay the expense of lighting its streets; and,

WHEREAS, All of said proceedings, transactions and contracts were made and entered into in good faith by all parties thereto, and the said Schaller Gas Light and Fuel Company is now maintaining and operating its heating and lighting plant in said town, under and by virtue of the franchise granted to it and the contract with reference thereto between the said company and the said town; therefore,

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

Section 1. That all proceedings of the council of the incorporated town of Schaller, Iowa, with reference to the granting of a franchise, adoption of an ordinance and submitting to a vote the question of a franchise to the Schaller Gas Light and Fuel Company, as set out in the preamble hereto, are hereby legalized and made of the same validity, force and effect as if all the requirements and provisions of the law applicable thereto had been fully and specifically complied with, and the said election is declared to have the same force, effect and validity as if held in all respects in strict compliance with the provisions of the law with reference thereto, and that the contract made and entered into between the Schaller Gas Light and Fuel Company and the incorporated town of Schaller be, and is hereby declared to be valid and legal, and that the levy of tax by the incorporated town of Schaller, Iowa, to pay the expense of lighting the streets of said town is likewise legalized and declared valid and binding, and that the franchise now held by said Schaller Gas Light and Fuel Company together with all rights and privileges purported to be granted thereby, is hereby legalized and validated so as to be of the same force and effect as if each and every provision of the statute of the State of Iowa with reference thereto, had been especially and particularly complied with in granting the same. Provided nothing in this act shall 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 Register and Leader, a newspaper published in Des Moines, Iowa, and the Schaller Herald, a newspaper published in Schaller, Iowa.

Read first and second time and passed on file.

#### BILLS ON THEIR PASSAGE.

On motion of Springer of Buchanan, House file No. 430, a bill for an act to legalize the incorporation of the town of Quasque-

ton, Buchanan 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, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Springer moved that the rule 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. Bailey, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Freeman, Frudden, Geneva, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Wise, Wright, Mr. Speaker—88.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Flenniken, Greeley, Gregory, Head, Heles, Lowrey, Prevo, Summers, Teachout, Willson, Wyland—12.

So the bill passed and the title was agreed to.

On motion of Temple of Clarke, House file No. 383, a bill for an act to amend section 860 of the supplement to the code, as the same is found in said section of the code and the supplement thereto, relating to the creation and improvement of parks in towns and cities having a population of twelve thousand five

hundred and less, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Temple moved that the rule 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. Bailey, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowry, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Morris, Mott, Nichols, Ofill, Olson, Peet, Powers, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Washburn, Weeks, Welden, Whiting, Whitmer, Wise, Wright, Mr. Speaker—90.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Cummings, English, Flenniken, Heles, Mattes, Prevo, Teter, Willson, Wyland—10.

So the bill passed and the title was agreed to.

On motion of Koontz of Johnson, Senate file No. 231, a bill for an act relating to the distribution of the code and the supplement thereto, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Koontz moved that the rule 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, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, Flenniken, Freeman, Frudden, Geneva, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Lister, Lowrey, Lundt, McAllister, McClurkin, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Pritchard, Ritter, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenbrg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—91.

The nays were:

None.

**Absent or not voting:**

Messrs. Bealer, Cummings, English, Greeley, Heles, Leech, McCreary, Prevo, Robinson—9.

So the bill passed and the title was agreed to.

On motion of Kennedy of Lee, Senate file No. 142, a bill for an act to authorize the Executive Council to have surveyed and to convey an island newly formed by accretion in the Mississippi river, off the southwest portion of Green Bay township, being township 69 north, range 3 west, 5th P. M., in Lee county, Iowa, was taken up and considered.

Mr. Kennedy moved that the rule 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, Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Hollebeak, Hume, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Pritchard, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright Wyland, Mr. Speaker—92.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Buchanan, Colclo, English, Heles, Jacobson, Prevo, Ritter—8.

So the bill passed and the title was agreed to.

On motion of Doran of Boone, Senate file No. 205, a bill for an act to amend section 93 of the acts of the Twenty-eighth General Assembly, was taken up and considered.

Mr. Doran moved that the rule 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, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Flenniken, Freeman,

Frudden, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Head, Hollebeak, Hume, Jacobson, Jepson, Jones, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McClurkin, McCreary, McCulloch, McDole, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Ofill, Olson, Peet, Powers, Pritchard, Ritter, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—85.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Dow, English, Geneva, Hart, Heles, Kendall, Kennedy, McAllister, McElrath, Prevo, Robinson, Sankey, Temple, Teter—15.

So the bill passed and the title was agreed to.

On motion of Mattes of Sac, Senate file No. 36, a bill for an act providing for the establishment, location, erection and operation for a State hospital for dipsomaniacs, inebriates and for those addicted to the excessive use of narcotics, and providing for its support and for the discipline of persons committed to it and for the repeal of all laws inconsistent herewith, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Wise of Black Hawk moved to amend section 19, line one, by inserting after the word "shall" the word "knowingly" and by striking from the second line the words "has been or may hereafter be" and inserting the word "is" in lieu thereof.

Lost.

Mattes of Sac moved that the rule 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. Bixby, Buchanan, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Clary, Coburn, Cummings, Dashiell, DeLano, Doran, Dow, English, Flenniken, Freeman, Greene, Hart, Head, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lundt, McCreary, Maben, Manning, Martin, Mattes, Morris, Mott, Offill, Olson, Pritchard, Robinson, Shaffer, Skinner, Teachout, Temple, Teter, Washburn, Weeks, Welden, Wise, Wright—55.

The nays were:

Messrs. Bailey, Boland, Buckingham, Cobb, Colclo, Conn, Crose, Davie, Frudden, Gregory, Hakes, Hambleton, Hanna, Harris, Lister, McAllister, McClurkin, McCulloch, McDole, McElrath, McNie, Nichols, Peet, Powers, Ritter, Sankey, Saylor, Spaulding, Stanbery, Stoltenberg, Summers, Whiting, Whitmer, Willson, Wyland, Mr. Speaker—36.

Absent or not voting:

Messrs. Bealer, Cassel, Geneva, Greeley, Heles, Koontz, Lowrey, Prevo, Springer—9.

So the bill passed and the title was agreed to.

#### EXPLANATION OF VOTE.

The following explanation of vote was filed:

MR. SPEAKER—While I have great sympathy for the unfortunate man who has so far lost control of his faculties as to become an inebriate, I wish to enter my protest to the bill, and contend that the State should direct its energies along the line of discouraging the making of inebriates by further restricting the opportunities of our citizens becoming subject to the provisions of this bill. I am in favor of making the confinement of this class of criminals as obnoxious as that of any other class of criminals.

JOHN LISTER.

#### SENATE MESSAGES CONSIDERED.

Senate file No. 303, a bill for an act providing for the filing with county auditors of maps of telephone and telegraph lines of several counties of State.

Read first and second time and referred to committee on Telegraph, Telephone and Express.

Senate file No. 320, a bill for an act to amend section 2727-a 23 of the supplement of the code, in regard to the employment of architect by the Board of Control of State institutions.

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

Senate file No. 269, a bill for an act to amend section 3505 of the code, in relation to grounds for a change of place of trial in any civil action.

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

Senate file No. 300, a bill for an act authorizing the Governor to deliver up and remove to any state or territory of the United States, any person found within this State charged with the commission of treason or felony against such state or territory, who is not extraditable under the laws of the United States, and amending sections 5169, 5170, 5172, 5173, 5180 and 5181 of the code, relating to fugitives from justice.

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

On request of Koontz of Johnson leave of absence was granted Bealer of Linn until tomorrow.

MOTION TO RECONSIDER.

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote whereby Senate file No. 36 passed the House and whereby same passed to its third reading.

J. F. OFFILL.

I second the motion.

C. B. LAMKIN.

On motion of Kendall of Monroe the House adjourned until 9 A.M. tomorrow.



HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, March 31, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. J. F. Nugent of Des Moines, Iowa.

Journal of Wednesday, March 30th, was corrected and approved.

#### PETITIONS AND MEMORIALS.

Teter of Marion presented memorial of August Wentz Post No. 1, G. A. R., relative to House file No. 301.

Referred to committee on Appropriations.

Whiting of Monona presented petition of citizens of Ida Grove relative to saloons.

Referred to committee on Suppression of Intemperance.

Lamkin of Lyon presented petition of meat producers of Lyon county asking the passage of House file No. 332.

Referred to committee on Railroads and Commerce.

#### REPORTS OF COMMITTEES.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 439, a bill for an act to legalize the acts of the council of the incorporated town of Schaller, 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

**Also:**

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 436, a bill for an act to legalize the election of the town council of the incorporated town of Minburn, Dallas county, Iowa, and all the acts thereof during the ten (10) years last past, beg leave to report that they 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.

**Also:**

MR. SPEAKER—Your committee on Judiciary, to whom was referred substitute for Senate file No. 254, a bill for an act in regard to county supervisor districts, and to amend the law as it appears in section four hundred and eleven (411) 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

**Also:**

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 388, a bill for an act to amend chapter four (4) of title X (10) of the code, relative to the condemnation of property for public use, beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 267, a bill for an act to define and limit the defense of suicide in life insurance cases, additional to chapter eight (8) title IX (9) of the code, relating to life insurance companies and 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Pritchard of Wright, from the committee on Agriculture, submitted the following report:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House file No. 292, a bill for an act to amend section fifteen hundred and sixty-two (1562) of the supplement to the code, relating to the destruction of Canada thistles, beg leave to report that they have had 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. S. PRITCHARD,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

McNIE of Benton, from the committee on Claims, submitted the following report:

MR. SPEAKER—Your committee on Claims, to whom was referred House file No. 334, a bill for an act to appropriate the sum of six thousand dollars (\$6,000.00) for the relief of Ernest L. Ireland, on account of injuries received while in the employ of the State of Iowa, in the construction of a State building, and directing the manner of payment of such appropriation, beg leave to report that they have 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.

MALCOLM F. MCNIE,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Jones of Montgomery, from the committee on Penitentiaries, submitted the following report:

MR. SPEAKER—Your committee on Penitentiaries, to whom was referred Senate file No. 226, a bill for an act to repeal section five thousand six

hundred eighty-five (5685) of the code, also chapter one hundred thirty-seven (137) of the laws of the Twenty-eighth General Assembly and to enact in lieu thereof a section providing for a disposition of gate receipts of the 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. F. JONES,  
*Chairman.*

Ordered passed on file.

Calderwood of Scott, from the committee on Labor, submitted the following report:

Mr. SPEAKER—Your committee on Labor, to whom was referred House file No. 298, a bill for an act to regulate the hours of labor of employes of street and interurban railways, and to provide for the safety and protection of said employes and the public, beg leave to report that they have 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. H. CALDERWOOD,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Wright of Webster asked unanimous consent to withdraw House file No. 198 from the committee on Public Health and from further consideration of the House.

Granted.

McNie of Benton asked unanimous consent to recall House file No. 278 from the committee on Claims, and from further consideration by the House.

Granted.

Mattes of Sac asked unanimous consent that House file No. 432 be re-referred to committee on Appropriations.

Granted, and the bill was so referred.

#### BILLS ON THEIR PASSAGE.

On motion of Buckingham of Buena Vista, unanimous consent being given, Senate file No. 76, a bill for an act to repeal the law as it appears in sections 2503, 2505, 2506, 2507, 2508, 2509 of the

code, in relation to the inspection of petroleum products, was recalled from the committee on Public Health and substituted on the Calendar for House file No. 230, and was then taken up and considered.

Mr. Buckingham 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, Bealer, Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Dow, English, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCulloch, McDole, McElrath, McNie, Maben, Manning, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wright, Wyland, Mr. Speaker—90.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Cummings, Doran, Flenniken, Harris, McCreary, Martin, Mattes, Springer, Wise—10.

So the bill passed and the title was agreed to.

Offill of Jasper called up the motion to reconsider the vote whereby Senate file No. 36 passed the House and by which same passed to its third reading.

Chassell of Plymouth moved to lay the motion to reconsider on the table.

Whitmer of O'Brien and Offill of Jasper demanded a roll call.

On the question, Shall the motion to lay on the table prevail?

**The yeas were:**

Messrs. Bailey, Bealer, Bixby, Buchanan, Calderwood, Carden, Cassel, Chassell, Cheney, Christianson, Clary, Coburn, Cummings, Dashiell, DeLano, Doran, Dow, English, Freeman, Greene, Hambleton, Head, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Langan, Leech, Lundt, McCreary, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Prevo, Pritchard, Robinson, Shaffer, Skinner, Stanbery, Teachout, Temple, Teter, Washburn, Weeks, Welden, Wright—57.

**The nays were:**

Messrs. Buckingham, Cobb, Colclo, Conn, Crose, Davie, Frud- den, Geneva, Gregory, Hakes, Hanna, Harris, Heles, Lister, Lowrey, McAllister, McClurkin, McCulloch, McElrath, Offill, Peet, Powers, Ritter, Sankey, Saylor, Spaulding, Springer, Stoltenberg, Summers, Whiting, Whitmer, Willson, Wyland, Mr. Speaker—33.

**Absent or not voting:**

Messrs. Boland, Carstensen, Flenniken, Greeley, Hart, Ken- nedy, Lamkin, McDole, Springer, Wise—10.

So the motion to lay on the table prevailed.

#### EXPLANATION OF VOTE.

The following explanation of vote was filed:

**MR. SPEAKER**—Having already, when on its passage, registered my vote against Senate file No. 36 and explained my reasons therefor, yet in view of the fact that it was, after full discussion, carried by a constitutional major- ity, and for the further consideration of further information, I vote in favor of tabling motion.

A. F. N. HAMBLETON.

On motion of Bealer of Linn, House file No. 301, a bill for an act to appropriate money for the purchase of Camp McClellan at Davenport, Iowa, in conjunction with the city of Davenport, and to provide for its improvement as a public park and its preservation as a place of historic and patriotic interest, with

report of committee recommending passage as amended, was taken up, considered and the report of the committee, with substitute as amendment, adopted.

Mr. Bealer moved the adoption of the following amendments recommended by the committee:

Amend by striking out the words and figures "fifty thousand dollars (\$50,000)" in the first line of section one (1) and inserting the words and figures "twenty-five thousand dollars (\$25,000)" in lieu thereof; and further amend said House file by striking out the period in the fifth line of section six (6) and adding thereto the following: "and no further appropriation shall be made by the State of Iowa for purchase of additional land or improvement of said park."

Adopted.

Mr. Bealer moved that the rule 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. Bealer, Bixby, Buchanan, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Clary, Coburn, Conn, Crose, Dashiell, Davie, Doran, Dow, English, Flenniken, Frudden, Greeley, Hanna, Hart, Jepson, Jones, Kendall, Kling, Koontz, Langan, Leech, McAllister, McCreary, McNie, Manning, Mattes, Morris, Mott, Nichols, Offill, Prevo, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Teachout, Teter, Washburn, Weeks, Whiting, Whitmer—51.

The nays were:

Messrs. Bailey, Buckingham, Freeman, Geneva, Greene, Gregory, Hambleton, Harris, Head, Hollebeak, Hume, Jacobson, Laird, Lamkin, Lister, Lowrey, Lundt, McClurkin, McCulloch, McElrath, Maben, Martin, Olson, Peet, Powers, Pritchard, Ritter, Robinson, Sankey, Saylor, Summers, Temple, Welden, Willson, Wright, Mr. Speaker—36.

**Absent or not voting:**

Messrs. Boland, Cassel, Cobb, Colclo, Cummings, DeLano, Hakes, Heles, Kennedy, McDole, Springer, Wise, Wyland—13.

So the bill passed and the title was agreed to.

**EXPLANATION OF VOTE.**

The following explanation of vote was filed:

**MR. SPEAKER**—I voted "no" on House file No. 301 because there has not been adequate explanation on the part of Davenport for their intense interest in the deal.

THOMAS GENEVA.

On motion of Jepson of Woodbury, Senate file No. 307, a bill for an act defining the powers of the educational examiners, relative to the issuance of State certificates and fixing the fees therefor, with report of committee recommending passage, was taken up, considered and the report of committee adopted.

Hambleton of Mahaska moved to amend by striking out section 2.

**Adopted.**

McAllister of Linn moved to amend by striking out the last two lines of section 1.

**Lost.**

Hambleton of Mahaska 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. Bixby, Calderwood, Carden, Chassell, Christianson, Crose, Dashiell, Dow, English, Geneva, Greene, Hakes, Hambleton, Hume, Jepson, Kling, Koontz, Laird, Leech, Lister, McAllister, McClurkin, McNie, Mott, Offill, Pritchard, Ritter, Robinson, Sankey, Skinner, Temple, Weeks, Whiting, Whitmer, Willson, Wise, Wright, Mr. Speaker—38.



The nays were:

Messrs. Bailey, Boland, Buckingham, Cheney, Clary, Cobb, Coburn, Davie, Doran, Flenniken, Freeman, Hanna, Harris, Hart, Head, Heles, Hollembeak, Kennedy, Lowrey, Lundt, McCreary, McCulloch, McElrath, Maben, Manning, Martin, Mattes, Morris, Nichols, Olson, Peet, Powers, Prevo, Saylor, Shaffer, Spaulding, Stanbery, Stoltenberg, Summers, Teter, Washburn, Welden, Wyland—43.

Absent or not voting:

Messrs. Bealer, Buchanan, Carstensen, Cassel, Colclo, Conn, Cummings, DeLano, Frudden, Greeley, Gregory, Jacobson, Jones, Kendall, Lamkin, Langan, McDole, Springer, Teachout—19.

So the bill, having failed to receive a constitutional majority, was lost.

On motion of Frudden of Dubuque, Senate file No. 253, a bill for an act authorizing the Executive Council of the State to grant the right of way to the Chicago, Anamosa & Northern Railway Company, over and across the east half of the south-west quarter of section 34, township 85, range 4 west of the fifth P. M., was taken up and considered.

Mr. Frudden 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, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, English, Flenniken, Freeman, Frudden, Geneva, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McCreary, McCulloch, McElrath, McNie, Maben, Manning, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer,

Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—87.

**The nays were:**

**None.**

**Absent or not voting:**

Messrs. Bealer, Carstensen, Colclo, Dow, Greeley, Koontz, McClurkin, McDole, Martin, Springer, Teachout, Temple. Whiting—13.

So the bill passed and the title was agreed to.

Buckingham of Buena Vista called up the motion to reconsider the vote by which House file No. 271 was indefinitely postponed.

Buckingham of Buena Vista and Martin of Pottawatamie demanded a roll call.

On the question, Shall the vote by which House file No. 271 was indefinitely postponed be reconsidered?

**The yeas were:**

Messrs. Bealer, Bixby, Buckingham, Cummings, English, Flenniken, Freeman, Gregory, Hart, Head, Heles, Hollembeak, Laird, Lowrey, McCulloch, Martin, Morris, Offill, Peet, Ritter, Sankey, Saylor, Teachout, Temple, Weeks, Welden, Whitmer, Wise, Wyland—29.

**The nays were:**

Messrs. Bailey, Boland, Buchanan, Calderwood, Cassel, Chas-sell, Cheney, Christianson, Clary, Cobb, Coburn, Crose, Dashiell, Davie, DeLano, Doran, Dow, Geneva, Greene, Hambleton, Hanna, Harris, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McCreary, McNie, Maben, Mattes, Mott, Nichols, Olson, Powers, Prevo, Pritchard, Robinson, Shaffer, Skinner, Spaulding, Stanbery, Washburn, Willson, Wright, Mr. Speaker—53.

Absent or not voting:

Messrs. Carden, Carstensen, Colclo, Conn, Frudden, Greeley, Hakes, Kennedy, Koontz, McClurkin, McDole, McElrath, Manning, Springer, Stoltenberg, Summers, Teter, Whiting—18.

So the motion to reconsider was lost.

#### EXPLANTION OF VOTE.

The following explanation of vote was filed:

**MR. SPEAKER**--In explanation of my vote to reconsider the vote by which House file No. 271 was indefinitely postponed, I desire to say that I have no knowledge or information whatever as to the merits of the bill and vote for reconsideration merely to permit the advocates of the measure to present it to the consideration of the House.

WM. S. HART.

Head of Greene called up the motion to reconsider the vote by which Senate file No. 86 passed the House and by which same passed to its third reading.

On motion of Spaulding of Howard, the House adjourned until 2 P.M.

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#### AFTERNOON SESSION.

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House met pursuant to adjournment.

Speaker Clarke in the chair.

House resumed consideration of motion to reconsider the vote whereby Senate file No. 86 was lost and by which same passed to its third reading.

Motion prevailed.

McAllister of Linn moved to amend by striking out of line 6, section 1, the words "or other suitable material."

Lost.

Buckingham of Buena Vista moved to amend the bill as follows:

Amend the bill by inserting after the word "lands" in the fourth line of section 1, as it appears in the printed copy of the bill, in Senate Journal on page 505, "not including dwelling house yards, orchard or groves;" also, by inserting after the word "route" in the seventh line the words, "and the county or township condemning such lands shall erect and maintain a lawful fence upon such roadway and also maintain a cattle-way underneath when necessary."

Lost.

Head of Greene, 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, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, DeLano, Dow, English, Flenniken, Freeman, Frudden, Greene, Hakes, Hambleton, Harris, Hart, Head, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McCreary, McCulloch, McNie, Manning, Martin, Mattes, Morris, Mott, Offill, Olson, Powers, Prevo, Pritchard, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stoltenberg, Summers, Teachout, Temple, Washburn, Weeks, Welden, Wise, Wright, Mr. Speaker—72.

The nays were:

Messrs. Cobb, Davie, Doran, Geneva, Hanna, Hume, Laird, Maben, Peet, Ritter, Sankey, Stanbery, Whiting, Whitmer, Willson, Wyland—16.

Absent or not voting:

Messrs. Clary, Greeley, Gregory, Heles, Koontz, Lamkin, McClurkin, McDole, McElrath, Nichols, Springer, Teter—12.

So the bill passed and the title was agreed to.

Lundt of Tama called up motion to reconsider the vote by which House file No. 344 was lost and by which it passed to its third reading.

Motion lost.

Buchanan of Wapello asked unanimous consent that House file No. 291 be withdrawn from further consideration by the House.

Granted.

On motion of Wright of Webster, House joint resolution No. 6, a joint resolution proposing an amendment to the Constitution of the State of Iowa, additional to section 18 of article 1 of said Constitution, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Wright moved the adoption of the following amendment recommended by the committee:

Amend by inserting immediately after the word "thereby," in the eighth line of said resolution, the following: "The General Assembly may provide by law for the condemnation of such real estate as shall be necessary for the construction and maintenance of such drains, ditches and levees, and prescribe the method of making such condemnation."

Adopted.

Head of Greene moved that the rule be suspended, and that the joint resolution be considered engrossed and read a third time now, which motion prevailed and the joint resolution was read a third time as follows:

HOUSE JOINT RESOLUTION NO. 6, proposing an amendment to the constitution of the State of Iowa, additional to section eighteen (18) of article one (1) of said constitution.

*Be it Resolved by the General Assembly of the State of Iowa,* That there be added to section eighteen (18) of article one (1) of the constitution of the State of Iowa, the following:

"The General Assembly, however, may pass laws permitting the owners of lands to construct drains, ditches, and levees for agricultural, sanitary or mining purposes across the lands of others, and provide for the organization of drainage districts, vest the corporate authorities thereof with power to construct and maintain levees, drains and ditches and to keep in repair all

drains, ditches and levees heretofore constructed under the laws of the State, by special assessments upon the property benefited thereby. The General Assembly may provide by law for the condemnation of such real estate as shall be necessary for the construction and maintenance of such drains, ditches and levees, and prescribe the method of making such condemnation.

*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 (3) 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, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Greeley, Greene, Gregory, Hakes, Hambleton, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—86.

The nays were:

Messrs. Geneva, Hanna, Peet—3.

Absent or not voting:

Messrs. Coburn, Frudden, Harris, Hart, Kling, Koontz, McClurkin, McCreary, Sankey, Springer, Summers—11.

So the joint resolution was adopted, and the title was agreed to.

On motion of Offill of Jasper, House file No. 247, a bill for an act relating to the payment by the State of premiums of surety companies on the bond of the State Treasurer and deputy State treasurer, and to the payment into the State fund of all interest

from State money loaned or deposited in banks, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Offill moved the adoption of the following amendment recommended by the committee:

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

Section 1. That there is hereby appropriated for the payment on the bond of the State Treasurer and deputy State Treasurer, out of any money in the State treasury, not otherwise appropriated, annually, the sum of two thousand dollars (\$2,000) or so much thereof as is necessary to pay the bond of the State Treasurer and deputy State Treasurer.

Adopted.

Mr. Offill moved that the rule 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. Bailey, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Cassel, Chassel, Cheney, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, DeLano, Doran, Dow, English, Flenniken, Freeman Frudden, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lowrey, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Saylor, Shaffer, Spaulding, Stanbery Stoltenberg, Summers, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—86.

The nays were:

Messrs. Christianson, Lundt, Peet—3.

Absent or not voting:

Messrs. Bealer, Carstensen, Davie, Geneva, Gregory, Koontz, Sankey, Skinner, Springer, Teachout, Temple—11.

So the bill passed.

Offill of Jasper moved to amend title by striking therefrom all after the word "treasurer."

Adopted.

Title as amended agreed to.

On motion of Cobb of Taylor, Senate file No. 295, a bill for an act to amend section 1571 of the code, relating to steam engines on public roads, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Cobb moved that the rule 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, Bixby, Buchanan, Calderwood, Carden, Cassel, Chassell, Christianson, Cobb, Coburn, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Greeley, Gregory, Hakes, Hambleton, Hanna, Harris, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Lamkin, Leech, Lister, McAllister, McClurkin, McCulloch, McElrath, McNie, Maben, Morris, Mott, Nichols, Offill, Peet, Powers, Prevo, Robinson, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Teachout, Temple, Washburn, Weeks, Welden, Wise, Wright, Wyland, Mr. Speaker—69.

The nays were:

Messrs. Boland, Cheney, Hart, Lundt, McCreary, Teter—6.



**Absent or not voting:**

Messrs. Bealer, Buckingham, Carstensen, Clary, Colclo, Geneva, Greene, Kennedy, Koontz, Laird, Langan, Lowrey, McDole, Manning, Martin, Mattes, Olson, Pritchard, Ritter, Saylor, Springer, Summers, Whiting, Whitmer, Willson—25.

**So the bill passed and the title was agreed to.**

**EXPLANATION OF VOTE.**

The following explanation of vote was filed:

**MR. SPEAKER**—I have voted in the negative on Senate file No. 295 for the reason that, in my judgment, the bill is not drawn in such form that it can be construed to relieve the county from the liability intended by the author.

**LORENZO. D. TETER.**

Temple of Clarke moved that the House proceed with the consideration of the motion to reconsider the vote by which Senate file No. 36 passed the House and by which same passed to its third reading.

Motion prevailed and the motion to reconsider was again taken up.

Wright of Webster and Doran of Boone demanded a roll call on the motion to reconsider.

On the question, Shall the House reconsider the vote by which Senate file No. 36 passed the House and by which same passed to its third reading?

**The yeas were:**

Messrs. Cobb, Colclo, Crose, Cummings, Davie, Geneva, Gregory, Hakes, Hanna, Heles, Lister, McAllister, McClurkin, McCulloch, Nichols, Offill, Powers, Ritter, Sankey, Spaulding, Whiting, Whitmer, Wyland, Mr. Speaker—24.

**The nays were:**

Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Cassel, Chassell, Cheney, Christianson, Clary, Coburn, Dashiell, DeLano, Doran, Dow, English, Flenniken, Freeman, Greeley, Greene, Hambleton, Harris, Head, Hollemeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird,

Langan, Leech, Lundt, McCreary, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Olson, Prevo, Pritchard, Robinson, Shaffer, Skinner, Stanbery, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Wise, Wright—63.

Absent or not voting:

Messrs. Buckingham, Carstensen, Conn, Frudden, Hart, Lamkin, Lowrey, McDole, Peet, Saylor, Springer, Stoltenberg, Willson—13.

So the motion to reconsider was lost.

On motion of Crose of Page, House file No. 423, a bill for an act authorizing the appointment of policemen at certain State institutions, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Crose moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pitchard, Ritter, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—91.

The nays were:

None.

**Absent or not voting:**

Messrs. Buckingham, Carstensen, Heles, Lundt, Peet, Robinson, Springer, Temple, Willson—9.

So the bill passed and the title was agreed to.

**REPORTS OF COMMITTEES.**

Jepson of Woodbury, 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 substitute for substitute for Senate file No. 40, a bill for an act to amend section twenty-eight hundred and twenty-three (2823) of chapter 14-a of the supplement to the code, in relation to the duties of parents and guardians to children with reference to the length of time they shall attend school during each school year, and when that time shall commence, beg leave to report that they have 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 "thereof" in the eighth line of section 1 and inserting in lieu thereof the following: "of school after the first day of September."

And when so amended that same do pass.

C. N. JEPSON,  
*Chairman.*

**Ordered passed on file.**

Harris of Poweshiek, from the committee on Suppression of Intemperance, submitted the following report:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred Senate file No. 124, a bill for an act to amend section 2382 of the code of Iowa, 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 do pass.

THOMAS HARRIS,  
*Chairman.*

**Ordered passed on file.**

Hambleton of Mahaska moved that House file No. 404 be referred to the committee on Judiciary.

Motion prevailed.

On motion of Kendall of Monroe, the House adjourned until 9 o'clock tomorrow morning.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 1, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. D. H. Howry of Downey, Iowa.

PETITIONS AND MEMORIALS.

Gregory of Adams presented petition of meat producers of Adams county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Welden of Hardin presented petition of citizens of Hardin county relative to House file No. 332.

Referred to committee on Railroads and Commerce.

Bealer of Linn presented petition of physicians of Linn county relative to House file No. 173.

Referred to committee on Public Health.

Kendall of Monroe presented petition of citizens of Monroe county protesting against the repeal of the road law.

Referred to committee on Roads and Highways.

DeLano of Cass presented petition of citizens of Cass county asking for the enactment of Senate file No. 66.

Referred to committee on Suppression of Intemperance.

## REPORTS OF COMMITTEES.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 327, a bill for an act to amend section seventeen hundred fifty-nine (1759) of the code supplement, relating to mutual, fire, tornado and hailstorm insurance 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 amended by adopting the following substitute therefor:

SUBSTITUTE AS AMENDMENT FOR HOUSE FILE NO. 327.

A BILL for an act to amend section seventeen hundred fifty-nine (1759) of the code supplement, relating to mutual fire, tornado and hailstorm insurance associations.

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

Section 1. That the law as it appears in section seventeen hundred fifty-nine (1759) of the code supplement be, and the same is hereby amended by inserting between the word "to" and the word "the" in the second line of said section the words "any of." Also, by inserting after the word "accident" in the fifth line of said section, the following: "and no clause or provision in any such contract shall be deemed invalid on account thereof, or in any way be affected by any statutes relative to insurance, except those contained in this chapter".

And that when so amended the same do pass.

N. E. KENDALL,  
*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 establish a juvenile court, and to regulate the treatment and control of dependent, neglected and delinquent 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 do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 420, a bill for an act relating to corporations for pecuniary profit, repealing sections 1610, 1618 and 1637 of the code, and enacting substitutes 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 57, a bill for an act governing the right of inheritance of a child born after the making of a will, beg leave to report that they 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.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 320, a bill for an act to amend section 2727a-23 of the supplement to the code, in regard to the employment of architects, beg leave to report that they 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.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred substitute for Senate file No. 34, a bill for an act to amend section 2406 of the code, relative 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 263, a bill for an act to amend the law as it appears in section twenty-five hundred seventy a of the supplement to the code, and to repeal the law as it appears in section twenty-five hundred seventy-b of the supplement to the code, relating to payment of expenses of local boards of health in restricting the spread of infectious 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 do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 293, a bill for an act to amend the law as it appears in section thirty-six hundred fifty-six of the code, relating to trials in equity 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 indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 396, a bill for an act regarding poorly regulated water works, beg leave to report that they 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.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 397, a bill for an act to establish a juvenile court, and to regulate the treatment and control of dependent, neglected and delinquent

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 indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred substitute for Senate file No. 269, a bill for an act to amend section 3505 of the code, in relation to grounds for a change of place of trial in any civil 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 be indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 169, a bill for an act to amend section 403 of the code, relating to funding and refunding outstanding county indebtedness, beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 152, a bill for an act to amend the law as it appears in section four thousand eight hundred and eighty four of the code, relating to punishment of sheriffs and other officers for receiving bribes, beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.



Mattes of Sac, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 220, a bill for an act to provide for the manufacture of binding twine in the State prison in 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.

JOSEPH MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 432, a bill for an act making appropriations for the construction, repair, improvement and contingent funds for the State hospitals, penitentiaries, industrial schools, Institution for Feeble-Minded Children, College for Blind, School for the Deaf, Iowa Soldiers' Home, and Iowa Soldiers' Orphans' Home, and authorizing a change in the use of certain other appropriations heretofore made, beg leave to report that they 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.

JOSEPH MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on appropriations, to whom was referred House file No. 348, a bill for an act providing for the appointment of a commission to relocate the School for the Deaf, and authorizing the Board of Control of State Institutions to purchase land and erect buildings and other improvements for said school, and to use furniture, machinery and other property now at the School at Council Bluffs in the new institution, and making an appropriation for land, buildings and 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 be indefinitely postponed.

JOSEPH MATTES,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Harris of Poweshiek, from the committee on the Suppression of Intemperance, submitted the following report:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House file No. 419, a bill for an act additional to and amendatory of chapter six (6) of title XIII (13) of the code and to the law as found in said title and chapter of the supplement to the code, relative to the 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 indefinitely postponed.

THOMAS HARRIS,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House file No. 403, a bill for an act to amend section two thousand four hundred and forty-eight (2448) of the code, relating to the sale of intoxicating liquors under the mulct law, beg leave to report that they have 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.

THOMAS HARRIS,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House file No. 170, a bill for an act to provide for the appointment of State marshals and their deputies for the enforcement of the laws pertaining to the sale of intoxicating liquors and prescribing their duties, fees and 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.

THOMAS HARRIS,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House file No. 285, a bill for an act to amend section 2448 of the code, relating to the sale of intoxicating liquors under the mulct

law, beg leave to report that they have 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.

THOMAS HARRIS,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Leech of Cedar, from the committee on Public Health, submitted the following report:

MR. SPEAKER—Your committee on Public Health, to whom was referred House file No. 173, a bill for an act to provide for the establishment of a bacteriological laboratory and for the appointment of a director thereof, additional to chapter sixteen (16), title XII (12) 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 following substitute as amendment:

SUBSTITUTE AS AMENDMENT FOR HOUSE FILE NO. 173.

A BILL for an act to provide for the establishment of a bacteriological laboratory and for the appointment of a director thereof, additional to chapter sixteen (16), title XII of the code.

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

Section 1. That there shall be established and located by the State Board of Health a bacteriological laboratory which shall be conducted under rules and regulations to be adopted from time to time by said board. The State Board of Health at its meeting in July each year shall appoint a director of said bacteriological laboratory who shall be a physician and a skilled bacteriologist and shall have charge of said laboratory under the direction of said board. Said director shall receive such salary as may be allowed by the Board of Health not to exceed two thousand dollars (\$2,000) per year and said salary shall be paid in monthly installments and in the same manner as the salary of the secretary of the State Board of Health is now paid.

Sec. 2. There is hereby appropriated for the purpose of establishing said bacteriological laboratory and providing the necessary apparatus therefor, the sum of two thousand five hundred dollars (\$2,500), and there is further appropriated the sum of five thousand dollars (\$5,000) annually, or so much thereof as may be necessary, to pay the salary of said director, the expenses of said laboratory, and expenses of postage, stationery and other contingent and miscellaneous expenses as may be incurred in maintaining said laboratory and performing the duties of said director. Said appropri-

ations shall be expended in the manner provided in section twenty-five hundred and seventy-five (2575) of the code.

And that when so amended the same do pass.

L. J. LEECH,  
*Chairman.*

Ordered passed on file.

Cassel of Jefferson, 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. 431; a bill for an act amending the law as found in section fifteen hundred and twenty-eight (1528), fifteen hundred and fifty-four (1554) and twenty-five hundred and seventy-one (2571) of the supplement to the code, relative to the annual meeting of township trustees and of 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 be indefinitely postponed.

A. F. CASSEL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Coburn of Cherokee, 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 Senate file No. 303, a bill for an act providing for the filing with county auditors of maps of telegraph and telephone lines within the several counties of 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 do pass.

G. F. COBURN,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Telegraph, Telephone and Express, to whom was referred Senate file No. 302, a bill for an act to amend the law as it appears in section thirteen hundred and thirty-b (1330-b) of the supplement to the code, in reference to the assessment of telegraph and telephone

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.

G. F. COBURN,  
*Chairman.*

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 159, a bill for an act making an appropriation for the Florence Crittenton Home, formerly the Woman's and Baby's Home at Sioux City, Iowa.

Also, House file No. 184, a bill for an act making an appropriation for the Benedict Home, Des Moines, Iowa.

Also, House file No. 211, a bill for an act providing for the completion of the historical, memorial and art building, and the acquisition of the real estate hereinafter described, and making an appropriation therefor.

Also, House file No. 284, a bill for an act making an appropriation for the Dubuque Rescue Home at Dubuque, Iowa.

Also, House file No. 350, a bill for an act to legalize the incorporation of the town of Wall Lake, Sac county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town.

H. L. SPAULDING,  
*Chairman.*

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 159, a bill for an act making an appropriation for the Florence Crittenton Home, formerly the Woman's and Baby's Home at Sioux City, Iowa.

Also, House file No. 184, a bill for an act making an appropriation for the Benedict Home, Des Moines, Iowa.

Also, House file No. 211, a bill for an act providing for the completion of the historical, memorial and art building, and the acquisition of the real estate hereinafter described, and making an appropriation therefor.

Also, House file No. 284, a bill for an act making an appropriation for the Dubuque Rescue Home at Dubuque, Iowa.

Also, House file No. 350, a bill for and act to legalize the incorporation of the town of Wall Lake, Sac county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

Also, substitute for Senate file No. 67, a bill for an act amending the law relating to deputy and assistant dairy commissioners, appearing as section twenty-five hundred fifteen (2515), of the supplement to the code.

H. L. SPAULDING,  
*Chairman House Committee.*

D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

Speaker announced that he had signed in the presence of the House, Senate file No. 67.

Robinson of Emmet asked unanimous consent that House file 395 be withdrawn from the committee on Judiciary and from further consideration by the House.

Granted.

Head of Greene asked unanimous consent to withdraw House file No. 101 from the committee on Roads and Highways and from the further consideration of the House.

Granted.

#### INTRODUCTION OF BILLS.

By Carstensen of Clinton, House joint resolution No. 8, a resolution proposing the submission of amendments to the Constitution of the State of Iowa, providing for direct legislation.

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

Section 1. That a proposition be submitted to the electors of this State, on the first Tuesday after the first Monday in November, A. D. 1905, to amend section 1 of article 2 of the Constitution of the State of Iowa so that it shall read as follows:

Section 1. The legislative power of this State is reposed in the electors of this State, and shall be ve-ted in a General Assembly which shall consist of a Senate and a House of Representatives; except that the people reserve to themselves the power to propose laws and to enact or reject the same at the polls, independent of the General Assembly, as well as to cause any act

or part of an act passed by the General Assembly, to be submitted to a vote of the people before becoming a law.

Laws may be proposed by the initiative and not more than five (5) per cent of the legal voters of the State shall be required to propose any measure by petition, and every such petition shall include the full text of the measure so proposed. Initiative petitions shall be filed with the Secretary of State not less than ninety (90) days before the election at which they are to be voted upon.

Any measure which may be so proposed or any laws enacted by the legislature may be passed upon by electors by the referendum. Such referendum may be ordered (except as to laws necessary for the immediate preservation of the public peace, health or safety) either by petition, signed by five (5) per cent of the legal voters, or upon resolution or demand of twenty-five (25) per cent of the members of the legislative assembly, on joint ballot. Referendum petitions shall be filed with the Secretary of State not more than ninety (90) days after the final adjournment of the session of the legislature which passed the measure on which the referendum is demanded, and all measures shall be subject to this final submission to the electors.

The powers of the initiative and referendum are reserved for and may be used by the electors of any county, township, city, village or other political division of the State in their local affairs, subject to such laws of a general nature having uniform operation throughout the State as may be passed, on filing a petition with the proper election authorities, requesting the same signed by not less than eight (8) per cent of the legal voters of such political division.

The veto power of the Governor shall not extend to any measure referred to the people, nor shall the veto power of any mayor or other officer extend to any measure so referred in local affairs.

Any measure referred to the people shall take effect and become law when it is approved by a majority of the votes cast upon said measure and not otherwise. All elections on measures referred to the people of the State shall be at the regular State election; except when a special election is ordered, either by a majority of the legislature on joint ballot, or by petition of not less than twenty-five (25) per cent of the voters of the State. Local measures may be decided at the regular or special local elections.

The whole number of votes cast for the head of the State ticket at the last previous election shall be the basis on which the number of petitioners required for the filing of referendum and initiative petitions on State laws shall be figured, and the whole number of votes cast for the head of a local ticket at the last previous local election shall be the basis on which the number of petitioners required for the filing of referendum and initiative petitions on local measures shall be figured.

Petitions and orders for the initiative or the referendum shall be filed with the Secretary of State on State measures and the local election officers on local measures, and on submitting them to the people they and all other officers shall be guided by this act and any general laws that may be passed for carrying this amendment into effect.

Sec. 2. At such election, those electors desiring to vote for such amendment shall have placed on their ballots, "Constitutional amendment for direct legislation—Yes", and those electors desiring to vote against such amendment shall have placed upon their ballots the words, "Constitutional amendment for direct legislation—No".

Sec. 3 That a proposition be submitted to the electors of this State, on the first Tuesday after the first Monday in November, A. D. 1905, to amend section 18 of article 2 of the Constitution of the State of Iowa, so it shall read as follows:

Sec. 18. The style of the laws of this State shall be, "Be it enacted by the people of the State of Iowa."

Sec. 4. At such election those electors desiring to vote for such amendment shall have placed upon their ballots the words, "Constitutional Amendment Section 18, Article II—Yes," and those electors desiring to vote against such amendment shall have placed upon their ballots the words, "Constitutional Amendment Section 18, Article II—No."

Read first and second time and referred to the committee on Constitutional Amendments.

By Kennedy of Lee, House file No. 440, a bill for an act to legalize the acts of the city of Keokuk, Iowa, in improving the alley in block twenty-nine (29) and Fourth, Fifth and Sixth streets from the south line of Main street to the north line of Johnson street and entering into contract with the Keokuk Construction Company for the making of said improvement and in levying a special tax therefor against the abutting property for the cost of said improvement and in issuing certificates therefor.

WHEREAS, The city council of the city of Keokuk, Iowa, did, on the 6th day of October, A. D. 1902, pass a resolution of intention to improve the alley in block twenty-nine (29) in said city, by grading and paving said alley with brick and to improve Fourth, Fifth and Sixth streets from the south line of Main street to the north line of Johnson street by grading said streets and by curbing and paving same; and,

WHEREAS, Said city council gave notice of its intention to make said improvements and assess the cost thereof against the abutting property in proportion to the benefits; and,

WHEREAS, Said city council did, on the 3rd day of November, 1902, pass a resolution ordering the said streets and said alley to be improved as above described and directed the city engineer to advertise for bids for the making of said improvement; and,

WHEREAS, In response to said notice the Keokuk Construction Company, composed of Geo. S. Tucker and E. P. McManus, were the lowest bidders and the city council ordered the mayor to enter into contract with said Keokuk Construction Company for the making of said improvement; and,



WHEREAS, Said improvements were made and same accepted by the said city council; and,

WHEREAS, The said city council did give notice of its intention to assess the cost of said improvements to the property abutting thereon in proportion to the benefits, said notice being given as prescribed in section 971 of the code; and,

WHEREAS, The said cost was assessed against said a butting property and certificates issued in payment of the cost of the said improvement to the Keokuk Construction Company; and,

WHEREAS, Doubts have arisen as to the legality of said resolutions and notices and other acts of said city council and said acts have been questioned; therefore,

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

Section 1. That the resolution of intention passed by the city council of the city of Keokuk, Iowa, October 6, 1902, and the giving of notice of intention to improve the alley in block twenty-nine (29) and Fourth, Fifth and Sixth streets from the south line of Main street to the north line of Johnson street, and the resolution ordering the said alley and the said streets to be improved, passed November 3, 1902, and the entering into contract by the city of Keokuk, Iowa, for the making of said improvement with the Keokuk Construction Company, composed of George S. Tucker and E. P. McManus, and the publishing of the notice of the proposed assessment of the cost of said improvements against the property abutting thereon, published on the 9th, 10th and 11th days of June, 1903, in accordance with section 971 of the code, and the resolution assessing the cost of said improvements against the property abutting thereon, in proportion to the benefits of said improvements to said property and the certificates issued to the Keokuk Construction Company in payment of said work, be, and each and all of said resolutions, and acts, and notices of said city council, are hereby legalized, and the same are hereby declared as valid and binding as though the law had, in all respects, been complied with, and the said acts ordering said improvements, advertising for bids, and the notice of the proposed assessment, and the levy of the cost of said improvement against the abutting property and the assessing and levying of same as a special tax against the said property, and the certificates issued to the said Keokuk Construction Company, are hereby made valid and given the same force and effect as if the law had been in all particulars complied with at the time said acts were done.

Sec. 2. Nothing in this act shall affect pending litigation.

Sec. 3. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Des Moines Register and Leader and the Daily Capital, newspapers published in the city of Des Moines, without expense to the State.

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

By Kennedy of Lee, House file No. 441, a bill for an act to regulate the levy and collection of special assessments in cities acting under special charter, and repealing section 792-e of the code supplement, and repealing section 777-a of the code supplement.

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

McNie of Benton asked unanimous consent to withdraw House file No. 311 from the committee on College for the Blind and from further consideration by the House.

Granted.

Speaker announced that he had signed in the presence of the House, House files No. 159, No. 184, No. 211, No. 284, No. 350.

#### MOTION TO RECONSIDER.

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote by which Senate file No. 307 was lost and by which it was passed to its third reading.

J. C. FLENNIKEN.

I second the motion.

R. J. MARTIN.

#### 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. 362, a bill for an act to amend section 2, chapter 41, acts of the Twenty-eighth General Assembly, relating to the amount of indebtedness which incorporated towns and cities of the second class may incur.

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. 318, a bill for an act to enable the State of Iowa to sell and dispose of all abandoned river channels and all sand bars or islands in the navigable waters 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 House is asked:

Substitute for Senate file No. 280, a bill for an act to amend sections 851 and 861, chapter 9 of the code, relating to parks and park 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. 322, a bill for an act to amend section 403 of the code, relating to county boards.

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. 66, a bill for an act to amend the law appearing as section 2451 of the code, relating to the sale of intoxicating liquors.

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. 62, a bill for an act to amend sections 728 and 730 of the code, relating to library trustees and library treasurer and to legalize the maintenance and control under joint ownership and control of cities and towns and institutions of learning.

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. 316, a bill for an act repealing chapter 18 title XXI of the code, and enacting a substitute therefor, relative to change of name.

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. 248, a bill for an act to repeal section 479 of the code, relating to 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 amended and passed the following bill in which the concurrence of the Senate was asked:

House file No. 215, a bill for an act for the erection of a monument at the site of the Confederate military prison at Andersonville, Ga.

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. 266, a bill for an act requiring common carriers to issue passes to live stock shippers and regulating the issuance and use thereof.

GEO. A. NEWMAN,  
*Secretary.*

**BILLS ON THEIR PASSAGE.**

On motion of Mattes of Sac, House file No. 432, a bill for an act making appropriation for the construction, repair, improvement and contingent funds for the State hospitals, penitentiaries,

industrial schools, Institution for Feeble-Minded Children, College for the Blind, School for the Deaf, Iowa Soldiers' Home, and Iowa Soldiers' Orphans' Home, and authorizing a change in the use of certain other appropriations heretofore made, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Buchanan of Wapello moved to amend as follows:

Amend by striking out the period after the word "purpose" in the sixth line of section two (2), printed bill, and adding the following: "and the Board of Control shall report within five days after the convening of the next General Assembly the amount transferred from each fund as provided in this section and the amount of unexpended balances in the State treasury December 31, 1905."

Kendall of Monroe offered the following substitute for the amendment and moved its adoption:

Strike out all of section two (2) following the period after the word "code" in the third line.

Substitute for the amendment lost.

Amendment adopted.

Mattes of Sac moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Prevo, Pritchard, Ritter, Sankey, Saylor, Shaffer, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Temple, Teter,

Washburn, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—92.

**The nays were:**

None.

**Absent or not voting:**

Messrs. DeLano, Greene, McClurkin, Powers, Robinson, Skinner, Teachout, Weeks—8.

So the bill passed and the title was agreed to.

On motion of Mattes of Sac the following House files were indefinitely postponed: No. 276, No. 175, No. 163, No. 162, No. 155, No. 133, No. 124, No. 118, No. 113, No. 100, No. 99, No. 46 and No. 15.

On motion of Leech of Cedar, House file No. 418, a bill for an act to require the registration of births and deaths in Iowa, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Jones of Montgomery moved that the rule 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. Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Conn, Crose, Cummings, Dashiell, DeLano, English, Freeman, Frudden, Greeley, Hanna, Harris, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lowrey, Lundt, McAllister, McCreary, Maben, Manning, Morris, Nichols, Olson, Prevo, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Teachout, Temple, Washburn, Welden, Whiting, Whitmer, Wise, Wright, Mr. Speaker—60.

**The nays were:**

Messrs. Bailey, Buckingham, Clary, Cobb, Davie, Doran, Dow, Hakes, Hambleton, Hume, McCulloch, Offill, Peet, Powers, Sankey, Springer, Willson, Wyland—18

## Absent or not voting:

Messrs. Cassel, Coburn, Colclo, Flenniken, Geneva, Greene, Gregory, Hart, Head, Heles, Lister, McClurkin, McDole, McElrath, McNie, Martin, Mattes, Mott, Pritchard, Summers, Teter, Weeks—22.

So the bill passed and the title was agreed to.

On motion of Maben of Hancock, House file No. 438, a bill for an act to apportion the State in representative districts and declare the ratio of representation, was taken up and considered.

Mr. Maben moved that the rule 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. Bailey, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Kennedy, Koontz, Laird, Lamkin, Langan, Leech, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Welden, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—90.

The nays were:

Mr. Whiting—1.

Absent or not voting:

Messrs. Bealer, Chassell, DeLano, Greene, Jones, Kendall, Kling, Lister, Weeks—9.

So the bill passed and the title was agreed to.

On motion of Temple of Clarke, Senate file No. 225, a bill for an act to amend section 1467 of the code, relating to the collection of a tax on collateral inheritance, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Mr. Temple 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, Bealer, Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Cassel, Cheney, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, DeLano, Doran, Dow Flenniken, Freeman, Frudden, Greeley, Hakes, Hambleton, Hanna, Harris, Head, Heles, Hollembeak, Hume, Jacobson, Jenson, Kendall, Kennedy, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Temple, Washburn, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—83.

The nays were:

Mr. Geneva—1.

Absent or not voting:

Messrs. Buchanan, Chassell, Christianson, Davie, English, Green, Gregory, Hart, Jones, Kling, McAllister, Sankey, Teachout, Teter, Weeks—16.

So the bill passed and the title was agreed to.

On motion of Wise of Black Hawk, House file No. 312, a bill for an act to regulate the removal of persons sick with infectious and contagious diseases, from one city, town or township, to another city, town or township, additional to chapter 16, title XII of the code, with report of committee recommending passage as amended by substitute, was taken up, and the substitute amend-



ment read and considered and the report of the committee adopted.

Mr. Wise moved the adoption of the following substitute amendment recommended by the committee:

**A BILL** for an act to regulate the removal of persons sick with infectious and contagious diseases from one city, town or township to another city, town or township. Additional to chapter sixteen (16) title XII (12) of the code.

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

Section 1. That no person known to be infected, or sick with any contagious disease dangerous to the public health shall move or be removed from one city, town or township to another city, town or township except as hereinafter provided and by written permission of the local board of health of the city, town or township to which such person is to be removed.

Sec. 2. If any person known to be infected or sick with smallpox or other contagious disease dangerous to the public health shall with the knowledge or consent of any member of the local board of health of the city, town or township in which he resides be removed from said city, town or township to another city, town or township, either with or without the permission of the local board of such city, town or township to which he is removed, all expense of quarantine or care of such person incurred by the city, town or township to which he is removed shall be paid by the city, town or township from which such person was so removed, in the manner provided in section two thousand five hundred and seventy-a (2570-a) of the supplement to the code. If said person be so removed to another county, said expenses shall in the first instance be paid by such county and recovered from the county from which such person had been removed.

Sec. 3. When it is determined by any physician or health officer that any person is sick with smallpox or any other contagious diseases dangerous to the public health while in any city, town or township other than the one in which he resides, provided the distance be not to exceed fifteen (15) miles from his place of residence, then and in that event if the person so diseased elect to be moved to the city, town or township in which he resides, he may be so removed by private conveyance along the least frequented highways under escort of a health officer to his abode immediately on determining that he is so diseased; and every such vehicle shall carry as a signal of warning, conspicuously displayed, a yellow flag not less than two feet square. All expenses of removal, care and quarantine of such person shall be paid by the city, town or township to which he is removed and shall be paid in the manner provided in section two (2) of this chapter.

Sec. 4. Any person who shall move, or any physician or any member of a local board of health who shall cause or assist any person known to be infected or sick with smallpox, or any contagious disease dangerous to the public health to be removed from one city, town or township, to another city, town or township, contrary to the provisions of this act or of any regulation of the State Board of Health, shall be guilty of a misdemeanor, and be punished by a fine not exceeding one hundred dollars (\$100) or imprisonment not exceeding thirty (30) days, or both at the discretion of the court.

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. Bailey, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Gregory, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Jacobson, Jepson, Kennedy, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Washburn, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—86.

The nays were:

Mr. Teter—1.

Absent or not voting:

Messrs. Bealer, Buckingham, Clary, Cummings, Greene, Hume, Jones, Kendall, Kling, Martin, Robinson, Springer, Weeks—13.

So the bill passed and the title was agreed to.

On motion of Cobb of Taylor, Senate file No. 124, a bill for an act to amend section 2382 of the code of Iowa, 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.

Weeks of Guthrie 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, Bealer, Bixby, Buchanan, Buckingham, Carden, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Gregory, Hambleton, Harris, Hart, Head, Heles, Hollebeak, Jacobson, Jepson, Kendall, Kling, Laird, Lamkin, Leech, Lowrey, Lundt, McAllister, McCreary, McCulloch, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Mr. Speaker—79.

The nays were:

None.

Absent or not voting:

Messrs. Boland, Calderwood, Carstensen, Davie, Greene, Hakes, Hanna, Hume, Jones, Kennedy, Koontz, Langan, Lister, McClurkin, McDole, Offill, Robinson, Saylor, Springer, Stoltenberg, Wyland—21.

So the bill passed and the title was agreed to.

On motion of Laird of Fremont, Senate file No. 40, a bill for an act to amend section 2823-a of chapter 14-a of the supplement to the code, in relation to the duties of parents and guardians to children, with reference to the length of time they shall attend school during each school year and when that time shall commence, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Mr. Laird moved that the following amendment recommended by the committee be adopted:

Amend by striking out the word "thereof" in the eighth line of section 1 and inserting in lieu thereof the following: "of school after the first day of September."

Adopted.

On motion of McNie of Benton, House adjourned until 2 o'clock P.M.

## AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Clarke in the chair.

Kendall of Monroe moved that the vote whereby Senate file No. 169 was indefinitely postponed be reconsidered.

Motion prevailed.

On motion of Mr. Kendall the bill was re-referred to the committee on Judiciary.

Summers of VanBuren moved that the Senate be requested to return House file No. 165.

Motion prevailed.

## BILLS ON THEIR PASSAGE.

House resumed consideration of Senate file No. 40.

Laird of Fremont moved that the rule 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, Bixby, Buchanan, Calderwood, Carden, Cars-  
tensen, Chassell, Cheney, Christianson, Clary, Conn, Crose, Cum-  
mings, DeLano, Doran, English, Freeman, Frudden, Geneva,  
Greene, Hakes, Hambleton, Harris, Head, Heles, Hume, Jepson,  
Jones, Kendall, Kling, Koontz, Laird, Lamkin, Langan, Leech  
Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, Mc-  
Elrath, Manning, Martin, Mattes, Morris, Mott, Offill, Powers,

Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Mr. Speaker—72.

The nays were:

Messrs. Bailey, Boland, Cassel, Coburn, Cobb, Dashiell, Davie, Dow, Hanna, Hart, Hollembeak, Jacobson, McDole, Maben, Nichols, Olson, Wyland—17.

Absent or not voting:

Messrs. Buckingham, Colclo, Flenniken, Greeley, Gregory, Kennedy, McCulloch, McNie, Peet, Teachout, Temple—11.

So the bill passed and the title was agreed to.

On motion of Mattes of Sac, House file No. 439, a bill for an act legalizing the acts and proceedings of the council of the incorporated town of Schaller, Iowa, in granting a franchise to the Schaller Gas Light and Fuel Company and contracting with said gas light and fuel company for lights, and legalizing the ordinance granting such franchise and the franchise so granted, and the contract made between such town and the Schaller Gas Light and Fuel Company, and the levy of a tax by said town to defray the expenses of lighting the streets thereof, 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, 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, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Cassel, Chassell, Cheney, Clary, Cobb, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greene, Hambleton, Hanna, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling,

Koontz, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Wright, Mr. Speaker—84.

The nays were:

None.

Absent or not voting:

Messrs. Carstensen, Christianson, Coburn, Greeley, Gregory, Hakes, Harris, Langan, Lowrey, McCulloch, McDole, Peet, Saylor, Temple, Whiting, Wyland—16.

So the bill passed and the title was agreed to.

On motion of Weeks of Guthrie, House file No. 436, a bill for an act to legalize the election of the town council of the incorporated town of Minburn, Dallas county, Iowa, and all the acts thereof during the ten (10) years last passed, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Weeks moved that the rule 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. Bailey, Bealer, Boland, Buchanan, Calderwood, Carden, Cassel, Chassell, Cheney, Clary, Cobb, Conn, Crose, Cummings, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Hambleton, Hanna, Harris, Hart, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McElrath, McNie, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Sankey, Shaffer, Skinner, Spaul-

ding, Springer, Stanbery, Stoltenberg, Teachout, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Wright, Mr. Speaker—77.

The nays were:

None.

Absent or not voting:

Messrs. Bixby, Buckingham, Carstensen, Christianson, Coburn, Colclo, Dashiell, Greeley, Greene, Gregory, Hakes, Head, Heles, Langan, McCulloch, McDole, Maben, Robinson, Saylor, Summers, Temple, Whiting, Wyland—23.

So the bill passed and the title was agreed to.

On motion of Jones of Montgomery, Senate file No. 226, a bill for an act to repeal section 5685 of the code, also chapter 137, laws of the Twenty-eighth General Assembly, and to enact in lieu thereof a section providing for the disposition of the gate receipts of the State penitentiaries, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Jones 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, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Cassel, Chassell, Cheney, Clary, Cobb, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McDole, McElrath, McNie, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Wright, Mr. Speaker—83.

The nays were:

None.

Absent or not voting:

Messrs. Buckingham, Carstensen, Christianson, Coburn, Colclo, Greeley, Greene, Gregory, Hakes, Langan, McCulloch, Maben, Ritter, Robinson, Temple, Whiting, Wyland—17.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, Senate file No. 320, a bill for an act to amend section 2727-a-23 of the supplement to the code, in regard to the employment of architects, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

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, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Chassell, Cheney, Clary, Cobb, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McElrath, McNie, Maben, Martin, Mott, Nichols, Offill, Olson, Prevo, Pritchard, Ritter, Sankey, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Mr. Speaker—80.

The nays were:

None.



Absent or not voting:

Messrs. Carstensen, Cassel, Christianson, Coburn, Colclo, Greene, Gregory, McCulloch, McDole, Manning, Mattes, Morris, Peet, Powers, Robinson, Saylor, Stanbery, Whiting, Wright, Wyland—20.

So the bill passed and the title was agreed to.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 142, a bill for an act authorizing the Executive Council to have surveyed and to convey an island newly formed by accretion in the Mississippi river off the southeastern portion of Green Bay township, being township 69 north, range 3 west of the 5th P. M., in Lee county, Iowa.

Also, Senate file No. 205, a bill for an act to amend the law as it appears in sections twenty-five hundred and thirty-eight-j (2538-j) and twenty-five hundred and thirty-eight-p (2538-p) of the supplement to the code, in reference to the department of veterinary surgery and medicine.

Also, Senate file No. 231, a bill for an act relating to the distribution of the code and supplement to the code and other State documents.

H. L. SPAULDING,  
*Chairman House Committee.*

D. W. TURNER,  
*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:

Substitute for Senate file No. 4, a bill for an act to provide for indeterminate sentences and to authorize the Board of Control of State Institutions to adopt and enforce rules for paroling and for the government of paroled persons.

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. 180, a bill for an act to amend section 441, supplement to the code, relating to the number of papers authorized to publish the proceedings of the board of supervisors.

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 legalize the issuing of bonds to the amount of \$3,300 by the incorporated town of Deep River, Poweshiek 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 House is asked:

Senate file No. 304, a bill for an act making an appropriation of \$5,000.00 for chemical fire extinguishers.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate herewith returns Senate file No. 165 as requested by the House:

Senate file No. 165, a bill for an act amending section 2803 of the code, in reference to attending school in another corporation.

GEO. A. NEWMAN,  
*Secretary.*

#### INTRODUCTION OF BILLS.

By Chassell of Plymouth, House file No. 442, a bill for an act to amend the law as it appears in section 2297 of the code.

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

By Cummings of Marshall, House file No. 443, a bill for an act to punish malicious injury to telephone and telegraph wires, additional to section 4807 of the code, as amended by the acts of the Thirtieth General Assembly.

Read first and second time and passed on file.

SENATE MESSAGES CONSIDERED.

Substitute for Senate file No. 66, a bill for an act to amend the law appearing as section 2451 of the code, relating to the sale of intoxicating liquors.

Read first and second time and referred to committee on Suppression of Intemperance.

Senate file No. 4, a bill for an act to provide for indeterminate sentences and to authorize the Board of Control of State Institutions to adopt and enforce rules for paroling and for the government of paroled persons.

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

Senate file No. 304, a bill for an act making an appropriation of \$5,000.00 for chemical fire extinguishers.

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

Senate file No. 62, a bill for an act to amend sections 728 and 730 of the code, relating to library trustees and library treasurer and to legalize the maintenance and control under joint ownership and control of cities and towns and institutions of learning.

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

Senate file No. 280, a bill for an act to amend sections 851 and 861 chapter 9 of the code, relating to parks and park commissioners.

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

Senate file No. 322, a bill for an act to amend section 403 of the code, relating to county boards.

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

On request of Chassell of Plymouth, unanimous consent having been given, House file No. 180, a bill for an act to amend section 441, supplement to the code, relating to the number of papers authorized to publish the proceedings of the board of supervisors, with Senate amendments, was taken up and the amendments read and considered.

Mr. Chassell moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Cheney, Clary, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Fleniken, Freeman, Frudden, Geneva, Greeley, Hambleton, Hanna, Harris, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McDole, McElrath, McNie, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—83.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Cassel, Christianson, Cobb, Coburn, Colclo, Greene, Gregory, Hakes, Hart, McCulloch, Maben, Robinson, Temple, Weeks, Welden, Whiting—17.

So the House concurred in the Senate amendments.

On request of Wright of Webster, unanimous consent having been given, House file No. 362, a bill for an act to amend section 2, chapter 41, acts of the Twenty-eighth General Assembly, relating to the amount of indebtedness which incorporated towns and cities of the second class may incur, with Senate amendments, was taken up and the amendments read and considered.

Mr. Wright moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Cassel, Chassell, Clary, Cobb, Coburn, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Hambleton, Hanna, Harris, Hart, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Offil, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Teachout, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—82.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Carstensen, Cheney, Christianson, Colclo, Greene, Gregory, Hakes, Head, Koontz, Lowrey, McCulloch, Nichols, Robinson, Summers, Temple, Teter, Whiting—18.

So the House concurred in the Senate amendments.

On request of Hart of Allamakee, unanimous consent having been given, House file No. 266, a bill for an act requiring common carriers to issue passes to live stock shippers and regulating the issuance and use thereof, with Senate amendments, was taken up and the amendments read and considered.

Mr. Hart moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Coburn, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Hambleton, Hanna, Harris, Hart, Heles, Hollebeak, Hume, Jacobson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McDole, McElrath, McNie, Manning, Martin, Mattes, Morris, Mott, Offill, Olson, Peet, Powers, Pritchard, Ritter, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanberry, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—82.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Buckingham, Christianson, Colclo, Greene, Gregory, Hakes, Head, Jepson, Langan, Lowrey, McCulloch, Maben, Nichols, Prevo, Robinson, Temple, Whiting—18.

So the House concurred in the Senate amendments.

On motion of Chassell of Plymouth, by unanimous consent, House file No. 165, a bill for an act to repeal section 1 of chapter 32, acts of the Twenty-seventh General Assembly, and to enact a substitute therefor, relating to the avocation of peddlers, defining the same and fixing a tax therefor, with Senate substitute as amendment therefor, was taken up and the substitute amendment read and considered.

Mr. Chassell moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bixby, Buchanan, Buckingham, Carden, Cassel, Chassell, Cheney, Coburn, Conn, Crose, Cummings, Dashiell, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Hambleton, Hanna, Harris, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Mr. Speaker—78.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Boland, Calderwood, Carstensen, Christianson, Clary, Cobb, Colclo, Davie, Greene, Gregory, Hakes, Hart, Head, Heles, Lowrey, McCulloch, Robinson, Temple, Whiting, Wright, Wyland—22.

So the House concurred in the Senate substitute amendments.

On request of Hart of Allamakee, House file No. 215, a bill for an act for the erection of a monument at the site of the Confederate military prison at Andersonville, Ga., with Senate amendments, was taken up and the amendments read and considered.

Mr. Hart moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow,

English, Flenniken, Frudden, Geneva, Greeley, Hambleton, Hanna, Hart, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Welden, Willson, Wise, Wright, Mr. Speaker—80.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Buckingham, Christianson, Coburn, Colclo, Freeman, Greene, Gregory, Hakes, Harris, Head, Langan, Lowrey, McCulloch, Ritter, Robinson, Temple, Whiting, Whitmer, Wyland—20.

So the House concurred in the Senate amendments.

On request of Jacobson of Winneshiek, unanimous consent having been given, House file No. 316, a bill for an act repealing chapter 18, title XXI of the code, and enacting a substitute therefor, relative to change of name, with Senate amendments, was taken up and the amendments read and considered.

Mr. Jacobson moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Cassel, Chassell, Cheney, Clary, Cobb, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McDole, McElrath, McNie, Manning, Martin, Morris,



Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—86.

The nays were:

None.

Absent or not voting:

Messrs. Carstensen, Christianson, Coburn, Colclo, Greene, Gregory, Hakes, Lowrey, McCulloch, Maben, Mattes, Robinson, Temple, Whiting—14.

So the House concurred in the Senate amendments.

#### REPORT OF COMMITTEE.

Wright of Webster, from the committee on Constitutional Amendments, submitted the following report:

MR. SPEAKER—Your committee on Constitutional Amendments, to whom was referred House joint resolution No. 7, 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 said resolution be indefinitely postponed.

R. M. WRIGHT,  
*Chairman.*

Ordered passed on file.

#### BY THE MINORITY.

MR. SPEAKER—The undersigned, a minority of the committee to whom was referred House joint resolution No. 7, having considered the same, do not concur with the majority in their report and recommend that the same do pass.

R. M. WRIGHT.  
EMORY H. ENGLISH.

Ordered passed on file.

On request leave of absence was granted Jacobson of Winneshiek until Tuesday.

Speaker announced that he had signed in the presence of the House, Senate files No. 231, No. 142, No. 205.

Laird of Fremont asked unanimous consent to withdraw House file No. 72 from further consideration by the House.

Granted.

Doran of Boone asked unanimous consent to withdraw House file No. 332 from further consideration by the House.

Granted.

Kendall of Monroe moved that the House adjourn until 9 o'clock A. M. tomorrow.

Freeman of Pottawattamie moved to amend the motion by making the hour 9 o'clock A. M. Monday.

Lamkin of Lyon moved to amend the amendment by making the hour 2 o'clock P. M. Monday.

Amendment to amendment lost.

Amendment lost.

Original motion prevailed.

The House adjourned.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 2, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. G. H. Putnam of Humeston, Iowa.

Journal of Friday, April 1st, was corrected and approved.

On request leave of absence was granted Wyland of Shelby until Wednesday.

On request leave of absence was granted McNie of Benton until Tuesday.

On request of Kling of Harrison leave of absence was granted Offill of Jasper until Monday.

On request of Hart of Allamakee leave of absence was granted Olson of Worth until Monday.

On request of Nichols of Muscatine leave of absence was granted Martin of Pottawattamie until Monday.

On request of Nichols of Muscatine leave of absence was granted Welden of Hardin until Monday.

On request of Laird of Fremont leave of absence was granted Lamkin of Lyon and Geneva of Keokuk until Monday.

On request of Jepson of Woodbury leave of absence was granted McElrath of Woodbury until Monday.

Wright of Webster was granted unanimous consent to withdraw House file No. 120 from the committee on Agriculture and from further consideration by the House.

## REPORTS OF COMMITTEES.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 437, a bill for an act to amend section three thousand three hundred and seventy-six (3376) of the code of Iowa, as to distributive share of surviving spouse as affected by will, beg leave to report that they have 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 three thousand three hundred and seventy-six (3376) of the code be amended by adding at the end of said section the following: "But when such surviving spouse is mentally incapable of making such election, the court on petition being filed showing such disability, may set the matter down for hearing at such time and place as it may deem best, and direct what notice thereof shall be given; and at such hearing the court may enter an order electing for such spouse, which shall be the election under this section, of the person under such disability."

And that when so amended the same do pass.

N. E. KENDALL,  
Chairman.

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred substitute for Senate file No. 300, a bill for an act relating to offenses by persons in this State, attempted to be consummated or consummated elsewhere than within the borders of this State, and to offenses by persons out of this State attempted to be consummated or consummated in 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 amended by adopting the following substitute:

SUBSTITUTE AS AMENDMENT FOR SUBSTITUTE FOR SENATE FILE NO. 300.

A BILL for an act to amend section five thousand one hundred and fifty-three (5153) of the code, relating to the criminal jurisdiction of the courts of this State in the matter of public offenses.

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

Section 1. The jurisdiction of the courts of this State, as defined by this chapter, shall be held to include any and every public offense, by any person residing or being within the State, committed in whole or in part within this State and against the property or person of another, whether the person injured thereby be at the consummation of the wrongful act, residing

or abiding in this State or in any other State, territory, district or country, and the place of the consummation of such wrongful act shall not affect such jurisdiction.

And that when so amended the same do pass.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also :

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 169, a bill for an act to amend the law as it appears in section four hundred and three (403) of the code, relative to funding and refunding outstanding county indebtedness, beg leave to report that they 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.

Also :

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 322, a bill for an act to amend section four hundred and three (403) of the code, relating to county boards, beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also :

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 442, a bill for an act to amend the law as it appears in section 2297 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 440, a bill for an act to legalize the acts of the city council of Keokuk, beg leave to report that they 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.

Buchanan of Wapello, from the committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 401, a bill for an act to amend section nine hundred and ninety-nine (999) of the code, relating to the condemnation of land by cities under special charter, beg leave to report that they have 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. W. BUCHANAN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your [committee on Municipal Corporations, to whom was referred substitute for Senate file No. 280, a bill for an act to amend the law as it appears in section eight hundred and sixty-one (861) of the supplement to the code, relating to park commissioners, beg leave to report that they 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 Municipal Corporations, to whom was referred House file No. 406, a bill for an act to amend section five hundred and 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 charter, beg leave to report that they have 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. W. BUCHANAN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 341, a bill for an act to provide for the erection, control and supervision of fire escapes to public 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 be indefinitely postponed.

A. W. BUCHANAN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Head of Greene, 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. 303, a bill for an act requiring private banks and private bankers to make and publish semi-annual statements, amendatory to chapter twelve (12), title XI (11) 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.

MAHLON HEAD,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Banks and Banking, to whom was referred Senate file No. 11, a bill for an act repealing the law as it appears in section eighteen hundred and seventy-one (1871) of the code, relating to the examination of banks, 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 recommendation that the same be indefinitely postponed.

MAHLON HEAD,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

English of Polk, from the committee on Insurance, submitted the following report:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 386, a bill for an act to prevent any fire insurance company from insuring any property for a greater sum than the actual cash value thereof and providing penalties for violation of the provisions 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.

EMORY H. ENGLISH,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Insurance, to whom was referred House file No. 225, a bill for an act amending sections seventeen hundred and nine (1709) and seventeen hundred and ten (1710) 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 be indefinitely postponed.

EMORY H. ENGLISH,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Kling of Harrison, 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. 425, a bill for an act to provide for the regulation of persons, firms, companies, partnerships, associations or corporations, other than building and loan associations and insurance companies and associations, which issue, place, sell or otherwise engage in the business of handling certificates, memberships, shares, contracts, debentures, bonds, stocks, tontine contracts or other investment securities or agreements of any kind or character, or the partial payment or installment plan, prescribing the terms and conditions upon which such persons, firms, companies, partnerships, associations or corporations shall be permitted to do business within 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 inserting in line two (2) of section six (6) of the printed bill, after the word "State," the following: "a bond approved by the Executive Council, guaranteeing the faithful performance of all contracts entered into by such association or."



Also, further amended by inserting in line four (4) of section six (6) after the word "Assembly", the following words: "or such other securities as shall be approved by the Executive Council"; also, further amended by inserting in line ten (10) of section nine (9), after the word "stock", the following words: "after three years from the issuance of said stock".

And that when so amended the bill do pass.

H. B. KLING,  
*Chairman.*

Ordered passed on file.

Pritchard of Wright, from the committee on Agriculture, submitted the following report:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House file No. 422, a bill for an act to amend chapter 2, title X of the code, relating to levees heretofore constructed in or through two or more counties, the appointment of a commissioner therefor, and the repair and improvement thereof, and the raising of funds for such repairs, beg leave to report that they 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. S. PRITCHARD,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House file No. 36, a bill for an act to promote the public health, convenience and welfare, by leveeing, ditching and draining the lands of the State, and providing for the establishment of levees, drainage districts or for the changing of natural water courses to secure better drainage, and providing for the construction of ditches, drains and water courses and prescribing the method for so doing, and providing for the assessment and collection of the costs and expenses of the same, and issuing improvement certificates, or issuing and selling bonds therefor, additional to title X (10), chapter two (2) of the code and code supplement, beg leave to report that they have 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 promote the public health, convenience and welfare, by leveeing, ditching and draining the lands of the State, and providing for the establishment of levees, drainage districts, or for the changing of natural water courses to secure better drainage, and providing for the construction of ditches, drains and water courses and prescribing the method for so doing, and providing for the assessment and

collection of the costs and expenses of the same, and issuing improvement certificates, or issuing or selling bonds therefor, additional to title X (10), chapter two (2) of the code and code supplement.

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

Section 1. The board of supervisors of any county shall have jurisdiction, power and authority at any regular, special or adjourned session to establish a drainage district or districts, and to locate and establish levees, and cause to be constructed as hereinafter provided any levee, ditch, drain or water course, or to straighten, widen, deepen or change any natural water course, in such county, whenever the same will be of public utility or conducive to the public health, convenience or welfare, and the drainage of surface waters from agricultural lands shall be considered a public benefit and conducive to the public health, convenience, utility and welfare.

Sec. 2. Whenever a petition signed by one or more of the land owners whose lands will be affected by, or assessed for the expenses of, the proposed improvements, shall be filed in the office of the county auditor, setting forth that any body or district of land in the county, described by metes and bounds, or otherwise, so as to convey an intelligible description of such lands, is subject to overflow or to wet for cultivation, and that the public benefit or utility, or the public health, convenience or welfare will be promoted by draining, ditching, tiling or leveeing the same, or by changing a natural water course, and setting forth therein the starting point, route and terminus, and lateral branches, if necessary, of the proposed improvement, and there is filed therewith a bond, in amount and with sureties to be approved by the county auditor and conditioned for the payment of all costs and expenses incurred in the proceedings in case the supervisors do not grant the prayer of said petition, the board shall at its first session thereafter, regular, special or adjourned, appoint a disinterested and competent engineer and place a copy of the petition in his hands and he shall proceed to examine and survey the lands described in said petition, and other lands if necessary, and locate such improvement or improvements as may be petitioned for along the route described in the petition or other route answering the same purpose if found more practicable or feasible, as will be for the public benefit or utility, or conducive to the public health, convenience or welfare, and he shall make return of his proceedings to the county auditor, which return shall set forth a full and complete description of all lands which in his opinion will be affected by said improvement or improvements, and the names of the owners thereof as they appear in the transfer books of the auditor's office, and he shall also return a plat and profile of said lands and proposed improvement or improvements with the levels and elevations of the same thereon, and how said different tracts of lands will be affected thereby, and the course and length of the drain or drains through each tract of land and its situation and elevation so far as he may deem necessary, together with the probable cost and such other facts and recommendations as he may deem material.

Sec. 3. Upon the filing of the return of the engineer, if the same recommends the establishment of the levee or drainage district, the auditor

shall immediately thereafter cause notice in writing to be served upon the owner of each tract of land or lot within the proposed levee or drainage district, as shown by the transfer books of the auditor's office, and also upon the person in actual occupancy of any lands or lots, and upon each lien holder or incumbrancer of any land through which or abutting upon which the proposed improvement extends as shown by the county records, of the pendency and prayer of said petition, the favorable report thereon by the engineer, the day set for hearing the same before the board of supervisors, and all claims for damages must be filed in the auditor's office not less than ten days before the day set for hearing upon the petition, which notice, as to residence as to the county, shall be served not less than twenty days prior to the time set for such hearing, in the manner that original notices are required to be served. In case any such owner, lien holder or incumbrancer is a non-resident of the county, such notice as to him shall be published once each week for two consecutive weeks in some newspaper of general circulation published in the county, the last of which publications shall be not less than twenty days prior to the day set for hearing upon the petition. proof of such service to be made by affidavit of the publisher and filed with the county auditor.

Sec. 4. Any person claiming damages as compensation for or on account of the construction of such improvement shall file such claim in the office of the county auditor at least five days prior to the day on which the petition has been set for hearing, and on failure to file such claim at the time specified, shall be held to have waived his rights thereto.

Sec. 5. The board of supervisors at the session set for the hearing on said petition, which session may be regular, special or adjourned, shall thereupon proceed to hear and determine the sufficiency of the petition in form and matter, which petition may be amended as to form and substance at any time before final action thereon, and, if deemed necessary, the board may view the premises and if they shall find that such levy or drainage districts would not be for the public benefit or utility nor conducive to the public health, convenience or welfare, they shall dismiss the proceedings; but, if they shall find such improvement conducive to the public health, convenience or welfare or to the public benefit or utility and no claim shall have been filed for damages as provided in section four hereof, they shall locate and establish the same in accordance with the recommendations of the engineer; but if any claims have been filed for damages, as provided in section four hereof, then the board of supervisors shall proceed no further than to determine the necessity of the levy or drainage districts and further proceedings shall be continued to an adjourned, regular or special session, the date of which shall be fixed at the time of the adjournment; and the county auditor shall appoint three appraisers to assess such damages who shall be disinterested freeholders of the county and not related to any party interested in the proposed improvement nor themselves interested in a like improvement.

Sec. 6. The appraisers appointed to assess damages shall proceed to view the premises and determine and fix the amount of damages to which such claimant is entitled, and shall, at least five days before the date fixed by the board to hear and determine the same, file with the county auditor

reports in writing showing the amount of damages sustained by each claimant. Should the report not be filed in time or should any good cause for delay exist the board may postpone the time of final action on the subject and, if necessary, the auditor may appoint other appraisers. When the time for final action shall have arrived, and after the filing of the report of the appraisers, said board shall consider the amount of damages awarded in their final determination in regard to establishing such levee or drainage district and if, in their opinion, the amount of damages awarded is not excessive and a greater burden than should be properly borne by the land benefited by the improvement, they shall locate and establish the same, and shall thereupon proceed to determine the amount of damages sustained by each claimant, and may hear evidence in respect thereto and may increase or diminish the amount awarded in respect thereto, and any party aggrieved may appeal from the finding of the board in establishing the improvement or from its finding in the allowance of damages, to the district court by filing notice with the county auditor at any time within ten days after such finding, at the same time filing a bond with the county auditor, approved by him, and conditioned to pay all costs and expenses of the appeal unless the judgment of the district court shall be more favorable to the appellant or appellants than the finding of the board, which appeal shall be tried in the district court as an ordinary proceeding, except that when the appeal is from the order of the board in establishing the levee or drainage district it shall be tried in equity and the appearance term shall be the trial term.

Sec. 7. The amount of damages finally determined by the board in favor of any claimant or claimants shall be required to be paid in the first instance by the parties benefited by the said levy or drainage district, or secured to be paid upon such terms and conditions as the county auditor may deem just and proper, and after such damages shall have been paid or secured as aforesaid, the board shall divide said improvement into suitable sections, numbering the same consecutively from the source or beginning of the improvement downward toward its outlet and prescribed the time within which the improvement shall be completed and appoint a competent engineer to have charge of the work of construction thereof, who shall be required before entering upon the work to give a bond to the county for the use and benefit of the levee or drainage district to be approved by the auditor in such sum as the board may fix, conditioned for the faithful discharge of his duties.

Sec. 8. The board shall cause notice to be given for four consecutive weeks in some newspaper published in the county wherein such improvement is located and such additional publication elsewhere as they may direct, of the time and place of letting the work of construction of said improvement, and in such notice they shall specify the approximate amount of work to be done in each section and the time fixed for the completion thereof and they shall award contract or contracts for each section of the work to the lowest responsible bidder or bidders therefor, or to the lowest responsible bidder considering the same as a whole, exercising their own discretion as to letting said work as a whole or in sections and reserving the right to reject any and all bids and readvertise the letting of the work.

Each person bidding for such work shall deposit in cash or certified check a sum equal to ten per centum of the amount of the bid, not in any event, however, to exceed ten thousand dollars, said deposit to be returned to him if his bid is not successful, and if successful to be retained as a guarantee only of his good faith in entering on said contract. The successful bidder shall be required to execute a bond with sufficient sureties in favor of the county for the use and benefit of the levee or drainage district in an amount equal to twenty-five per centum of the estimated cost of the work so let, or he may deposit such amount in cash with the auditor as security for the performance of his contract and upon the execution of such bond, or the making of such deposit, the deposit originally made with his bid shall be returned to him.

Sec. 9. The engineer in charge of the construction shall furnish the contractor monthly estimates of the amount of work done on each section and upon filing the same with the auditor, he shall draw a warrant in favor of such contractor, or deliver to him improvement certificates, as the case may be, for eighty per centum of the value of the work done according to the estimate, and when said improvement is completed to the satisfaction of the engineer in charge thereof and so certified by him to the board and approved by it, the auditor shall draw a warrant in favor of said contractor upon the levee or drainage fund, or deliver to him improvement certificates, as the case may be, for the balance due.

Sec. 10. If any person to whom any portion of said work shall have been let shall fail to perform the same according to the terms specified in his contract, then the cash deposited by him shall be forfeited to the county, or recovery may be had in an action on the bond by the county, for the benefit of the levee or drainage district, for the damages sustained and the work shall be relet by the board in the manner hereinbefore provided.

Sec. 11. If, after said contract shall have been let and the work begun, it shall become apparent to the engineer in charge that the dimensions of the levee, ditch or drain should be enlarged, deepened or otherwise changed for the better service thereof of the lands benefited, then the engineer shall report such fact to the supervisors, explaining to them the necessity of such change, and the board by resolution authorize such change in the dimensions of said improvement as the engineer shall recommend, provided that before such action shall be taken, like notices shall be given and like proceedings had as hereinbefore provided for the establishment of the levee or drainage district.

Sec. 12. When the levee or drainage district or other improvement herein provided for shall have been located and established as provided for in this act, or when it shall be necessary to cause the same to be repaired, enlarged, reopened or cleared from any obstruction therein, unless such repairs, reopening or clearing of obstructions can be paid for as hereinafter provided, the board shall appoint three commissioners, one of whom shall be a competent civil engineer and two of whom shall be resident freeholders of the county, not living within the levee or drainage district and not interested therein or in a like question, nor related to any party whose

land is affected thereby; and they shall within twenty days after such appointment personally inspect and classify all the lands benefited by the location and construction of such levee or drainage district, or the repairing or reopening of same, in tracts of forty acres or less according to the legal or recognized subdivisions in a graduated scale of benefits, to be numbered according to the benefit to be received by the proposed improvement; and they shall make an equitable apportionment of the costs, expenses, costs of construction, fees and damages assessed for the construction, of any such improvement, or the repairing or reopening of the same, and make report thereof in writing to the board of supervisors. In making the said estimate the lands receiving the greatest benefit shall be marked on a scale of one hundred and those benefited in a less degree shall be marked with such percentage of one hundred as the benefit received bears in proportion thereto. This classification when finally established shall remain as a basis for all future assessments connected with the subjects of said levee or drainage district, unless the board, for good cause, shall authorize a revision thereof. In the report of the appraisers so appointed, they shall specify each tract of land by proper description and the ownership thereof as the same appears on the transfer books in the auditor's office, and the auditor shall cause notice to be served upon each person whose name appears as owner and also upon the person or persons in actual occupancy of any such land in the manner provided for the establishment of a levee or drainage district, which notice shall state the amount of special assessments apportioned to such owner, upon such tract or lot, the day set for hearing the same before the board of supervisors and that all objections thereto must be made in writing and filed with the county auditor on or before noon of the day set for such hearing. When the day set for hearing shall have arrived, the board of supervisors shall proceed to hear and determine all objections made and filed to said report and may increase, diminish, annul or affirm the apportionment made in said report or in any part thereof as may appear to the board to be just and equitable; but in no case shall it be competent to show that the lands assessed would not be benefited by the improvement, and when such hearing shall have been had the board shall assess such apportionment so fixed by it upon the lands within such levee or drainage district. If the first assessment made by the board of supervisors for the original cost or for repairs of any improvement as provided in this act is insufficient, the board may make an additional assessment and levy in the same ratio as the first for either purpose.

Sec. 13. In estimating the benefits as to the lands not traversed by said improvement they shall not consider what benefits such lands will receive after some other improvements shall have been constructed, but only the benefits which will be received by reason of the construction of the improvement in question as it affords an outlet for the drainage of such lands. Said tax shall be levied upon the lands of the owners so benefited in the ratio aforesaid and collected in the same manner as other taxes for county purposes, and the funds so collected shall be kept as a separate fund and shall be paid out only for purposes properly connected with such improvement on the order of the board of supervisors.

Sec. 14. An appeal may be taken to the district court from the order of the board fixing the assessment of benefits upon the lands in the same manner and time as herein provided for appeals from the assessment of damages. The board shall provide a book to be known as the "Drainage Record" and the county auditor shall keep a full and complete record therein of all proceedings in each case and upon an appeal being taken shall make a full and complete transcript thereof and transmit the same to the clerk of the district court on or before the first day of the term to which the appeal shall be taken.

Sec. 15. Any ditch, drain or water course which is now or may hereafter be constructed so as to prevent the surface and overflow of waters from the adjacent lands from entering the same is hereby declared a nuisance and may be abated as such; and any person or corporation diverting, obstructing, impeding or filling up any such ditch, drain or water course or breaking down any levee established under the provisions of this act without legal authority, shall be deemed guilty of a nuisance and criminally punished as such.

Sec. 16. In any proceedings heretofore or hereafter had for the establishment of a ditch, drain, levee or the changing of a natural water course, or the establishment of a levee or drainage district where an engineer has been appointed and has made a complete survey, return and plat thereof, and for any reason the improvement has been abandoned and the proceedings dismissed and afterwards proceedings are instituted for the establishment of a levee or drainage district, or the changing a natural water course, for the benefit or reclamation of the same territory surveyed in said former proceedings, or a part thereof, or the same with territory additional thereto, the engineer shall use the return, plat and profile made in said former proceeding, or so much thereof, as may be applicable.

Sec. 17. Where proceedings have been had for the establishment of a ditch, drain, levee, change of natural water course or the establishment of a drainage district under the law as heretofore existing, and such improvement has been established and constructed and taxes levied upon the land benefited thereby, or upon any portion thereof for the cost of such improvement, and where the levy so made cannot for any reason be enforced, the board shall proceed as to all lands benefited by said improvement in the same manner as if the appraisalment and apportionment of benefits had never been made; and they shall proceed in the manner hereinbefore provided, using as a basis the entire cost of such improvement, and in taxing up said benefits account shall be taken of the amount of tax, if any, that has been paid by those benefited and credit therefor shall be given accordingly.

Sec. 18. Whenever the engineer in charge shall make survey for the purpose of preparing his return, plat and profile of a proposed levee or drainage district or change of a natural water course and the same as surveyed would cross the right of way of any railroad company, it shall be the duty of the engineer in charge of the work to notify the railroad company by serving a written notice upon the nearest station agent of such company that he will meet the company at the place where the said pro-

posed ditch, drain or water course crosses the right of way of said company, said notice fixing the time of such meeting which shall not be less than five days after the service of the same, for the purpose of conferring with such railroad company in relation to the place where and the manner and method in which such improvement shall cross such right of way. When the time shall arrive, fixed for such conference, unless for good cause some other time is agreed upon, it shall be the duty of the engineer in charge and the railroad company to agree, if possible, upon the place where, and the manner and method in which such improvement shall cross such right of way. If the engineer in charge and the railroad company cannot agree, or if the railroad company shall fail, neglect or refuse to confer with the engineer in charge, the county auditor shall at once notify the railroad commissioners in writing by registered letter of the failure of the engineer in charge and the railroad company to agree, and it shall be the duty of the railroad commissioners to proceed within thirty days to view the premises and hear the parties in relation thereto, giving to the county auditor and the railroad company notice by registered letter of the time when they will view the premises and hear the parties, which notice shall be mailed to each party at least ten days prior to the time fixed for such hearing. At the close of the hearing it shall be the duty of the railroad commissioners to determine the place where, and the course, direction and manner in which such ditch, drain or water course shall cross such right of way and notify each party in writing of their decision and finding. The determination and finding of the railroad commissioners in relation thereto shall be final and binding upon the parties.

Sec. 19. Whenever the board of supervisors shall have established any levee or drainage district or change of any natural water course, and the levee, ditch, drain or water course crosses the right of way of any railroad company, and the place where and the manner and method of crossing such right of way shall have been determined as provided in the preceding section, such railroad company shall within thirty days after being notified by the county auditor to construct the same and the time within which the work must be completed, proceed to construct such levee, ditch, drain or change of natural water course in accordance with the plans and specifications as shown by the plat and profile of the engineer. If such railroad company shall fail, neglect or refuse to do so within the time fixed in such notice, the auditor shall cause the work to be done under the supervision of the engineer in charge of the improvement and the railroad company shall be liable for the cost thereof, to be collected by the county in any court having jurisdiction. All other proceedings in relation to railroads shall be same as provided for individual property owners within the district, except that the cost of constructing the improvement across its right of way shall be considered as an element of its damages by the appraisers thereof; and the commissioners to assess benefits shall fix and determine the actual benefits to the property of the railroad company within the levee or drainage district and make return thereof with their regular return.

Sec. 20. Where the board of supervisors shall have established any levee, drainage district or change of any natural water course, and when



such levee, ditch, drain or change of any natural water course crosses any public highway, the actual cost of constructing the same across such highway shall be paid by the township trustees from the road fund of such township; and whenever the making of such improvement across any highway necessitates the building of a bridge over the same, the board of supervisors shall build and construct the same and pay all costs and expenses thereof out of the county bridge fund. Whenever any highway within the levee or drainage district will be beneficially affected by the construction of any improvement or improvements in such district, it shall be the duty of the commissioners appointed to classify and assess benefits to determine, and return in their report the amount of the benefit to such highway, and notice shall be served upon the clerk of the township in which said highway is located and provided in case of an individual property owner. At the time fixed for hearing upon such report the board of supervisors shall fix and determine the amount to be apportioned to the road district on account of such benefit; and the amount so fixed shall be paid to the county, for the use and benefit of the levee or drainage district, from the road fund of such township or from the county road fund, or partly from each of said funds as the board may determine.

Sec. 21. Whenever a levee or drainage district shall have been established by the board and it shall become necessary or desirable that the levee, ditch, drain or improvement should be located and constructed within the limits of any public highway, on either or both sides and along the same, it shall be so built as not materially to interfere with the public travel thereon; and the board of supervisors shall have power and authority to lay out and establish public highways along and upon any levee or embankment along any ditch or drain built under the provisions of this act, provided that when so established the same shall be worked as other highways and so as not to impair the levee, ditch or drain.

Sec. 22. Whenever any levee or drainage district shall have been established and the improvement constructed as in this act provided, the same shall at all times be under the control and supervision of the board of supervisors and it shall be the duty of the board to keep the same in repair and for that purpose they may cause the same to be enlarged, reopened, deepened, widened, straightened or lengthened for a better outlet, and they may change or enlarge the same or cause all or any part thereof to be converted into a closed drain when considered for the best interests of the public rights affected thereby. The cost of such repairs or change shall be paid by the board from the drainage fund of said levee or drainage district, or by assessing and levying the cost of such change or repair upon the lands in the same proportion that the original expenses and cost of construction were levied and assessed, except where additional right of way is required or additional lands affected thereby, in either of which cases the board shall proceed as hereinbefore provided; provided, however, that if the repair is made necessary by the act or negligence of the owner of any land through which such improvement is constructed or by the act, or the negligence of his agent or employe, or if the same is filled and obstructed by the cattle, hogs or other stock of such owner, employe or agent

then the cost thereof shall be assessed and levied against the lands of such owner alone.

Sec. 23. The owner of any land, lot or premises that have been assessed for the payment of the cost of the location and construction of any ditch, drain, or water course as hereinbefore provided, shall have the right to use the ditch, drain or water course as an outlet for lateral drains from said land, lot or premises.

Sec. 24. If any person who owns land within the drainage district which has been assessed for benefits and which is separated from the ditch, drain or water course for which it has been assessed, by the land of another or others, shall desire to ditch or drain his said land across the land of such other or others into such ditch, drain or water course and shall be unable to agree with such other or others on the terms and conditions on which he may enter upon their lands and construct such drain or ditch, he may proceed in the manner in this section provided, and the ditch or drain which he shall construct or cause to be constructed shall be considered to be conducive to that public health, welfare, convenience and utility to promote which said drainage district was established. He may file his petition with the county auditor asking the board to establish a sub-district within the limits of the original district for the purpose of securing more complete drainage, describing the lands to be affected thereby by meets and bounds or otherwise so as to convey an intelligible description of such lands; and the bond and all other proceedings shall be the same as herein provided for the establishment, formation and construction of original districts and improvement thereof, including the assessment of damages and the assessment of benefits and when established and constructed it shall be and become a part of the drainage system of such drainage district and be under the control and supervision of the board of supervisors.

Sec. 25. When two or more districts shall have their outlet or discharge into the same natural water course or stream and it shall become necessary to deepen or enlarge said natural water course or stream, each district shall be assessed for the cost of such work in the same ratio to such total cost as the discharge of waters of such district bears to the combined discharge of waters of the several districts emptying into said natural water course or stream; but no district shall be liable to contribute for any improvement or costs and expenses incurred in improving said natural water course or stream above the point of discharge of the waters of such district into the same.

Sec. 26. If any levee, drainage district or improvement heretofore established, or which may hereafter be established, shall prove insufficient to protect or drain all of the lands necessarily tributary thereto, the board of supervisors, upon petition therefor as for the establishment of an original levee or drainage district, shall have the power and authority to establish a new levee or drainage district covering and including such old district or improvement, together with any additional lands deemed necessary; and whenever a new district shall be established as contemplated in this section and the new improvement shall extend into or along the former

improvement, the commissioners of classification and benefits shall take into consideration the value of such old improvement in the construction of the new improvement and credit the same to the parties owning the old improvement as their interests may appear.

Sec. 27. The special assessment for benefits made by the commissioners appointed for that purpose, as corrected and approved by the board of supervisors, shall be levied at one time by the board against the property so benefited, and when levied and certified shall be payable at the office of the county treasurer. If the owner of any parcel of land, lot or premises against which any such levy shall have been made and certified, which is embraced in any certificate provided for in this section, shall within thirty days from the date of such assessment promise and agree in writing endorsed upon such certificate, or in a separate agreement, that in consideration of having the right to pay his assessment in installments, he will not make any objection of illegality or irregularity as to the assessment of benefits, or levy of such tax upon and against his property, but will pay said assessment with interest thereon at such rate not exceeding six per centum per annum as shall be prescribed by resolution of the board. Such tax so levied against the land, lot or premises of such owner shall be payable in ten equal installments, the first of which with interest on the whole assessment shall mature and be payable on the date of such assessment, and the others with interest on the whole amount unpaid annually thereafter at the same time and in the same manner as the March semi-annual payment of ordinary taxes; but where no such terms and agreement in writing shall be made by the owner of any land, lot or premises then the whole of said special assessment, so levied upon and against the property of such owner, shall mature at one time and be due and payable with interest from the date of such assessment, and shall be collected at the next succeeding March semi-annual payment of ordinary taxes. All of such tax with interest shall become delinquent on the first day of March next after its maturity and shall bear the same interest with the same penalties as ordinary taxes. And the board may provide by resolution for the issuance of improvement certificates, payable to bearer or to the contractors who have constructed the said improvement or completed part thereof within the meaning of this act in payment or part payment therefor, each of which certificates shall state the amount of one or more assessments or part thereof made against the property designating it and the owners thereof liable to assessments for the cost of same, and said certificate may be negotiated. Such certificate shall transfer to the bearer, contractor or assigns all right and interest in and to the tax in every such assessment, or part thereof, described therein and shall authorize such bearer, contractor or assignee to collect and receive every assessment embraced in said certificate, by or through any of the methods provided by law for their collection, as the same mature. Such certificates shall bear interest not to exceed six per centum per annum, payable annually, and shall be paid by the taxpayer to the county treasurer who shall receipt for same and cause the amount paid to be applied to the payment of the certificate issued therefor. Provided, that any person shall have the right to pay the full amount of the tax so levied against his property, together

with interest thereon to date of payment at any time he desires so to do, even before the maturity of any certificates issued therefor. No certificate shall be issued or negotiated for the use of the drainage district for less than par value with accrued interest up to the delivery or transfer thereof. Should the costs of such work exceed the amount of benefits assessed and certificates issued, a new apportionment and levy of tax may be made and other certificates issued in like manner.

Sec. 28. If the board of supervisors shall determine that the estimated cost of reclamation and improvement of such district of land is greater than should be levied in a single year upon the lands benefited, instead of issuing improvement certificates as provided in the preceding section, it may fix the amount that shall be levied and collected each year and may issue drainage bonds of the county, bearing not more than six per centum annual interest and payable semi-annually in the proportions and at the times when such taxes shall have been collected, and may devote the same at par to the payment of the work as it progresses or may sell the same at not less than par and devote the proceeds to such payment; and if in the sale of said bonds a premium is received, such premium shall be credited to the drainage fund, and should the cost of such work exceed the estimate, a new apportionment of the tax may be made and other bonds issued and sold in like manner, but in no case shall the bonds run longer than fifteen years. Any property owner may pay the full amount of the benefit assessed against his property before such bonds are issued and receive a receipt in full therefor. The terms and times of payment of the bonds so issued shall be fixed by the board. Said bonds shall be issued for the benefit of the district numbered thereon and each district shall be numbered by the board of supervisors and recorded by the auditor, said record showing specifically the lands embraced in said district and upon which the tax has not been previously paid in full. In no case shall the amount of bonds exceed the benefits assessed.

Each bond issued shall show expressly upon its face that it is to be paid only by a tax assessed, levied and collected on the lands within the district so designated and numbered, and for the benefit of which district such bond is issued; nor shall any tax be levied or collected for the payment of said bond or bonds, or the interest thereon, on any property outside the district so numbered, designated and benefited.

Sec. 29. Owners of land which requires combined drainage may provide for the establishment of a drainage district or location, and construction of drains, ditches and water courses upon their own lands by mutual agreement in writing duly signed, acknowledged and filed with the county auditor; such agreement may include the location, the character of the work to be done, the adjustment of the damages, the classification of the lands to be benefited thereby, the amount of taxes or special assessments to be levied, when the same shall be levied, or so many of these or other provisions as may be agreed upon, and to such extent shall be as valid and binding as though performed in the mode and manner provided for in this act. Upon the filing of the agreement with the county auditor, the board of supervisors shall at the next session thereafter establish such drainage district, and locate the ditch, drain or water course provided for in said

mutual agreement according to the terms thereof, and shall thereafter have full and complete jurisdiction of the parties and subject matter, and order such procedure under the provisions of this act as may be required or necessary to carry out the object, purpose and intent of such agreement and to complete and construct the desired improvement and shall retain jurisdiction of the same as fully as in other cases made and provided for in this act.

Sec. 30. When the desired levee or drainage district extends into or through two or more counties and embraces land in two or more counties, a petition of one or more owners of land to be affected or benefited by such improvement shall be presented to the county auditor of each county into or through which said levee or drainage district will extend, accompanied by a bond to be filed with the county auditor of each of the said counties at the time of filing such petition, conditioned as provided when the district is wholly within one county, in an amount and with sureties satisfactory to, and approved by, the board of supervisors. Upon the presentation of such petition and the approval of such bond, the board of supervisors of each of said counties shall appoint a commissioner, and the commissioners of the several counties thus appointed shall meet within ten days thereafter and appoint a competent engineer, and such commissioners and engineer shall together make a survey of the entire lands embraced in the district, and shall determine what improvement or improvements in the way of levees, drains, ditches or changing of natural water courses are necessary for the reclamation of the lands described in the said petition; the engineer shall make a plat of all of the lands of said district, showing thereon the proposed improvements, the elevations and levels of said lands, so far as he may deem necessary, and a profile of said levee, drains, ditches or changes in any natural water course and shall file a copy in the auditor's office of each of said counties together with a full return of said commissioners and engineer explaining the situation, describing the lands, the improvements, what effect said improvements will have upon the lands of said district, the source and length of any levee, drain, ditch or change of any natural water course through each tract of land, the estimated cost of the same, the dimensions of said improvement, together with the names of the owners of all lands included within said district as shown by the transfer books in the auditor's office and which in their opinion will be affected or benefited thereby, together with such other facts and recommendations as to them shall seem advisable, and especially whether or not in their judgment such levee or drainage district should be established. Immediately upon the filing of such return, plat and profile, if such return recommends the establishment of the levee or drainage district, each county auditor of said counties shall cause the owners, lien holders and incumbancers, as shown by the county records, and the parties in actual occupancy of the lands within his county, to be notified of the time and the place where the boards of the several counties will meet in joint session for the consideration of said petition and return. Such notice shall be the same and served in the same manner as provided in this act when the levee or drainage district is wholly within one county.

Sec. 31. Any person claiming damages as compensation for, or on account of the construction of such improvement shall file his claim in writing therefor in the office of the county auditor of the county in which his land is situated, at least five days prior to the time at which the petition has been set for hearing, and on failure to file such claims at the time specified shall be held to have waived his right thereto.

Sec. 32. At the time set for hearing such petition the boards of the several counties shall meet at the place designated in said notice and sit jointly in considering the petition and proceed in the same manner as provided in section five of this act, except that if it becomes necessary to appoint appraisers, the boards of supervisors acting jointly shall appoint one appraiser from each county, and if said levee or drainage district extends into or through only two counties then the two appraisers shall choose a third, and they shall then proceed in the same manner and make the same return as provided in section six of this act, except that a copy thereof shall be filed in the auditor's office of each of the several counties. After the filing of the report of such appraisers the further proceedings of the boards of supervisors acting jointly shall be the same as in this act provided where the levee or drainage district is wholly within one county, so far as applicable except as herein otherwise provided.

Sec. 33. If the boards of supervisors, acting jointly, shall establish the levee or drainage district, they shall appoint a commission, one of whom shall be selected from each county, and in addition thereto a competent engineer, each of whom shall have the same qualifications as provided where the district is wholly within one county; and said commission shall within twenty days go upon and view the premises and classify the same as hereinbefore provided where the district is wholly within one county, and in addition thereto shall make an equitable apportionment of the costs, expenses, costs of construction, fees and damages assessed for the construction of such improvement or of the repairing or reopening the same, and make report thereof as provided where the improvement is wholly within one county, except a copy of said report shall be filed with each of the several county auditors. Immediately upon the filing of such report the several county auditors, acting jointly, shall cause notice to be served of the time when and the place where the boards of supervisors will meet and consider such report, which notice shall be the same and served in the same manner, and all proceedings thereon shall be the same as provided where the district is wholly within one county, except after the amount to be assessed and levied against the several parcels or tracts of land shall have been apportioned and finally determined, the several boards of supervisors acting separately, and within their own counties, shall proceed to levy and collect the taxes thus apportioned in the same manner as provided where the district is wholly within one county, and they may issue improvement certificates or may sell bonds for the full amount of the benefits apportioned such county.

Sec. 34. If the boards of supervisors, acting jointly, shall establish such levee or drainage district, the auditors of the several counties shall immediately thereafter, acting jointly, cause notice to be given of the time and place of the meeting of the boards for letting the contracts for the

construction of the improvement. The notices, bond and all other proceedings in relation to letting the contract or contracts shall be the same as in this act provided where the district is wholly within one county, except that the several boards shall act jointly.

Sec. 35. At the time of establishing the levee or drainage district the boards of supervisors shall appoint a competent engineer to have charge of the construction of the work, and they shall fix his compensation therefor, and he shall before entering upon and taking charge of said work give bond to the counties for the use and benefit of the levee or drainage district, approved by the boards of supervisors in such sum as they may direct, conditioned for the faithful discharge of his duties. The engineer in charge of the work shall furnish the contractor monthly estimates of the amount of work done on each section and the amount due from each county, a duplicate of which shall be filed with the auditor of each of the several counties. Upon the filing of such statement, each auditor shall draw a warrant or deliver to him improvement certificates, as the case may be, in favor of the contractor for eighty per centum of the amount due from his respective county. When said improvement is completed to the satisfaction of the engineer in charge and accepted by the boards of supervisors, the engineer shall certify such fact to the several county auditors and each county auditor shall draw a warrant in favor of the contractor, or deliver to him improvement certificates, for the balance due from his respective county.

Sec. 36. Any person or persons aggrieved shall have the right to appeal in the same time and in the same manner as provided when the district is wholly in one county, except that if the appeal is taken from the action of the boards in establishing the levee or drainage district, such appeal may be taken to the district court of either county in which the district or some part thereof is located. If said appeal is from the award of damages or assessment of benefits the appeal shall be taken to the district court of the county in which the land affected is located.

Sec. 37. Whenever the establishment of a levee or drainage district extending into or through two or more counties, is petitioned for as hereinafter provided, and one or more of such boards of supervisors neglect, fail or refuse to take action thereon, the petitioner or petitioners may cause notice in writing to be served upon the chairman of such board or boards, demanding that action be taken upon the prayer of the petition within twenty days from and after the service of such notice; and if such board or boards shall neglect, fail or refuse to take action thereon within the time named, or if such action is taken and the boards of supervisors cannot agree as to the proper determination thereof, the petitioner or petitioners may cause such proceedings to be transferred to the district court of either of the counties into or through which such proposed district or some part thereof extends, by serving notice upon the auditors of the several counties within ten days after the expiration of the time fixed by the notice served upon the chairman of the board or boards, or within ten days after the failure of such boards to agree. Upon such notice being given the auditors shall, acting jointly, prepare and certify to the clerk of the district court a full and complete transcript of all proceedings had in

such case, on or before the first day of the next succeeding term of said court. The clerk of the district court shall thereupon docket the case and the same shall be tried as in equity and the appearance term shall be the trial term, and the court shall enter judgment and decree dismissing the case or establishing such levee or drainage district and may by proper orders and right enforce its judgment and decree.

Sec. 38. Whenever the district is located in two or more counties, the boards of supervisors shall have power and authority to adjourn from time to time and meet in special session and in all cases shall have the same jurisdiction, power and authority as provided where the improvement is wholly within one county, and all proceedings shall be the same so far as applicable and not herein otherwise provided.

Sec. 39. The board of supervisors shall have the same power, right and authority to establish a levee or drainage district that includes the whole or any part of any incorporated town or city, including cities acting under special charter, as they have to establish districts as hereinbefore provided, and they shall have the same power, right and authority with respect to the assessment of damages and benefits within such towns or cities as they have in other cases provided for in this act, and like notice to such city or town with respect to the establishment of such district and the apportionment and assessment of damages and benefits shall be given as is required by this act to be given to owners of property damaged or benefited by the establishment or construction of such improvement.

Sec. 40. Whenever a drainage district is established in any county in this State and no practicable or feasible outlet can be obtained except through the lands of an adjoining state, the board of supervisors of such county shall have power and authority to purchase a right of way for such outlet in such adjoining state and pay for the same out of the funds of such district.

Sec. 41. Whenever a levee has been established, or shall hereafter be established, and constructed in any county, the board of supervisors shall be empowered and authorized to employ one or more persons whose duty it shall be to watch such levee and make repairs thereon in case of emergency or cause the same to be made. And such employe shall file with the county auditor an itemized bill for services rendered, and cost and expense incurred in watching or repairing such levee, and the same shall be audited and allowed by the board as other claims and demands, and the amount or amounts so allowed shall be paid by the county from the funds belonging to such levee district. If there are no funds on hand belonging to such district, the same shall be paid in the first instance by the county from the general fund and the board shall proceed to assess and levy a tax upon the lands in such district, which assessment and levy shall be apportioned to each tract of land in the same ratio that the original cost thereof was apportioned, and when collected the auditor shall draw a warrant thereon in favor of the county for the sum or sums so paid from the county funds.

Sec. 42. Any engineer employed under the provisions of this act shall receive such compensation per diem as shall be fixed and determined by the board of supervisors. Appraisers of damages and commissioners to assess



benefits, other than the engineer, shall receive three dollars per day each, and all other fees and costs required under the provisions of this act shall be the same as provided by law for like services in other cases. Such costs and expenses shall be paid by the order of the board of supervisors out of the county treasury from the levee or drainage funds collected for that purpose upon warrants drawn by the county auditor.

Sec. 43. Whenever a levee or drainage district or districts shall be petitioned for or established in any county, the board of supervisors shall allow the county auditor such compensation, or furnish such additional help, as shall be just and reasonable, to be paid by the county; and the county auditor shall be the custodian of all papers and records pertaining to the levee or drainage matter in his county and shall keep the book known as the Drainage Record and shall record therein all of the proceedings of the board of supervisors pertaining to the subject of levees or drainage, as well as the papers required to be issued or filed by the county auditor in such proceedings.

Sec. 44. Whenever the township trustees of any township or townships shall desire to drain any highway within or under the jurisdiction of such trustees, and it becomes necessary to cross the lands of a private owner or owners to obtain a proper outlet and the trustees cannot agree with the owner or owners of such land as to how, where and upon what terms such drain may be constructed, such trustees may file in the office of the county auditor a petition describing the highway to be drained and the lands necessary to be crossed to obtain a proper outlet, the starting point, route and terminus of the desired drain, as near as may be, and asking the establishment of such drain. Upon the filing of such petition the county auditor shall appoint a commissioner, who shall be a competent engineer, and place a copy of the petition in his hands and he shall proceed to survey the proposed ditch or drain along the route described in the petition, or other route if found more practicable or feasible, and shall return a plat and profile thereof to the county auditor, and his return shall set forth a full and detailed description thereof, its size, dimensions, whether it will require a covered or open drain, its availability, necessity and probable cost, with a description of each tract of land or lot owned by different persons through which or abutting upon which the drain is proposed to be located and such other facts and recommendations as he may deem material, and he shall also apportion among the several townships, if more than one, the ratio of the cost of construction and expenses that shall be borne by each township. After the filing of such report the further proceedings shall be the same as provided in title VIII (8), chapter one (1) of the code in relation to the establishment of highways, except that the costs, expenses and damages shall be paid by the township trustees from the road fund of such township or townships, or from the county road fund, or partly from each of said funds, as the board of supervisors may determine. If the board of supervisors shall establish such drain, the same shall be constructed by the board of supervisors in the same manner that other county work is done, and the cost thereof shall be paid from the road fund of such township or townships, or from the county road fund, or partly from each of said funds, as the board of supervisors may direct.

Sec. 45. The board of supervisors of any county in or through which an improvement of the character provided for in this act extends, or shall extend, shall cause a competent engineer to inspect such improvement whenever they may deem it necessary, and he shall make report to such board of the condition of the improvement together with such recommendation as he deems necessary.

Sec. 46. The tax provided for in this act, when levied, shall be a lien upon all premises upon which the same is assessed to the same extent and in the same manner as taxes levied for county and State purposes.

Sec. 47. The provisions of this act shall be liberally construed to promote the leveeing, ditching, draining and reclamation of wet, overflow or agricultural lands; the collection of the assessments shall not be defeated, where the proper notices have been given, by reason of any defect in the proceedings occurring prior to the order of the board of supervisors locating and establishing the levee, ditch, drain or change of natural water course provided for in this act, but such order or orders shall be conclusive and final that all prior proceedings were regular and according to law unless they were appealed from. But if upon appeal the court shall deem it just and proper to release any person or modify his assessment or liability, it shall in no manner effect the rights or liability of any person, other than the appellant; and the failure to appeal from the order of the board of supervisors of which complaint is made shall be a waiver of any illegality in the proceedings and the remedies provided for in this act shall exclude all other remedies.

Sec. 48. The provisions of this act shall be construed as additional to chapter two (2) title X (10) of the code and code supplement, relating to the location, establishment and construction of levees, drains, ditches and water courses and shall not be held to repeal any of such provisions.

Sec. 49. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published at Des Moines, Iowa.

And when so amended that the same do pass.

J. S. PRITCHARD,  
*Chairman.*

Substitute read first and second time.

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By committee on Appropriations, House file No: 444, 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 and passed on file.

By committee on Judiciary, House file No. 445, a bill for act to legalize the acts of Harry C. Wright, a notary public in and for Wayne county, State of Iowa, and the acts of Harry C. Wright, acting defacto as a notary public from July 4, 1900, to December 25, 1902.

Read first and second time and passed on file.

By committee on Judiciary, House file No. 446, a bill for an act providing for the condemnation of real property for the use of the State.

Read first and second time and passed on file.

By Carden of Henry, House file No. 447, a bill for an act appropriating money for the relief of L. H. Fenton.

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

Christianson of Hamilton offered the following resolution and moved that the rule be suspended and the resolution be adopted:

WHEREAS, The Hon. Augustus Anderson, an honored member of this House in the Twentieth and Twenty-first 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.

**Adopted.**

Speaker appointed as a committee in accordance with the above resolution, Christianson of Hamilton, Dow of Franklin, Shaffer of Fayette.

#### 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 amendment to Senate file No. 40, a bill for an act to amend section 2823-a of chapter 14-a of the supplement to the code, in relation to the duties of parents and guardians to children with reference to the length of time they shall attend school during each school year and when that time shall commence.

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. 1, 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.

GEO. A. NEWMAN,  
*Secretary.*

## BILLS ON THEIR PASSAGE.

On motion of English of Polk, House file No. 426, a bill for an act to amend the law as it now appears in section 1806 of the supplement to the code, relating to the investment of funds of insurance companies and associations, was taken up and considered.

Mr. English offered the following amendments:

Amend the bill by striking out of line seven (7) of the printed bill, the word "cash;" also by inserting in line twelve (12) of the printed bill between the words "number" and "and", the words "of the policy", and between the words "and" and "date" the words "unless the policy accompanies the loan when offered for deposit the"; also by inserting between lines fourteen (14) and fifteen (15) of the printed bill, the following:

"(7) Unincumbered real estate to be acquired under the provisions of section eighteen hundred seven (1807) of the code, but not more than five per cent of the assets of any company or association shall be thus invested. The value to be given such real estate as an asset of the company or association, shall be determined by two disinterested appraisers, residents of the county in which the real estate is situated, subject, however, to approval by the Executive Council, and evidence of title thereto, together with the appraisement, shall be deposited with the Auditor of State."

**Adopted.**

Mr. English moved that the rule 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. Bailey, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cheney, Christianson, Clary, Cobb, Coburn, Colclo,

Cröse, Dashiell, Davie, DeLano, Doran, English, Frudden, Greeley, Greene, Hakes, Hambleton, Harris, Hart, Head, Heles, Hollembeak, Hume, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McDole, Maben, Manning, Mattes, Morris, Mott, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Whitmer, Willson, Wise Wright, Mr. Speaker—72.

**The nays were:**

None.

**Absent or not voting:**

Messrs. Bealer, Buckingham, Cassel, Chassell, Conn, Cummings, Dow, Flenniken, Freeman, Geneva, Gregory, Hanna, Jacobson, Koontz, Lamkin, Lowrey, McCulloch, McElrath, McNie, Martin, Nichols, Offill, Olson, Sankey, Temple, Welden, Whiting, Wyland—28.

So the bill passed and the title was agreed to.

On motion of Coburn of Cherokee, Senate file No. 302, a bill for an act providing the method of certifying the assessment of telephone and telegraph companies, 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 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, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Cröse, Dashiell, Davie, DeLano, Doran, Dow, Flenniken, Frudden, Greene, Hakes, Hambleton, Head, Heles, Hume, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McDole, Maben, Manning, Mattes, Morris,

Mott, Nichols, Peet, Powers, Prevo, Pritchard, Robinson, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg Summers, Teachout, Temple, Teter, Weeks, Whitmer, Wise, Wright, Mr. Speaker—72.

**The nays were:**

**None.**

**Absent or not voting:**

Messrs. Buckingham, Cummings, English, Freeman, Geneva, Greeley, Gregory, Hanna, Harris, Hart, Hollembeak, Jacobson, Jepson, Koontz, Langan, McCulloch, McElrath, McNie, Martin, Offill, Olson, Ritter, Sankey, Washburn, Welden, Whiting, Willson, Wyland—28.

So the bill passed and the title was agreed to.

On motion of Mott of Audubon, Calendar No. 239, Senate file No. 90, a bill for an act to establish a juvenile court and to regulate the treatment and control of dependent, neglected and delinquent children, was made a special order for Wednesday, April 6, at 10 o'clock A.M.

On motion of Kendall of Monroe, Senate file No. 263, a bill for an act to amend section 2510-a chapter 16, title XII of the supplement to the code, and to repeal section 2570-b of the same chapter and title, relating to the payment of expenses of local boards of health in restricting the spread of infectious diseases, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Cobb, Coburn, Colclo, Crose, Dashiell, Davie, Doran, Dow, Flenniken,

Frudden, Greeley, Greene, Hakes, Hambleton, Harris, Hart, Head, Heles, Hollembeak, Hume, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McDole, Maben, Manning, Morris, Mott, Powers, Prevo, Pritchard, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Whitmer, Willson, Wise, Wright, Mr. Speaker—71.

**The nays were:**

None.

**Absent or not voting:**

Messrs. Buckingham, Clary, Conn, Cummings, DeLano, English, Freeman, Geneva, Gregory, Hanna, Jacobson, Koontz, Lamkin, McCulloch, McElrath, McNie, Martin, Mattes, Nichols, Offill, Olson, Peet, Ritter, Sankey, Springer, Temple, Welden, Whiting, Wyland—29.

So the bill passed and the title was agreed to.

On motion of Coburn of Cherokee, Senate file No. 303, a bill for an act providing for the filing with county auditors of maps of telephone and telegraph lines of several counties of State, 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 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, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Davie, Doran, Dow, English, Flenniken, Frudden, Greene, Hakes, Hambleton, Harris, Head, Heles, Hollembeak, Hume, Jones, Kling, Laird, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McDole, Maben, Manning, Mattes, Morris, Mott, Peet, Powers,

Prevo, Pritchard, Robinson, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Teachout, Washburn, Weeks, Whitmer, Willson, Wise, Wright, Mr. Speaker—69.

The nays were:

None.

Absent or not voting:

Messrs. Buckingham, Chassell, Cummings, DeLano, Freeman, Geneva, Greeley, Gregory, Hanna, Hart, Jacobson, Jepson, Kendall, Kennedy, Koontz, Lamkin, McCulloch, McElrath, McNie, Martin, Nichols, Offill, Olson, Ritter, Sankey, Summers, Temple, Teter, Welden, Whiting, Wyland—31.

So the bill passed and the title was agreed to.

On motion of Powers of Floyd, Calendar No. 249, House file No. 220, a bill for an act to provide for the manufacture of binding twine in the State prisons of Iowa, was made a special order for Tuesday, April 5, at 10 o'clock A.M.

Summers of Van Buren asked unanimous consent to file a motion to reconsider the vote whereby Senate file No. 165 was indefinitely postponed.

Objection being made, Clary of Chickasaw moved that the rule be suspended that Summers of Van Buren might at this time file a motion to reconsider.

Motion lost.

On motion of Kendall of Monroe, by unanimous consent, House file No. 445, a bill for an act to legalize the acts of Harry C. Wright, a notary public in and for Wayne county, State of Iowa, and the acts of Harry C. Wright, acting defacto as a notary public from July 4, 1900, to December 25, 1902, was taken up and considered.

Temple of Clarke moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, English, Flenniken, Frudden, Greeley, Greene, Hambleton, Hart, Head, Heles, Hollebeak, Hume, Jepson, Jones, Kendall, Kling, Koontz, Laird, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McDole, Maben, Manning, Mattes, Morris, Mott, Nichols, Powers, Prevo, Pritchard, Robinson, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Whitmer, Wise, Wright, Mr. Speaker—74.

The nays were:

None.

Absent or not voting:

Messrs. Buckingham, Coburn, Cummings, Dow, Freeman, Geneva, Gregory, Hakes, Hanna, Harris, Jacobson, Kennedy, Lamkin, McCulloch, McElrath, McNie, Martin, Offill, Olson, Peet, Ritter, Sankey, Welden, Whiting, Willson, Wyland—26.

So the bill passed and the title was agreed to.

SENATE MESSAGE CONSIDERED.

On request of English of Polk, unanimous consent having been given, House file No. 1, a bill for an act providing for the nomination of delegates to conventions of political parties or organization by a primary election, with Senate amendment to the title, was taken up and the amendment read and considered.

Mr. English moved that the House concur in the Senate amendment.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Clary, Cobb, Colclo, Crose, Dashiell, Davie, Doran, Dow, English, Flenniken,

Frudden, Greeley, Greene, Hambleton, Harris, Head, Heles, Hollembeak, Hume, Jepson, Kendall, Kling, Koontz, Laird, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McCreary, McDole, Maben, Manning, Mattes, Morris, Mott, Nichols, Powers, Prevo, Pritchard, Robinson, Shaffer, Skinner, Spaulding, Stoltenberg, Teachout, Temple, Teter, Washburn, Weeks, Whitmer, Wise, Wright, Mr. Speaker—66.

The nays were:

None.

Absent or not voting:

Messrs. Buckingham, Cassel, Coburn, Conn, Cummings, DeLano, Freeman, Geneva, Gregory, Hakes, Hanna, Hart, Jacobson, Jones, Kennedy, Lamkin, McClurkin, McCulloch, McElrath, McNie, Martin, Offill, Olson, Peet, Ritter, Sankey, Saylor, Springer, Stanbery, Summers, Welden, Whiting, Willson, Wyland—34.

So the House concurred in the Senate amendment.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 159, a bill for an act making an appropriation for the Florence Crittenton Home, formerly the Woman's and Baby's Home at Sioux City, Iowa.

Also, House file No. 184, a bill for an act making an appropriation for the Benedict Home, Des Moines, Iowa.

Also, House file No. 211, a bill for an act providing for the completion of the historical, memorial and art building, and the acquisition of the real estate hereinafter described, and making an appropriation therefor.

Also, House file No. 284, a bill for an act making an appropriation for the Dubuque Rescue Home at Dubuque, Iowa.

Also, House file No. 350, a bill for an act to legalize the incorporation of the town of Wall Lake, Sac county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

April 1, 1904.

H. L. SPAULDING,  
*Chairman.*

Pritchard of Wright moved that 500 extra copies of substitute for House file No. 36 be printed.

Motion prevailed.

On motion of Kendall of Monroe the House adjourned until 2 o'clock P.M. Monday.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 4, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Reverend D. A. Allen of Anita, Iowa.

Journal of Saturday, April 2nd, was corrected and approved.

On request of Nichols of Muscatine leave of absence was granted Welden of Hardin until tomorrow afternoon.

On request of Martin of Pottawattamie leave of absence was granted Freeman of Pottawattamie until tomorrow.

On request of Langan of Clinton leave of absence was granted Peet of Jones until tomorrow.

On request of Carden of Henry leave of absence was granted Skinner of Union and McCulloch of Wayne until tomorrow.

On request of Hart of Allamakee leave of absence was granted Jacobson of Winneshiek and Olson of Worth until tomorrow.

On request of Davie of Crawford leave of absence was granted Hakes of Pocahontas until tomorrow.

On request leave of absence was granted Jones of Montgomery until tomorrow.

On request leave of absence was granted Jepson of Woodbury until tomorrow.

On request of Frudden of Dubuque leave of absence was granted Ritter of Des Moines until tomorrow.

On request leave of absence was granted Hambleton of Mahaska until tomorrow.

## PETITIONS AND MEMORIALS.

Clarke of Dallas presented petition of citizens of Dallas county relative to the mulct law.

Referred to committee on Suppression of Intemperance.

## REPORTS OF COMMITTEES.

Flenniken of Clayton, from the committee on Elections, submitted the following report:

MR. SPEAKER—Your committee on Elections, to whom was referred House file No. 168, a bill for an act regulating primary 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 indefinitely postponed.

J. C. FLENNIKEN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Elections, to whom was referred House file No. 253, a bill for an act to repeal sections forty-nine hundred and fourteen (4914), forty nine hundred and eighteen (4918), and forty-nine hundred and nineteen (4919) of the code, and for the enactment of substitutes therefor, and for the repeal of section eleven hundred and thirty-six (1136) of the code, and for the amendment of chapter eight (8) of title XXIV (24) of the code, relative to offenses against the rights of suffrage, beg leave to report that they have 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. C. FLENNIKEN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Elections, to whom was referred House file No. 22, a bill for an act to establish a uniform primary and caucus system for the nomination of candidates for State offices and the various offices in the towns, cities, townships, counties and representative, senatorial and judicial districts 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.

J. C. FLENNIKEN,  
*Chairman.*

[Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Elections, to whom was referred House file No. 3, a bill for an act providing for the nomination of officers, and the election of delegates to conventions of political parties, or organizations by 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 indefinitely postponed.

J. C. FLENNIKEN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Cummings of Marshall, 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 W. P. Glyndon, beg leave to report that they have had 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 W. P. Glyndon.

*Be it resolved, by the House of the Thirtieth 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 W. P. Glyndon, formerly of Hardin county, and who is now confined in the State penitentiary at Fort Madison under life sentence from the district court of Iowa, in and for Story county, upon such terms and conditions as the Governor may prescribe.*

B. F. CUMMINGS,  
*Chairman.*

Also:

MR. SPEAKER—Your committee on Pardons, to whom was referred the application for the pardon of Sarah Kuhn, 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 Sarah Kuhn.

*Be it resolved, by the House of the Thirtieth 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 Sarah Kuhn, formerly of Keokuk county, and who is now confined in the State penitentiary at Anamosa, under life sentence from the district court of Iowa, in and for Keokuk county, upon such terms and conditions as the Governor may prescribe.

B. F. CUMMINGS,  
*Chairman.*

**Also:**

MR. SPEAKER—Your committee on Pardons, to whom was referred the application for the pardon of Frank Hall, beg leave to report that they have had 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 Frank Hall.

*Be it resolved, by the House of Representatives of the Thirtieth 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 Frank Hall, formerly of Pottawattamie county, and who is now confined in the State penitentiary at Anamosa, under a life sentence from the district court of Iowa, in and for Pottawattamie county, upon such terms and conditions as the Governor may prescribe.*

B. F. CUMMINGS,  
*Chairman.*

**Also:**

MR. SPEAKER—Your committee on Pardons, to whom was submitted the application of William Tool, a convict now confined in the State penitentiary 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.

B. F. CUMMINGS,  
*Chairman.*

**Also:**

MR. SPEAKER—Your committee on Pardons, to whom was submitted the application of Leonard W. Haley, a convict now confined in the State penitentiary at Anamosa under life sentence from the district court of Dubuque county, State of Iowa, for the murder of Policemen Frith and Talcott, 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.

B. F. CUMMINGS,  
*Chairman.*

Also:

MR. SPEAKER—Your committee on Pardons, to whom was referred the application of Thomas Watson, a convict now confined in the State penitentiary at Anamosa under life sentence from the district court of Mills county, State of Iowa, for the murder of ——— Shelly, 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.

B. F. CUMMINGS,  
*Chairman.*

Also:

MR. SPEAKER—Your committee on Pardons, to whom was submitted the application of G. A. Williams, a convict now confined in the State penitentiary at Fort Madison under life sentence from the district court of Union county, State of Iowa, for the murder of Thomas Walsh, 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.

B. F. CUMMINGS,  
*Chairman.*

Also:

MR. SPEAKER—Your committee on Pardons, to whom was referred the application of Ormand McPherson, a convict now confined in the State penitentiary at Fort Madison under life sentence from the district court of Louisa county, State of Iowa, for the murder of John Finley, beg leave to report that they have had the same under consideration and have instructed me to report the said application back with the recommendation that his application for executive clemency be at this time denied.

B. F. CUMMINGS,  
*Chairman.*

Also:

MR. SPEAKER—Your committee on Pardons, to whom was submitted the application of George Weems, a convict now confined in the State penitentiary at Fort Madison, under life sentence from the district court of Polk county, State of Iowa, for the murder of L. B. Redpath, beg leave to report that they have had the 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.

B. F. CUMMINGS,  
*Chairman.*



Also:

MR. SPEAKER—Your committee on Pardons, to whom was submitted the application of Clarence Mills, a convict now confined in the State penitentiary at Fort Madison under life sentence from the district court of Davis 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.

B. F. CUMMINGS,  
*Chairman.*

Also:

MR. SPEAKER—Your committee on Pardons, to whom was submitted the application of Betsy Smith, a convict now confined in the State penitentiary 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.

B. F. CUMMINGS,  
*Chairman.*

Also:

MR. SPEAKER—Your committee on Pardons, to whom was submitted the application of Hugh Robbard, a convict now confined in the State penitentiary at Anamosa under life sentence from the district court of Dubuque county, State of Iowa, for the murder of Policemen Frith and Talcott, 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.

B. F. CUMMINGS,  
*Chairman.*

Also:

MR. SPEAKER—Your committee on Pardons, to whom was submitted the application of John G. Steel, a convict now confined in the State penitentiary at Fort Madison under life sentence from the district court of Monroe county, State of Iowa, for the murder of Jacob Warner, 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.

B. F. CUMMINGS,  
*Chairman.*

Bealer of Linn, 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. 126, a bill for an act to amend section twenty-five hundred and fifteen (2512) of the supplement to the code, 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 amended by striking out all of section one (1) after the word "dollars" in the fifth line of section one (1) of the original bill and that when so amended the same do pass.

E. J. C. BEALER,  
*Chairman.*

Bealer of Linn was granted unanimous consent to withdraw House file No. 126 from further consideration of the House.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 36, a bill for an act providing for the establishment, location, erection and operation of a State hospital for dipsomaniacs, inebriates, and for those addicted to the excessive use of narcotics, and providing for its support, and for the discipline of persons committed to it, and for the repeal of all laws inconsistent herewith.

Also, Senate file No. 253, a bill for an act authorizing the Executive Council of the State to grant the right of way to the Chicago, Anamosa & Northern Railway Company over and across the east half of the southwest quarter of section thirty-three (33), township eighty-five (85), range four (4), west of the fifth principal meridian.

Also, substitute for Senate file No. 295, a bill for an act to amend the law as it appears in section fifteen hundred seventy-one (1571) of the supplement to the code, relating to steam engines on public roads.

Also, substitute for Senate file No. 76, a bill for an act to repeal the law as it appears in chapter eleven (11), title XII (12) of the code and the law as it appears in sections two thousand five hundred and three (2503), two thousand five hundred and eight (2508) and two thousand five hundred and eight-a (2508-a) of the supplement to the code, relating to the inspection of petroleum products and enacting a substitute therefor.

Also, substitute for Senate file No. 124, a bill for an act relating to the sale of intoxicating liquors, and defining a bootlegger, and prescribing punishment therefor.

Also, Senate file No. 225, a bill for an act to amend section fourteen hundred and sixty-seven (1467) of the code, relating to the collection of a tax on collateral inheritances.

H. L. SPAULDING,  
*Chairman House Committee.*

E. K. WINNE,  
*Chairman pro tem 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:

Substitute for Senate file No 149, a bill for an act to amend section 732 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 joint resolution in which the concurrence of the Senate was asked:

House joint resolution No. 6, proposing an amendment to the constitution of the State of Iowa, additional to section 18 of article I of said constitution.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

House file No. 336, a bill for an act to legalize the acts and proceedings of the Brookfield Creamery Association.

GEO. A. NEWMAN,  
*Chairman.*

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. 247, a bill for an act relating to the payment by the State of the premiums of surety companies on the bonds of the State Treasurer and deputy State Treasurer.

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. 355, a bill for an act to amend sections 2739, 2757, 2764, 2765, 2769, 2773, 2785, 2793, 2801 of the code, relating to the school year, regular meeting of school boards, school census and the annual reports of school officers.

GEO. A. NEWMAN,  
*Secretary.*

#### INTRODUCTION OF BILLS.

By Olson of Worth, House file No. 448, a bill for an act to legalize the incorporation of the Farmers' Co-Operative Creamery Association of Tenold, Worth county, Iowa, and to legalize the acts and transactions of said association under defective articles of incorporation, and to legalize the title to the real estate acquired by said association and to authorize its re-incorporation and succession to all the rights, privileges, property and assets acquired and possessed under the defective articles of incorporation.

WHEREAS, On or about the 17th day of February, A. D. 1894, O. O. Harmon and nine other resident citizens of Worth county, Iowa, did organize and incorporate themselves into a farmers' co-operative creamery association, under the corporate name and style of the Farmers' Co-Operative Creamery Association of Tenold, Iowa, and did adopt and duly execute and acknowledge articles of incorporation as such, the purpose upon their part being to complete such incorporation in full compliance with all the requirements of the laws of Iowa with reference thereto; and,

WHEREAS, Such articles of incorporation were on the 9th day of February, 1894, filed for record in the office of the recorder of deeds of Worth county, Iowa, and now appear of record on page 322 of book "B" of miscellaneous records in said office; and,

WHEREAS, By reason of a mistake or oversight on the part of the officers of said association, such articles of incorporation were never filed with the Secretary of State and the said corporation was never chartered as by law required; which fact was unknown to the officers and members of said association until the month of March, A. D. 1904; and,

WHEREAS, At a regular annual meeting of the members of said association on the 6th day of February, 1904, a resolution was adopted extending the charter of said corporation for an additional period of twenty years, which said resolution was duly certified and filed for record in the office of the recorder of deeds of Worth county, Iowa, and now appears of record on page 322 of book "B" of miscellaneous records of said office; and,

WHEREAS, The time has now expired for which the said association originally adopted articles of incorporation, and the Secretary of State now refuses to file the resolution of renewal or issue a charter thereon by reason of the expiration of such time; and,

WHEREAS, The members of said association are now desirous of properly incorporating in compliance with all the provisions of the law of the State of Iowa with reference thereto; and,

WHEREAS, In the transaction of the business of the said association it acquired in good faith and for the purpose of carrying out the provisions of its articles of incorporation, title to the following described real estate, to-wit:  
.....  
.....; and,

WHEREAS, Doubts have arisen as to the validity of the aforesaid articles of incorporation and the resolution of renewal by said association, and as to the legality and validity of the acts and transactions of the said association under and by virtue of said articles of incorporation, and as to the validity of the title to the real estate hereinbefore described, and as to the right of succession to all the property rights, privileges and liabilities of the said association which might be acquired upon the adoption of new articles of incorporation, therefore,

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

Section 1. That the articles of incorporation heretofore adopted by the said Farmers' Co-Operative Creamery Association of Tenold, Iowa, be and hereby held to be legal and valid and of the same force and effect as if all the provisions of the law had been fully complied with, with reference thereto, and that all of the acts and transactions of said association since its organization are declared and held to be legal, valid and binding and of the same force and effect as if the said association had been duly and properly incorporated as required by the laws of Iowa, and that upon the adoption of new articles of incorporation in strict compliance with the laws of the State of Iowa by this association within three (3) months from the time of taking effect of this act, the said association as thus incorporated shall succeed to and acquire all rights, privileges, liabilities and property of the said association as confirmed and legalized by this act, including the legal title to the real estate described in the preamble hereto; provided nothing in this act shall affect pending litigation.

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

By Bealer of Linn, House file No. 449, a bill for an act to provide for the disposition of canvas, furniture and other property used temporarily in the hall of the House of Representatives.

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

Section 1. That the capitol commission shall so soon as practicable after the adjournment of the Thirtieth General Assembly, deliver to the custodian of public buildings and property, the canvas, tables and other property which were provided for temporary use in the hall of the House of Representatives and which, in the opinion of said commission, are not suitable for permanent use in the capitol.

Sec. 2. The Board of Control of State institutions shall inspect the property so delivered to the custodian and select therefrom all which can be used profitably by one or more of the State institutions in its charge, and the custodian shall securely pack and deliver to the proper railway for shipment, as directed by said Board, the property so selected, and shall make a report to the Executive Council of the number of packages and place a commercial value thereon.

Sec. 3. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

Read first and second time and passed on file.

By Nichols of Muscatine, House file No. 450, a bill for an act to establish and maintain pumping stations or plants in levee districts of the State, presenting the method of so doing. Additional to title X (10), chapter two (2) of the code and code supplement.

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

Section 1. The board of supervisors of any county or counties in the State may organize a drainage district in the manner provided in chapter two (2) of title X (10) of the code and provide for the establishment and maintenance of a pumping station when and where the same shall be necessary to secure a proper outlet for the lands comprising the district, and the costs of construction and maintenance of such pumping station or plant shall be levied upon and collected from the lands in the drainage district in the same manner as provided for the construction and maintenance of ditches as provided in title X (10), chapter two (2) of the code and code supplement, except the petition referred to shall require the signature of fifty (50) per cent of the land owners of such district.

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

Leader and the Des Moines Daily Capital, newspapers published at Des Moines, Iowa.

Read first and second time and ordered passed on file.

By Teachout of Polk, House file No. 451, a bill for an act providing for the condemnation of real estate for use of municipal corporations.

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

Section 1. Whenever public interest requires the taking of real estate for any necessary public use, by a county, city or incorporated town, such county, city or incorporated town may take and hold such real estate for the purpose for which same is taken, by condemnation proceedings. Such proceedings shall be instituted pursuant to a resolution of the board of supervisors of a county, or the council of a city or incorporated town, and shall be instituted and prosecuted in the name of the county, city or incorporated town seeking such condemnation by the attorney or solicitor for such county, city or town, under the provisions of chapter four (4) of title X (10) of the code.

Sec. 2. In cases where such condemnation is sought by a county, the sheriff or clerk, as the case may be, shall, when the amount of the damages is determined, certify the amount thereof to the board of supervisors and such board may direct payment thereof by resolution, and the county auditor shall thereupon issue his warrant therefor upon the proper fund of such county, and in cases where such condemnation is sought by a city or incorporated town, the amount of such damages shall in like manner be certified to the council of such city or town and such council may by resolution direct payment of the amount thereof from funds appropriated by ordinance therefor. In any case when the amount of the damage is paid to the sheriff or clerk, or the person entitled thereto, and the time for appeal has expired or final judgment entered upon appeal, the county, city or town, as the case may be, may enter into possession of the real estate taken, through its proper officers or agents, and use and occupy the same for the purpose taken.

Sec. 3. No municipal corporation condemning or seeking to condemn land under the provisions of this act shall be entitled to the possession of the lands condemned or sought to be condemned until the time for appeal to the district or Supreme court from such condemnation has expired, or final judgment rendered on appeal, and in all appeals from the award of the sheriff's jury in such proceedings, the court shall have jurisdiction to pass upon the public necessity for the condemnation of such real estate, and shall determine the same without the intervention of a jury, and may make such order with reference thereto as it may deem proper within its discretion, and can modify, enlarge or diminish the area of ground sought to be condemned, but all questions as to amount of damage shall be determined by ordinary proceedings as in other cases of condemnation.

Sec. 4. This act, being deemed of immediate importance, shall take effect from and after publication thereof in the Register and Leader and Des Moines Daily Capital, newspapers published at Des Moines, Polk county, Iowa.

Read first and second time.

By unanimous consent the bill was taken up and considered without reference to a committee.

On motion of Wright of Webster further consideration of the bill was deferred until tomorrow and the bill was ordered printed in the Journal.

By Manning of Lucas, House file No. 452, a bill for an act to amend section four hundred and three (403) of the code, relating to county roads:

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

Section 1. That section four hundred and three (403) of the code be amended by striking out the word "April" in the second line and insert "January, April, June or September" in lieu thereof.

Sec. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa.

Read first and second time.

On motion of Mr. Manning, by unanimous consent, the bill was taken up and considered without reference to a committee.

Mr. Manning moved that the rule be suspended, that the bill be considered engrossed and read a third time now, which motion prevailed by unanimous consent and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Christianson, Clary, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Frudden, Geneva, Hambleton, Hanna, Harris, Hart, Head,



Heles, Hollembeak, Kendall, Kennedy, Kling, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McDole, Manning, Martin, Mattes, Mott, Nichols, Offill, Powers, Prevo, Pritchard, Robinson, Shaffer, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Washburn, Weeks, Whitmer, Wise, Wright, Wyland, Mr. Speaker—65.

The nays were:

Messrs. Cheney, Doran—2.

Absent or not voting:

Messrs. Chassell, Cobb, Coburn, Dow, English, Flenniken, Freeman, Greeley, Greene, Gregory, Hakes, Hume, Jacobson, Jepson, Jones, Koontz, Laird, McCulloch, McElrath, McNie, Maben, Morris, Olson, Peet, Ritter, Sankey, Saylor, Skinner, Temple, Teter, Welden, Whiting, Willson—33.

So the bill passed.

Manning of Lucas moved to amend the title by striking out the word "roads" and inserting in lieu thereof the word "bonds."

**Adopted.**

Title as amended agreed to.

By committee on Retrenchment and Reform, House file No. 453, a bill for an act to repeal section thirteen (13) of the code, and to enact a substitute therefor, relating to the officers and employes of the General Assembly, and fixing their compensation.

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

Section 1. That section thirteen (13) of the code be and the same is hereby repealed and re-enacted to read as follows:

"The officers and employes of the General Assembly shall be:

1. One secretary of the Senate and one chief clerk of the House, at a salary of seven and one-half dollars per day each.
2. Two assistant secretaries of the Senate and two assistant clerks of the House, at a salary of five dollars per day each.
3. Two Journal clerks of the Senate and two Journal clerks of the House, at a salary of five dollars per day each.
4. One enrolling clerk of the Senate and one enrolling clerk of the House, each of whom shall be an expert typewriter, at a salary of five dollars per day each.
5. One engrossing clerk of the Senate and one engrossing clerk of the House, at a salary of four dollars per day each.

6. One postmaster and one assistant postmaster, at a salary of three dollars per day each.
7. One clerk for the President of the Senate and one clerk for the Speaker of the House, at a salary of three dollars per day each.
8. One bill clerk for the Senate and one bill clerk for the House, at a salary of three dollars per day each.
9. One file clerk for the Senate and one file clerk for the House, at a salary of three dollars per day each.
10. One clerk in the document room, to be selected by the Secretary of State, at a salary of two dollars per day.
11. One clerk in the supply room, to be selected by the Executive Council, at a salary of two dollars per day.
12. Twenty-four committee clerks for the Senate and twenty-four committee clerks for the House, to be selected by the committee on Retrenchment and Reform, and assigned by the secretary of the Senate and the chief clerk of the House to the respective committee rooms, said committee clerks to be competent stenographers and typewriters, at a salary of three dollars per day each.
13. One sergeant-at-arms of the Senate and one sergeant-at-arms of the House, who shall perform the duties usually attaching to such offices, and who shall also have charge of the doorkeepers of their respective bodies at a salary of four dollars per day each.
14. Six messengers for the Senate and eight messengers for the House at a salary of one dollar and fifty cents per day each.
15. Six doorkeepers for the Senate and six doorkeepers for the House, at a salary of three dollars per day each.
16. Three cloak room attendants for the Senate and three cloak room attendants for the House, at a salary of two dollars and fifty cents per day each.
17. Four elevator tenders, to be selected by the custodian of the Capitol at a salary of sixty dollars per month each.
18. Four policemen, to be selected by the chief of Capitol police, at a salary of sixty dollars per month each.
19. Four janitors for the Senate and four janitors for the House, to be selected by the custodian of the Capitol, at a salary of sixty dollars per month each.

The foregoing officers and employes shall hold office from their election or appointment until the adjournment of the General Assembly, and shall receive no other or greater compensation than as provided in this section."

Read first and second time.

## BILLS ON THEIR PASSAGE.

On motion of English of Polk, joint resolution No. 7, joint resolution proposing amendments to the Constitution of Iowa, relative to suffrage and to provide for its reference and publication, with report of committee recommending indefinite postponement and of minority recommending passage, was taken up, considered and the report of the committee adopted.

English of Polk moved that the recommendations of the minority be substituted for the report of the committee.

Wright of Webster and Weeks of Guthrie demanded a roll call.

On the question, Shall the recommendation of the minority be substituted for the report of the committee?

**The yeas were:**

Messrs. Bailey, Bixby, Boland, Buchanan, Buckingham, Carden, Carstensen, Cheney, Cobb, Conn, Crose, Cummings, Dashiell, DeLano, English, Frudden, Harris, Head, Hollembeak, Laird, Lamkin, Leech, Lowrey, McClurkin, McDole, Maben, Manning, Martin, Morris, Nichols, Powers, Prevo, Shaffer, Spaulding, Stanbery, Summers, Teachout, Teter, Weeks, Wright—40.

**The nays were:**

Messrs. Bealer, Calderwood, Cassel, Christianson, Clary, Coburn, Colclo, Davie, Doran, Hanna, Hart, Heles, Kendall, Kennedy, Kling, Langan, Lister, Lundt, McAllister, McCreary, Mattes, Mott, Offill, Saylor, Springer, Stoltenberg, Washburn, Whiting, Whitmer, Wise, Mr. Speaker—31.

**Absent or not voting:**

Messrs. Chassell, Dow, Flenniken, Geneva, Greeley, Greene, Gregory, Hakes, Hambleton, Hume, Jacobson, Jepson, Jones, Koontz, McCulloch, McElrath, McNie, Olson, Peet, Pritchard, Ritter, Robinson, Sankey, Skinner, Temple, Welden, Willson, Wyland—29.

So the House substituted the recommendation of the minority for the committee report.

EXPLANATION OF VOTE.

The following explanation of vote was filed:

MR. SPEAKER—I have voted in the affirmative on the motion to substitute the minority for the majority report on joint resolution No. 7, for the reason that this question has been presented to many past sessions of the General Assembly; and, in all probability will be urged on every future session until finally submitted to the electors for their determination.

Personally, I am opposed to the proposition, but do not wish to array myself against the submission to the people—having abiding faith in the defeat of the measure at the polls.

LORENZO D. TETER.

On motion of Carden of Henry, Calendar No. 212, House file No. 307, was made a special order for Wednesday afternoon at 2 o'clock.

Kennedy of Lee asked unanimous consent to have House file No. 440 re-referred to the committee on Judiciary.

Granted, and the bill was so referred.

Doran of Boone moved that House file No. 36 be made a special order for 10 o'clock A.M. Thursday.

Motion prevailed.

On motion of English of Polk, House file No. 427, a bill for an act to amend the law as it now appears in section 1767 of the code, relating to the examination and expenses of State mutual insurance associations, was taken up and considered.

Mr. English moved to amend as follows :

Amend section one (1) of the bill by striking out all of lines seven (7) to fifteen (15) inclusive and inserting in lieu thereof the following: " For the first five hundred thousand dollars of insurance, not to exceed two per cent; from five hundred thousand to one million dollars, not to exceed one per cent; from one million to two million dollars, not to exceed three-fourths of one per cent; for amounts in excess of two million dollars, not to exceed one-half of one per cent."

Adopted.

Mr. English moved that the rule 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. Bailey, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cheney, Christianson, Clary, Cobb, Coburn, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, English, Flenniken, Frudden, Geneva, Hanna, Harris, Hart, Head, Heles, Hollebeak, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lowrey, McAllister, McCreary, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Powers, Prevo, Saylor, Shaffer, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—66.

The nays were:

Messrs. Lundt, Offill, Robinson—3.

Absent or not voting:

Messrs. Bealer, Cassel, Chassell, Colclo, Dow, Freeman, Greeley, Greene, Gregory, Hakes, Hambleton, Hume, Jacobson, Jepson, Jones, Koontz, McClurkin, McCulloch, McDole, McElrath, McNie, Olson, Peet, Pritchard, Ritter, Sankey, Skinner, Temple, Weeks, Welden, Willson—31.

So the bill passed and the title was agreed to.

On motion of Buchanan of Wapello, Senate file No. 280, a bill for an act to amend sections 851 and 861, chapter 9 of the code, relating to parks and park commissioners, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Buchanan moved that the rule 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, Bixby, Boland, Buchanan, Carden, Cassel, Cheney, Christianson, Coburn, Colclo, Conn, Crose, Dashiell, DeLano, Doran, English, Flenniken, Frudden, Geneva, Hanna, Harris, Hart, Head, Heles, Hollebeak, Kendall, Kennedy, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McDole, Maben, Manning, Martin, Morris, Mott, Offill, Powers, Prevo, Robinson, Saylor, Shaffer, Spaulding, Springer, Stoltenberg, Summers, Teachout, Washburn, Weeks, Whitmer, Wise, Wright, Wyland, Mr. Speaker—61.

**The nays were:**

Messrs. Carstensen, Clary—2.

**Absent or not voting:**

Messrs. Bealer, Buckingham, Calderwood, Chassell, Cobb, Cummings, Davie, Dow, Freeman, Greeley, Greene, Gregory, Hakes, Hambleton, Hume, Jacobson, Jepson, Jones, Kling, Koontz, McCulloch, McElrath, McNie, Mattes, Nichols, Olson, Peet, Pritchard, Ritter, Sankey, Skinner, Stanbery, Temple, Teter, Welden, Whiting, Willson—37.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, House file No. 437, a bill for an act to amend section 3376 of the code of Iowa, as to distributive share of surviving spouse as affected by will, with report of committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Mr. Kendall moved the adoption of the following amendment recommended by the committee:

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

Section 1. That section three thousand three hundred and seventy-six (3376) of the code be amended by adding at the end of said section the following: "But when such surviving spouse is mentally incapable of making such election, the court on petition being filed showing such disability, may set the matter down for hearing at such time and place as it may deem best, and direct what notice thereof shall be given; and at such

hearing the court may enter an order electing for such spouse, which shall be the election under this section, of the person under such disability."

**Adopted.**

Mr. Kendall moved to amend the bill by striking out the word "showing" and inserting the word "alleging" in lieu thereof.

**Adopted.**

Mr. Kendall moved that the rule 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. Bailey, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, English, Flenniken, Frudden, Geneva, Hanna, Harris, Hart, Head, Heles, Hollebeak, Kendall, Kling, Laird, Lamkin, Langan, Leech, Lister, McAllister, McClurkin, Maben, Manning, Martin, Morris, Mott, Offill, Powers, Prevo, Pritchard, Robinson, Saylor, Shaffer, Spaulding, Springer, Stoltenberg, Summers, Teachout, Washburn, Weeks, Whitmer, Wise, Wright, Wyland, Mr. Speaker—65.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Chassell, Dow, Freeman, Greeley, Greene, Gregory, Hakes, Hambleton, Hume, Jacobson, Jepson, Jones, Kennedy, Koontz, Lowrey, Lundt, McCreary, McCulloch, McDole, McElrath, McNie, Mattes, Nichols, Olson, Peet, Ritter, Sankey, Skinner, Stanbery, Temple, Teter, Welden, Whiting, Willson—35.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, House file No. 446, a bill for an act providing for the condemnation of real property for the use of the State, was taken up and considered.

Mr. Kendall moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Cassel, Cheney, Christianson, Clary, Cobb, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, English, Frudden, Hanna, Hart, Head, Heles, Hollembeak, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, McAllister, McClurkin, McCreary, McDole, Manning, Martin, Mattes, Mott, Offill, Powers, Prevo, Pritchard, Shaffer, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Whitmer, Wise, Wright, Wyland, Mr. Speaker—62.

The nays were:

Messrs. Lundt, Geneva—2.

Absent or not voting:

Messrs. Carstensen, Chassell, Coburn, Colclo, Dow, Flenniken, Freeman, Greeley, Greene, Gregory, Hakes, Hambleton, Harris, Hume, Jacobson, Jepson, Jones, Koontz, Lowrey, McCulloch, McElrath, McNie, Maben, Morris, Nichols, Olson, Peet, Ritter, Robinson, Sankey, Saylor, Skinner, Temple, Welden, Whiting, Willson—36.

So the bill passed and the title was agreed to.

Speaker announced that he had signed in the presence of the House, Senate files No. 36, No. 76, No. 124, No. 225, No. 253, No. 295.



## SENATE MESSAGES CONSIDERED.

Senate file No. 149, a bill for an act to amend section 732 of the code as amended by chapters 21 and 22 of the Twenty-eighth General Assembly, and chapter 36 of the Twenty-ninth General Assembly, relating to the support and maintenance of free public libraries.

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

On request of Offill of Jasper, unanimous consent having been given, House file No. 247, a bill for an act relating to the payment by the State of premiums of surety companies on the bond of the State Treasurer and deputy State treasurer and to the payment into the State fund of all interest from State money loaned or deposited in banks, with Senate amendment, was taken up and the amendments read and considered.

Mr. Offill moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Calderwood, Carden, Cassel, Cheney, Christianson, Clary, Cobb, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, English, Frudden, Geneva, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McDole, Maben, Manning, Mattes, Mott, Nichols, Offill, Powers, Pritchard, Robinson, Shaffer, Spaulding, Springer, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Whitmer, Wise, Wright, Wyland, Mr. Speaker—65.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Buckingham, Carstensen, Chassell, Coburn, Dow, Flenniken, Freeman, Greeley, Greene, Gregory, Hakes,

Hume, Jacobson, Jepson, Jones, Koontz, Lowrey, McCulloch, McElrath, McNie, Martin, Morris, Olson, Peet, Prevo, Ritter, Sankey, Saylor, Skinner, Stanbery, Temple, Welden, Whiting, Willson—35.

So the House concurred in the Senate amendment.

On request of Head of Greene, unanimous consent having been given, House joint resolution No. 6, a joint resolution proposing an amendment to the constitution of the State of Iowa, additional to section 18 of article 1 of said constitution, with Senate amendment, was taken up and the amendment read and considered.

Wright of Webster moved that the House concur in the Senate amendment, making the joint resolution, as amended, read as follows:

HOUSE JOINT RESOLUTION NO. 6, proposing an amendment to the constitution of the State of Iowa, additional to section eighteen (18) of article one (1) of said constitution.

*Be it Resolved by the General Assembly of the State of Iowa,* That there be added to section eighteen (18) of article one (1) of the constitution of the State of Iowa, the following:

“The General Assembly, however, may pass laws permitting the owners of lands to construct drains, ditches, and levees for agricultural, sanitary or mining purposes across the lands of others, and provide for the organization of drainage districts, vest the proper authorities with power to construct and maintain levees, drains and ditches and to keep in repair all drains, ditches and levees heretofore constructed under the laws of the State, by special assessments upon the property benefited thereby. The General Assembly may provide by law for the condemnation of such real estate as shall be necessary for the construction and maintenance of such drains, ditches and levees, and prescribe the method of making such condemnation.

*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 (3) months previous to the day of such election as provided by law.”

On the question, Shall the House concur in the Senate amendments to House joint resolution No. 6?

The yeas were:

Messrs. Bailey, Bixby, Boland, Carden, Carstensen, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cum-

mings, Dashiell, Davie, DeLano, Doran, English, Geneva, Hambleton, Harris, Hart, Head, Heles, Hollembeak, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McDole, Maben, Manning, Martin, Mattes, Mott, Nichols, Offill, Powers, Prevo, Pritchard, Robinson, Shaffer, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Washburn, Weeks, Whitmer, Wise, Wright, Wyland, Mr. Speaker—64.

The nays were:

Mr. Hanna—1.

Absent or not voting:

Messrs. Bealer, Buchanan, Buckingham, Calderwood, Cassel, Chassell, Dow, Flenniken, Freeman, Frudden, Greeley, Greene, Gregory, Hakes, Hume, Jacobson, Jepson, Jones, Koontz, McCreary, McCulloch, McElrath, McNie, Morris, Olson, Peet, Ritter, Sankey, Saylor, Skinner, Temple, Teter, Welden, Whiting, Willson—35.

So the Senate amendments to House joint resolution No. 6 were concurred in.

On request of Hart of Allamakee, unanimous consent having been given, House file No. 336, a bill for an act to legalize the acts and proceedings of the Brookfield Creamery Association of Worth county, Iowa, and legalize the title to the real estate acquired by such creamery association, and to authorize its incorporation under the provisions of chapter one (1), of title IX (9), of the code, and of the supplement to the code, with Senate amendments, was taken up and the amendments read and considered.

Mr. Hart moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Cassel, Cheney, Christianson, Cobb,

Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, English, Frudden, Geneva, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Kendall, Kennedy, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McDole, Maben, Manning, Mattes, Mott, Nichols, Ofill, Powers, Prevo, Pritchard, Robinson, Shaffer, Spaulding, Springer, Stanbery, Summers, Teachout, Teter, Washburn, Weeks, Whitmer, Wise, Wright, Wyland, Mr. Speaker—64.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Chassell, Clary, Coburn, Cummings, Dow, Flenniken, Freeman, Greeley, Greene, Gregory, Hakes, Hume, Jacobson, Jepson, Jones, King, Koontz, Langan, Lowrey, McCulloch, McElrath, McNie, Martin, Morris, Olson, Peet, Ritter, Sankey, Saylor, Skinner, Stoltenberg, Temple, Welden, Whiting, Willson—36.

So the House concurred in the Senate amendments.

On motion of Nichols of Muscatine the House adjourned until 9 o'clock tomorrow morning.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 5, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by Rev. F. W. Muchler of Urbana, Iowa.

Journal of Monday, April 4th, was corrected and approved.

REPORTS OF COMMITTEE.

Wise of Black Hawk, from the committee on Public Libraries, submitted the following report:

MR. SPEAKER—Your committee on Public Libraries, to whom was referred Senate file No. 149, a bill for an act to amend section 732 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.

C. A. WISE,  
*Chairman pro tem.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Public Libraries, to whom was referred Senate file No. 62, a bill for an act to amend section seven hundred twenty-eight (728) and section seven hundred thirty (730) of the code, relating to library trustees and library treasurer, and to legalize the maintenance and control under joint ownership and control of cities and towns and institutions of learning, beg leave to report that they 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 pro tem.*

Ordered passed on file.

**Also:**

MR. SPEAKER—Your committee on Public Libraries, to whom was referred House file No. 266, a bill for an act to amend sections 728, 729 and 731 of the code, relating to the appointment of library trustees, their powers and 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 do pass.

C. A. WISE,  
*Chairman pro tem.*

Ordered passed on file.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 141, a bill for an act making an appropriation for the Department of Agriculture for the purpose of erecting a permanent fire-proof building for agricultural, horticultural and dairy exhibits.

Also, substitute for House file No. 245, a bill for an act to legalize the issuing of bonds to the amount of thirty-three hundred dollars (\$3300) by the incorporated town of Deep River, Poweshiek county, Iowa.

Also, House file No. 180, a bill for an act to amend the law as it appears in section four hundred and forty-one (441) supplement to the code, relating to the number of papers authorized to publish the proceedings of the board of supervisors.

Also, House file No. 248, a bill for an act to repeal section four hundred seventy-nine (479) of the code, relating to the compensation of county auditors, and to enact a substitute therefor.

Also, House file No. 316, a bill for an act repealing chapter eighteen (18), title XXI (21) of the code and enacting a substitute therefor, relative to change of names.

Also, House file No. 335, a bill for an act to legalize certain actions of the board of supervisors of Clayton county, Iowa, relating to the purchase of land.

Also, House file No. 361, a bill for an act to repeal the law as it appears in sections forty-nine hundred and ninety-nine-e (4999-e), forty-nine hundred and ninety-nine-f (4999-f), forty-nine hundred and ninety-nine-g (4999-g), forty-nine hundred and ninety-nine-h (4999-h), forty-nine hundred and ninety-nine-i (4999-i), forty-nine hundred ninety-nine-j (4999-j) of the supplement of code, and enact in lieu thereof the following, relative to the preservation of life and protection of property, to require the construction of fire escapes to certain buildings and enclosures now constructed or here-

after to be erected, providing the manner of constructing same, and imposing penalties for violation thereof, additional to chapter 10 of title XXIV (24) of the code, relating to offenses against the public health.

Also, House file No. 362, a bill for an act to amend section two (2) chapter forty-one (41) of the acts of the Twenty-eighth General Assembly as found in section thirteen hundred and six-b (1306-b) of the supplement to the code, relating to the amount of indebtedness which incorporated towns and cities of the second class may incur for the purpose of erecting or purchasing waterworks and a system of sewers.

Also, substitute for House file No. 318, a bill for an act to enable the State of Iowa to sell and dispose of all abandoned river channels, and all land within such abandoned river channels, and all sand bars or islands in the navigable waters of the State, and authorizing the appointment of a commission to ascertain and establish the boundary lines between the State of Iowa and adjoining states.

H. L. SPAULDING,  
*Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 141, a bill for an act making an appropriation for the Department of Agriculture for the purpose of erecting a permanent fire-proof building for agricultural, horticultural and dairy exhibits.

Also, substitute for House file No. 245, a bill for an act to legalize the issuing of bonds to the amount of thirty-three hundred dollars (\$3300) by the incorporated town of Deep River, Poweshiek county, Iowa.

Also, House file No. 180, a bill for an act to amend the law as it appears in section four hundred and forty-one (441), supplement to the code, relating to the number of papers authorized to publish the proceedings of the board of supervisors.

Also, House file No. 248, a bill for an act to repeal section four hundred and seventy-nine (479) of the code, relating to the compensation of county auditors, and to enact a substitute therefor.

Also, House file No. 316, a bill for an act repealing chapter eighteen (18) title XXI (21) of the code, and enacting a substitute therefor, relative to change of names.

Also, House file No. 335, a bill for an act to legalize certain actions of the board of supervisors of Clayton county, Iowa, relating to the purchase of land.

Also, House file No. 361, a bill for an act to repeal the law as it appears in sections forty-nine hundred and ninety-nine-e (4999-e), forty-nine hundred and ninety-nine-f (4999-f), forty-nine hundred and ninety-nine-g (4999-g), forty-nine hundred and ninety-nine-h (4999-h), forty-nine hundred and ninety-nine-i (4999-i), forty-nine hundred and ninety-nine-j (4999-j) of the supplement of code, and enact in lieu thereof the following, relative to the 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, additional to chapter 10 of title XXIV (24) of the code, relating to offenses against the public health.

Also, House file No. 362, a bill for an act to amend section two (2), chapter forty-one (41) of the acts of the Twenty-eighth General Assembly as found in section thirteen hundred and six-b (1306-b) of the supplement to the code, relating to the amount of indebtedness which incorporated towns and cities of the second class may incur, for the purpose of erecting or purchasing waterworks and a system of sewers.

Also, substitute for House file No. 318, a bill for an act to enable the State of Iowa to sell and dispose of all abandoned river channels, and all land within such abandoned river channels, and all sand bars or islands in the navigable waters of the State, and authorizing the appointment of a commission to ascertain and establish the boundary lines between the State of Iowa and adjoining states.

H. L. SPAULDING,  
*Chairman House Committee.*

E. K. WINNE,  
*Chairman pro tem Senate Committee.*

### Adopted.

Wise of Black Hawk asked unanimous consent to have Senate file No. 266 re-referred to the committee on Public Libraries.

Granted, and the bill was so referred.

Chassell of Plymouth offered the following resolution:

*Resolved,* That the attention of the board of capitol commissioners is hereby directed to the necessity of a higher railing or other safeguard around the opening in the floor of the rotunda, the present low railing being insufficient and a menace to public safety.

Laid over under rule 34.

### BILLS ON THEIR PASSAGE.

On motion of Robinson of Emmet, House file No. 327, a bill for an act to amend section 1759 of the code supplement, relating to mutual fire, tornado and hailstorm insurance companies,



with report of committee recommending passage as amended by substitute, was taken up, considered and the report of the committee adopted.

Mr. Robinson moved the adoption of the following substitute amendment recommended by the committee:

A BILL for an act to amend section seventeen hundred fifty-nine (1759) of the code supplement, relating to mutual fire, tornado and hailstorm insurance associations.

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

Section 1. That the law as it appears in section seventeen hundred fifty-nine (1759) of the code supplement be, and the same is hereby amended by inserting between the word "to" and the word "the" in the second line of said section the words "any of." Also, by inserting after the word "accident" in the fifth line of said section, the following: "and no clause or provision in any such contract shall be deemed invalid on account thereof, or in any way be affected by any statutes relative to insurance, except those contained in this chapter".

Adopted.

Mr. Robinson moved that the rule 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. Carstensen, Cassel, Cheney, Cummings, Dashiell, Dow, Frudden, Geneva, Greeley, Hambleton, Hanna, Harris, Jacobson, Kling, Laird, Morris, Olson, Prevo, Pritchard, Robinson, Stoltenberg, Wise, Mr. Speaker—23.

The nays were:

Messrs. Coburn, Davie, DeLano, Doran, Freeman, Hakes, Head, Heles, Hollebeak, Lamkin, Leech, Lowrev, Lundt, McAllister, McNie, Maben, Offill, Sankey, Spaulding, Teter, Washburn, Willson, Wright, Wyland—24.

Absent or not voting:

Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Chassell, Christianson, Clary, Cobb,

Colclo, Conn, Crose, English, Flenniken, Greene, Gregory, Hart, Hume, Jepson, Jones, Kendall, Kennedy, Koontz, Langan, Lister, McClurkin, McCreary, McCulloch, McDole, McElrath, Manning, Martin, Mattes, Mott, Nichols, Peet, Powers, Ritter, Saylor, Shaffer, Skinner, Springer, Stanbery, Summers, Teachout, Temple, Weeks, Welden, Whiting, Whitmer—53.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Cummings of Marshall, House file No. 420, a bill for an act relating to corporations for pecuniary profit, and repealing sections 1610, 1618 and 1637 of the code, and enacting substitutes therefor, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Cummings offered the following amendments:

Insert as section 4 the following:

Sec. 4. If the Secretary of State or Attorney General shall arbitrarily, or without sufficient cause, refuse to approve articles of incorporation presented to them for approval, the person or corporation aggrieved by such refusal may appeal to the Executive Council of the State, which shall upon such appeal approve or disapprove such articles of incorporation, and its decision thereon shall be final.

Amend section four (4) of the present bill by striking out the figure "4" in the number of said section, and inserting the figure "5" in lieu thereof.

Amend section five (5) of the present bill by striking out the figure "5" in the number of said section, and inserting the figure "6" in lieu thereof.

Adopted.

Bealer of Linn moved to amend by striking out all of section 1 after the word "increase" in the thirty-sixth line.

Lost.

Cummings of Marshall moved that the rule 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. Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Cobb, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Hakes, Hambleton, Hanna, Harris, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lowrey, Lundt, McAllister, McCreary, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Ofill, Olson, Powers, Prevo, Ritter, Robinson, Shaffer, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Whitmer, Wise, Wright, Wyland, Mr. Speaker—75.

The nays were:

Messrs. Bealer, Buchanan, Christianson, Clary—4.

Absent or not voting:

Messrs. Bailey, Coburn, Colclo, Greene, Gregory, Hart, Koontz, Lister, McClurkin, McCulloch, McDole, Peet, Pritchard, Sankey, Saylor, Skinner, Temple, Weeks, Welden, Whiting, Willson—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 passed the following bill in which the concurrence of the House is asked:

Senate file No. 316, a bill for an act to create a State board of regents.

GEO. A. NEWMAN,  
*Secretary.*

SPECIAL ORDER.

The hour of 10 o'clock having arrived, on motion of Powers of Floyd, House file No. 220, a bill for an act to provide for the manufacture of binding twine in the State prisons of Iowa, being a special order for this hour, with report of committee recommending indefinite postponement, was taken up and considered.

Mr. Powers moved that the report of the committee be not adopted.

A roll call was demanded by Powers of Floyd and Dow of Franklin.

On the question, Shall the report of the committee be adopted?

The yeas were:

Messrs. Bealer, Bixby, Buchanan, Calderwood, Carstensen, Chassell, Cheney, Christianson, Cobb, Colclo, Crose, Dashiell, Flenniken, Frudden, Hambleton, Hanna, Harris, Head, Jones, Kling, Lamkin, Leech, Lister, Lundt, McCreary, McDole, McElrath, Maben, Manning, Martin, Mattes, Mott, Offill, Robinson, Shaffer, Stoltenberg, Summers, Teachout, Teter, Washburn, Welden, Willson, Wise, Wright, Mr. Speaker—45.

The nays were:

Messrs. Boland, Carden, Cassel, Clary, Conn, Davie, DeLano, Doran, Dow, Freeman, Geneva, Greene, Heles, Hollembreak, Hume, Jacobson, Kendall, Laird, Langan, McAllister, McClurkin, McNie, Morris, Olson, Powers, Prevo, Pritchard, Ritter, Sankey, Stanbery, Weeks—31.

Absent or not voting:

Messrs. Bailey, Buckingham, Coburn, Cummings, English, Gregory, Hakes, Hart, Jepson, Kennedy, Koontz, Lowrey, McCulloch, Nichols, Peet, Saylor, Skinner, Spaulding, Springer, Temple, Whiting, Whitmer, Wyland—24.

So the report of the committee was adopted and the bill was indefinitely postponed.

#### EXPLANATION OF VOTE.

The following explanation of vote was made:

MR. SPEAKER—I am heartily in sympathy with the end sought by this measure but vote aye on this question as I believe the action of the Appropriations committee should be sustained and this matter postponed on account of lack of funds to provide for the legitimate needs of the institutions of the State already established.

B. F. ROBINSON.

House resumed the consideration of House joint resolution No. 7, joint resolution proposing amendments to the constitution of Iowa, relative to suffrage and to provide for its reference and publication.

Wright of Webster moved that the rule be suspended, that the joint resolution be considered engrossed and read a third time now, which motion prevailed, and the joint resolution was read a third time as follows:

HOUSE JOINT RESOLUTION NO. 7.

JOINT RESOLUTION 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

*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.

On the question, Shall the joint resolution be adopted?

The yeas were:

Messrs. Boland, Buckingham, Carden, Carstensen, Cheney, Cobb, Conn, Crose, Cummings, Dashiell, DeLano, Dow, English, Freeman, Greene, Harris, Head, Hollembeak, Hume, Kling, Laird, Lamkin, Leech, McClurkin, McNie, Maben, Manning, Martin, Morris, Powers, Prevo, Pritchard, Robinson, Sankey, Shaffer, Spaulding, Stanbery, Summers, Teachout, Teter, Weeks, Willson, Wright—43.

The nays were:

Messrs. Bealer, Calderwood, Cassel, Chassell, Christianson, Clary, Coburn, Colclo, Davie, Doran, Flenniken, Frudden, Geneva, Hakes, Hambleton, Hanna, Hart, Heles, Jacobson, Jepson,

Jones, Kendall, Langan, Lister, Lowrey Lundt, McAllister, McCreary, Mattes, Mott, Offill, Olson, Ritter, Stoltenberg, Washburn, Welden, Whitmer, Wise, Wyland, Mr. Speaker—40.

**Absent or not voting:**

Messrs. Bailey, Bixby, Buchanan, Conn, Gregory, Greeley, Kennedy, Koontz, McCulloch, McDole, McElrath, Nichols, Peet, Saylor, Skinner, Springer, Temple, Whiting—18.

So the joint resolution, having failed to receive a constitutional majority, was declared lost.

**MR. SPEAKER**—The explanation of my affirmative vote will be found in the Journal of the House of Monday, April 4, 1904.

LORENZO D. TETER.

On motion of Leech of Cedar House file No. 173, a bill for an act to provide for the establishment and maintenance of a bacteriological laboratory and for the appointment of a director thereof, (additional to chapter 16, Title XII) with report of committee recommending passage as amended by substitute, was taken up, considered, and the report of the committee adopted.

Mr. Leech moved the adoption of the following substitute amendment recommended by the committee :

**A BILL** for an act to provide for the establishment of a bacteriological laboratory and for the appointment of a director thereof, additional to chapter sixteen (16), title XII of the code.

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

Section 1. That there shall be established and located by the State Board of Health a bacteriological laboratory which shall be conducted under rules and regulations to be adopted from time to time by said board. The State Board of Health at its meeting in July each year shall appoint a director of said bacteriological laboratory who shall be a physician and a skilled bacteriologist and shall have charge of said laboratory under the direction of said board. Said director shall receive such salary as may be allowed by the Board of Health not to exceed two thousand dollars (\$2,000) per year and said salary shall be paid in monthly installments and in the same manner as the salary of the secretary of the State Board of Health is now paid.

Sec. 2. There is hereby appropriated for the purpose of establishing said bacteriological laboratory and providing the necessary apparatus therefor, the sum of two thousand five hundred dollars (\$2,500), and there is further appropriated the sum of five thousand dollars (\$5,000) annually, or

so much thereof as may be necessary, to pay the salary of said director, the expenses of said laboratory, and expenses of postage, stationery and other contingent and miscellaneous expenses as may be incurred in maintaining said laboratory and performing the duties of said director. Said appropriations shall be expended in the manner provided in section twenty-five hundred and seventy-five (2575) of the code.

Frudden of Dubuque moved to substitute the following substitute amendment for the substitute amendment recommended by the committee:

A BILL for an act to provide for the maintenance of a bacteriological laboratory at Iowa City, Iowa, in connection with the medical department of the State University. Additional to chapter sixteen (16), title XII of the code.

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

Section 1. The bacteriological laboratory of the medical department of the State University at Iowa City, is hereby established as a permanent part of the medical department of the university work, and it shall in addition to its regular work perform all scientific analyses and tests, chemical, microscopical or other scientific investigations, which may be required by the State Board of Health, and it shall make prompt reports of the results thereof, under such rules and regulations as the said State Board of Health may from time to time adopt.

Sec. 2. The professor of bacteriology of the medical department of the State University shall be the director of said laboratory and shall make or cause to be made all such analyses, tests and investigations as shall be required by the State Board of Health as provided in the preceding section, causing the same to be made without delay and giving such analyses, tests or investigations the preference of the point of time over all other work and shall make prompt report of the result thereof to the Board of Health or to such person or persons as the Board of Health may by rule or designation designate.

Sec. 3. There is hereby appropriated for the purpose of more perfectly equipping the present bacteriological laboratory at the State University and for the purpose of enabling it to perform the duties hereby imposed, and to provide it with the necessary apparatus and assistants to render the same effective, the sum of one thousand dollars (\$1,000) for apparatus, and the further sum of five thousand dollars (\$5,000) or so much thereof as may be necessary, annually, to be the additional salary of said director, the assistants, the expenses of said laboratory as may be necessary by this act, including postage, stationery and other contingent and miscellaneous expenses which may be incurred in the maintaining of said laboratory and perform the duties required therein by the provisions of this act. The director shall receive such additional salary not exceeding twelve hundred dollars (\$1,200) per year as the State Board of Health may fix. The appropriation hereby provided shall be expended in the same manner provided in section two thousand five hundred and seventy-five (2575) of the code.

Sec. 4. This act, being deemed of immediate importance, shall take effect and be in force from and after the date of its publication in the Register and Leader and Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa.

### Adopted.

#### EXPLANATION OF OBJECTIONS.

The undersigned objects to further consideration of House file No. 173, for the reason that on the 29th day of March, 1904, this House, after a motion to reconsider the vote by which this bill passed to its second reading and was lost upon its passage, was put and carried, proceeded to the consideration of this bill upon its second reading, and at that time a motion was entertained, put and carried that the rule be suspended, the bill be considered engrossed and read a third time, and immediately following such reading the roll was called upon the passage of the bill, and at the conclusion of said roll call and before the announcement of the same, the bill was unlawfully and illegally referred to the committee on Public Health, and any further consideration of this bill, other than to announce the roll call upon its passage, would be in violation of and in contravention of a provision of the Constitution of the State.

WM. S. HART,  
*Representative Eighty-seventh District.*

The House adjourned until 2 o'clock P.M.

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#### AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Clarke in the chair.

House resumed consideration House file No. 173.

Leech of Cedar asked unanimous consent to withdraw House file No. 173 from further consideration by the House.

Granted.

#### REPORT OF COMMITTEE.

Wright of Webster, from the committee on Constitutional Amendments, submitted the following report:



MR. SPEAKER—Your committee on Constitutional Amendments, to whom was referred House joint resolution No. 8, proposing the submission of amendments to the Constitution of the State of Iowa, providing for direct 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 be indefinitely postponed.

R. M. WRIGHT,  
*Chairman.*

Adopted, and the joint resolution was indefinitely postponed.

On request of Cobb of Taylor leave of absence was granted Bailey of Ringgold indefinitely on account of sickness.

Cummings of Marshall asked unanimous consent to withdraw House file No. 443 from further consideration by the House.

Granted.

#### INTRODUCTION OF BILLS.

By Calderwood of Scott, House file No. 454, a bill for an act to amend section twenty-seven hundred and twenty-seven-a fifty-nine (2727-a 59) of the supplement to the code, providing for annual reports of county institutions for the care of dependents and defectives.

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

Section 1. That section twenty-seven hundred and twenty-seven-a fifty-nine (2727-a 59) of the supplement to the code be and the same is hereby amended by adding thereto the following :

“It shall be the duty of the stewards of county poor farms and the heads of all county institutions wherein paupers, insane, feeble-minded, deaf, dumb, epileptic or other dependent or defective persons are confined to make annually to the Board of Control of State Institutions on or before March 1st, a report showing their population, its movement and character, containing a specific statement of each class, the produce of the farm and sales thereof and all moneys received; the expenditures therefor for the year ending December 31st next preceding, together with the valuation of the properties of their several poor farms or county institutions at the time the same are appraised as now required by law; said report shall be made on forms or blanks to be devised or supplied by the Board of Control. The stewards of poor farms and heads of county institutions herein referred to are hereby required to keep their records and accounts in such manner as to comply with the provisions of this act.”

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

By Frudden of Dubuque, House file No. 455, a bill for an act to provide for the maintenance of a bacteriological laboratory at Iowa City, Iowa, in connection with the medical department of the State University, additional chapter sixteen (16), title XII of the code.

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

Section 1. The bacteriological laboratory of the medical department of the State University, at Iowa City, is hereby established as a permanent part of the medical department of the university work, and it shall in addition to its regular work, perform all scientific analyses and tests, chemical, microscopical or other scientific investigations, which may be required by the State Board of Health, and it shall make prompt report of the results thereof, under such rules and regulations as the said State Board of Health may from time to time adopt.

Sec. 2. The professor of bacteriology of the medical department of the State University shall be the director of said laboratory and shall make or cause to be made all such analyses, tests and investigations as shall be required by the State Board of Health as provided in the preceding section, causing the same to be made without delay and giving such analyses, tests or investigations the preference of the point of time over all other work and shall make prompt report of the result thereof to the Board of Health or to such person or persons as the Board of Health may by rule or designation designate.

Sec. 3. There is hereby appropriated for the purpose of more perfectly equipping the present bacteriological laboratory at the State University and for the purpose of enabling it to perform the duties hereby imposed, and to provide it with the necessary apparatus and assistants to render the same effective, the sum of one thousand dollars (\$1,000) for apparatus and the further sum of five thousand dollars (\$5,000) or so much thereof as may be necessary, annually, to be the additional salary of said director, the assistants, the expenses of said laboratory as may be necessary by this act, including postage, stationery and other contingent and miscellaneous expenses which may be incurred in the maintaining of said laboratory and perform the duties required therein by the provisions of this act. The director shall receive such additional salary not exceeding twelve hundred dollars (\$1,200) per year as the State Board of Health may fix. The appropriations hereby provided shall be expended in the manner provided in section two thousand five hundred and seventy-five (2575) of the code.

Sec. 4. This act, being deemed of immediate importance, shall take effect and be in force from and after the date of its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa.

Read first and second time.

On motion of Chassell of Plymouth, the bill was ordered placed upon the Calendar without reference to a committee.

## 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. 16, a bill for an act to promote the public health, convenience and welfare by leveling, ditching and draining the lands of the State, and providing for the establishment of levees, drainage districts, or for the changing of natural water courses to secure better drainage, and providing for the construction of ditches, drains and water courses, and prescribing the method for so doing, and providing for the assessment and collection of the costs and expenses of the same, and issuing improvement certificates, or issuing and selling bonds therefor. (Additional to title X (10), chapter two (2) of the code and code supplement.)

GEO. A. NEWMAN,  
*Secretary.*

**Also:**

MR. SPEAKER— I am directed to inform your honorable body that the Senate requests the recall of House file No. 318, a bill for an act to enable the State of Iowa to sell and dispose of all abandoned river channels and all sand bars or islands in the navigable waters of the State, and authorizing the appointment of a commission to ascertain and establish the boundary lines between the State of Iowa and adjoining states.

GEO. A. NEWMAN,  
*Secretary.*

## BILLS ON THEIR PASSAGE.

On motion of Kling of Harrison, House file No. 425, a bill for an act to provide for the regulation of persons, firms, companies, partnerships, associations or corporations, other than building and loan associations and insurance companies and associations, which issue, place, sell or otherwise engage in the business of handling certificates, memberships, shares, contracts, debentures, bonds, stocks, tontine contracts or other investment securities of any kind or character, on the partial payment or installment plan, prescribing the terms and conditions upon which such persons, firms, companies, partnerships, associations or corporations shall be permitted to do business within this State, with report of committee recommending passage as amended, was taken up, considered and the report of the committee adopted.

Mr. Kling moved the adoption of the following amendment recommended by the committee:

Amend by inserting in line two (2) of section six (6) of the printed bill, after the word "State," the following: "a bond approved by the Executive Council, guaranteeing the faithful performance of all contracts entered into by such association or."

Also, further amend by inserting in line four (4) of section six (6) after the word "Assembly", the following words: "or such other securities as shall be approved by the Executive Council"; also, further amended by inserting in line ten (10) of section nine (9), after the word "stock", the following words: "after three years from the issuance of said stock."

### Adopted.

Mr. Kling moved that the rule 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. Bixby, Boland, Buchanan, Buckingham, Carden, Cars-tensen, Cassel, Chassell, Cheney, Cobb, Colclo, Conn, Crose, Cummings, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McDole, McElrath, Mc-Nie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Shaffer, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—81.

The nays were:

Mr. Bealer—1.

Absent or not voting:

Messrs. Bailey, Calderwood, Christianson, Clary, Coburn, Dashiell, Greene, Gregory, Hakes, Koontz, Lamkin, McCulloch,

Peet, Sankey, Saylor, Skinner, Springer, Temple, Whiting—18.

So the bill passed and the title was agreed to.

On motion of Kennedy of Lee House file No. 396, a bill for an act authorizing cities and towns in the State of Iowa to institute proceedings against any and all persons, companies or corporations owning and operating waterworks in any such cities and towns, to have the franchise, charter, permit and contracts of such persons, companies or corporations declared forfeited; to have a receiver appointed to operate such waterworks and to have such waterworks condemned and sold, with report of Municipal Corporations committee recommending passage as amended, was taken up, considered, and the report of the committee adopted.

Mr. Kennedy moved the adoption of the following amendment recommended by the committee :

Amend by adding to section one (1) after the word "provided" the words "but before the commencement of any such action written notice shall be given to such person, company or corporation in charge of said waterworks, of its failure and the nature thereof, to comply with the contract made by the said city or town, and a reasonable time given thereafter to comply with such contract before the said action shall be brought," and that it be further amended by inserting in the fourth line of section four (4) after the word "the" the words "material and important," and that it be further amended by striking out in the twelfth line of section one (1) the words "or in any superior court in any such city or town," and that section nine (9) be amended by inserting the word "also" after the word "shall" in the first line of section nine (9) of the original bill.

Adopted.

The report of the committee on Judiciary recommending passage was then adopted.

Mr. Kennedy moved that the rule 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. Bealer, Bixby, Boland, Buckingham, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Greeley, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Spaulding, Stanbery, Summers, Teter, Washburn, Weeks, Welden, Whitmer, Wise, Wright, Wyland, Mr. Speaker—80.

The nays were:

Mr. Geneva—1.

Absent or not voting:

Messrs. Bailey, Buchanan, Calderwood, Greene, Gregory, Kling, Koontz, McCreary, McCulloch, Offill, Peet, Saylor, Skinner, Springer, Stoltenberg, Teachout, Temple, Whiting, Willson—19.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, Senate file No. 57, a bill for an act relative to the inheritance of a child born after the making of a will, repealing section 3279 of the code and amending section 3276 of the code, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Kendall moved that the rule 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. Bixby, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Cobb, Coburn, Colclo,

Conn, Crose, Cummings, Davie, DeLano, Doran, Dow, Flenniken, Freeman, Frudden, Geneva, Greeley, Hakes, Hambleton, Hanna, Harris, Head, Heles, Hollembeak, Hume, Jacobson, Jepsen, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McCreary, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Ofill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Washburn, Welden, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—79.

The nays were:

Mr. Teter—1.

Absent or not voting:

Messrs. Bailey, Bealer, Boland, Buckingham, Clary, Dashiell, English, Greene, Gregory, Hart, Koontz, McClurkin, McCulloch, Peet, Saylor, Skinner, Springer, Temple, Weeks, Whiting—20.

So the bill passed and the title was agreed to.

On motion of Langan of Clinton, Senate file No. 34, a bill for an act to amend section 2405 of the code, relating to the 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.

Mr. Langan moved that the rule 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, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Clary, Coburn, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Greeley, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepsen, Jones, Kendall, Kennedy, Kling,

Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Welden, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—84.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Cassel, Cobb, Colclo, Geneva, Greene, Gregory, Koontz, McCulloch, Peet, Saylor, Skinner, Springer, Temple, Weeks, Whiting—16.

So the bill passed and the title was agreed to.

Speaker pro tem Cummings in the chair.

On motion of McElrath of Woodbury, Senate file No. 169, a bill for an act to amend section 403 of the code, relating to funding and refunding outstanding county indebtedness, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. McElrath moved that the rule 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. Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Conn, Crose, Cummings, Dashiell, Davie, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Kendall, Kennedy, Kling, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo,



Pritchard, Ritter, Robinson, Sankey, Shaffer, Spaulding, Stanbery, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whitmer, Wise, Wright, Wyland—80.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Colclo, DeLano, Doran, Greene, Gregory, Jones, Koontz, Laird, McCulloch, Peet, Saylor, Skinner, Springer, Stoltenberg, Temple, Whiting, Willson, Mr. Speaker—20.

So the bill passed and the title was agreed to.

On motion of Nichols of Muscatine, House file No. 450, a bill for an act to establish and maintain pumping stations or plants in levee districts in the State, presenting the methods of so doing, additional to title X, chapter 2 of the code and code supplement, was taken up and considered.

Mr. Nichols moved to amend as follows:

Amend line two by striking out the words "may organize" after the word "State" and insert in lieu thereof the words "in which"; also in line two after the word "district" insert "has been or may hereafter be organized"; also in line three strike out the word "and" after the word "code" and insert the word "may" in lieu thereof.

Adopted.

Mr. Nichols moved that the rule 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. Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Crose, Cummings, Davie, DeLano, Doran, Dow, Flenniken, Freeman, Frudden, Greeley, Hambleton, Hanna, Harris,

Hart, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister Lowrey, Lundt, McAllister, McClurkin, McCreary, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson Sankey, Shaffer, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Wright, Wyland—80.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Coburn, Colclo, Conn, Dashiell, English, Geneva, Greene, Gregory, Hakes, Head, Koontz, McCulloch, Peet, Saylor, Skinner, Springer, Temple, Whiting, Mr. Speaker—20.

So the bill passed and the title was agreed to.

Speaker Clarke in the chair.

On motion of Bealer of Linn, House file No. 449, a bill for an act to provide for the disposition of canvas, furniture and other property used temporarily in the hall of the House of Representatives, was taken up and considered.

Bealer of Linn moved to amend the bill striking out all after the enacting clause and substitute the following in lieu thereof:

Section 1. That so soon as practicable after the adjournment of the Thirtieth General Assembly, the custodian of public buildings and property, shall take charge of canvas, tables and other property which were provided for temporary use in the hall of the House of Representatives.

Sec. 2. The custodian is hereby authorized to deliver as much of the same as in his judgment is not suitable for permanent use in the Capitol, to the Board of Control of State Institutions, and the custodian shall securely pack and deliver to the proper railway for shipment, as directed by said board, the property so accepted, and shall make a report to the Executive Council of the number of packages and place a commercial value thereon.

Sec. 3. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

Adopted.

Mr. Bealer moved that the rule 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. Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Conn, Crose, Cummings, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Hakes, Hambleton, Hanna, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McDole, McElrath, Maben, Manning, Mattes, Morris, Mott, Nichols, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Spaulding, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Buckingham, Colclo, Dashiell, Greene, Gregory, Harris, Koontz, McCulloch, McNie, Martin, Offill, Peet, Saylor, Skinner, Springer, Stanbery, Temple, Whiting—19.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, Senate file No. 300, a bill for an act relating to offenses by persons in this State attempted to be consummated or consummated elsewhere than within the boarders of this State, and to offenses by persons out of this State attempting to be consummated or consummated within this State, with report of committee recommending passage as amended by substitute, was taken up, considered and the report of the committee adopted.

Mr. Kendall moved the adoption of the following substitute amendment recommended by the committee:

A BILL for an act to amend section five thousand one hundred and fifty-three (5153) of the code, relating to the criminal jurisdiction of the courts of this State in the matter of public offenses.

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

Section 1. The jurisdiction of the courts of this State, as defined by this chapter, shall be held to include any and every public offense, by any person residing or being within the State, committed in whole or in part within this State and against the property or person of another, whether the person injured thereby be at the consummation of the wrongful act, residing or abiding in this State or in any other State, territory, district or country, and the place of the consummation of such wrongful act shall not affect such jurisdiction.

Adopted.

Mr. Kendall moved that the rule 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. Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Crose, Cummings, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—86.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Buckingham, Conn, Dashiell, Greene, Gregory, Koontz, McCulloch, Peet, Saylor, Skinner, Springer, Temple, Whiting—14.

So the bill passed and the title was agreed to.

On motion of Teachout of Polk, House file No. 451, a bill for an act providing for the condemnation of real estate for use of municipal corporations, was taken up and considered.

Mr. Teachout moved that the rule 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 Bixby, Boland, Buchanan, Carden, Carstensen, Cassel, Chassell, Cheney, Conn, Crose, Cummings, Dow, English, Flen-  
niken, Greeley, Hambleton, Hart, Head, Jacobson, Jepson, Jones,  
Kennedy, Kling, Koontz, Leech, Lister, Lowrey, McClurkin,  
McDole, McElrath, McNie, Manning, Mattes, Morris, Offill,  
Olson, Powers, Prevo, Shaffer, Spaulding, Summers, Teachout,  
Weeks, Welden, Willson, Wise—46.

The nays were:

Messrs. Calderwood, Clary, Coburn, Doran, Freeman, Hakes,  
Heles, Hume, Laird, Lamkin, Lundt, McCreary, Nichols,  
Sankey, Teter, Wright, Wyland, Mr. Speaker—18.

Absent or not voting:

Messrs. Bailey, Bealer, Buckingham, Christianson, Cobb,  
Colclo, Dashiell, Davie, DeLano, Frudden, Geneva, Greene,  
Gregory, Hanna, Harris, Hollembeak, Kendall, Langan, Mc-  
Allister, McCulloch, Maben, Martin, Mott, Peet, Pritchard, Rit-  
ter, Robinson, Saylor, Skinner, Springer, Stanbery, Stoltenberg,  
Temple, Washburn, Whiting, Whitmer—36.

So the bill, having failed to receive a constitutional majority, was declared lost.

Langan of Clinton asked unanimous consent to withdraw House file No. 349 from the committee on Insurance and from further consideration by the House.

Granted.

Weeks of Guthrie moved that the request of the Senate for the return of House file No. 318 be complied with.

Motion prevailed.

Spaulding of Howard moved that the vote by which the House adopted the reports of the committees on Enrolled Bills in regard to House file No. 318 be reconsidered.

Motion prevailed.

The House thereupon refused to adopt the reports in reference to said bill.

Speaker announced that he had signed in the presence of the House, House files No. 316, No. 180, No. 248, No. 245, No. 141, No. 335, No. 361, No. 362.

On motion of Cummings of Marshall, the House took up the consideration of the application of William Tool for pardon, on which the committee reported adversely.

The report was adopted.

On motion of Cummings of Marshall, the House took up the consideration of the application of John G. Steele for pardon, on which the committee reported adversely.

The report was adopted.

On motion of Cummings of Marshall, the House took up the consideration the application of Leonard W. Haley for pardon, on which the committee reported adversely.

The report was adopted.

On motion of Cummings of Marshall, the House took up the consideration of the application of Betsy Smith for pardon, on which the committee reported adversely.

The report was adopted.

On motion of Cummings of Marshall, the House took up the consideration of the application of Hugh Robbard for pardon, on which the committee reported adversely.

The report was adopted.

On motion of Cummings of Marshall the House took up the consideration of the application of Ormond McPherson for pardon, on which the committee reported adversely.

The report was adopted.

On motion of Cummings of Marshall the House took up the consideration of the application of G. A. Williams for pardon, on which the committee reported adversely.

The report was adopted.

On motion of Cummings of Marshall the House took up the consideration of the application of Thomas Watson for pardon, on which the committee reported adversely.

The report was adopted.

On motion of Cummings of Marshall the House took up the consideration of the application of George Weems for pardon, on which the committee reported adversely.

The report was adopted.

On motion of Cummings of Marshall the House took up the consideration of the application of Clarence Mills for pardon, on which the committee reported adversely.

The report was adopted.

On motion of Cummings of Marshall, the House took up the consideration of the application for pardon of Frank Hall, and the report of the committee was adopted.

Mr. Cummings moved that the following concurrent resolution be adopted:

Concurrent resolution authorizing and recommending the conditional pardon of Frank Hall.

*Be it resolved by the House of Representatives of the Thirtieth 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 Frank Hall, formerly of Pottawattamie county, and who is now confined in the State penitentiary at Anamosa, under life sentence from the district court of Iowa, in and for Pottawattamie county, upon such terms and conditions as the Governor may prescribe.*

On the question, Shall the concurrent resolution be adopted?

The yeas were:

Messrs. Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Christianson, Clary, Cobb, Colclo, Crose, Cummings, DeLano, Doran, Dow, Freeman, Frudden, Geneva, Greeley, Hakes, Hanna, Hambleton, Harris, Hart, Head, Hollembeak, Hume, Jacobson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lowrey, Lund, McAllister, McClurkin, McCreary, McDole, McElrath, Maben, Manning, Morris, Mott, Ofill, Olson, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Spaulding, Summers, Teachout, Weeks, Welden, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—68.

The nays were:

Messrs. Cheney, Coburn, English, Flenniken, Heles, Washburn—6.

Absent or not voting:

Messrs. Bailey, Bealer, Cassel, Conn, Dashiell, Davie, Greene, Gregory, Jepson, Langan, Lister, McCulloch, McNie, Martin, Mattes, Nichols, Peet, Pritchard, Saylor, Skinner, Springer, Stanbery, Stoltenberg, Temple, Teter, Whiting—26.

So the concurrent resolution was adopted.

On motion of Cummings of Marshall, the House took up the consideration of the application for pardon of W.P.Glyndon, and the report of the committee was adopted.

Mr. Cummings moved the adoption of the following concurrent resolution:

Concurrent resolution authorizing and recommending the conditional pardon of W. P. Glyndon.

*Be it resolved, by the House of the Thirtieth 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 W. P. Glyndon, formerly of Hardin county, who is now confined in the State penitentiary at Fort Madison under life sentence from the district court of Iowa, in and for Story county, upon such terms and conditions as the Governor may prescribe.



Kendall of Monroe moved to adjourn until 7:30 P. M.

Lost.

On the question, Shall the concurrent resolution be adopted?

The yeas were:

Messrs. Calderwood, Cummings, DeLano, Doran, Hanna, Hart, Hume, Jepson, Kendall, Kennedy, Kling, Koontz, Langan, McClurkin, Maben, Manning, Mott, Prevo, Sankey, Spaulding, Stanbery, Summers, Willson, Wyland—24.

The nays were:

Messrs. Bixby, Buchanan, Buckingham, Carden, Cassel, Chas-sell, Cheney, Clary, Cobb, Coburn, Colclo, Conn, Crose, Dow, English, Freeman, Frudden, Hakes, Hambleton, Harris, Head, Heles, Hollebeak, Jacobson, Jones, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McCreary, McDole, McElrath, Mar-tin, Mattes, Morris, Offill, Olson, Powers, Pritchard, Robinson, Shaffer, Stoltenberg, Teachout, Teter, Washburn, Weeks, Wel-den, Whitmer, Wise, Wright, Mr. Speaker—53.

Absent or not voting:

Messrs. Bailey, Bealer, Boland, Carstensen, Christianson Dashiell, Davie, Flenniken, Geneva, Greeley, Greene, Gregory, Lowrey, McCulloch, McNie, Nichols, Peet, Ritter, Saylor, Skinner, Springer, Temple, Whiting.—23.

So the concurrent resolution, having failed to receive a major-ity, was declared lost.

SENATE MESSAGE CONSIDERED.

Substitute for Senate file No. 16, a bill for an act to promote the public health, convenience and welfare by leveeing, ditching and draining the lands of the State, and providing for the estab-lishment of levees, drainage districts, or for the changing of natural water courses to secure better drainage, and providing for the construction of ditches, drains and water courses, and pre-scribing the method for so doing, and providing for the assess-ment and collection of the costs and expenses of the same, and

issuing improvement certificates, or issuing and selling bonds therefor, additional to title X (10), chapter two (2) of the code and code supplement.

Read first and second time and ordered placed on the Calendar.

Mattes of Sac moved that Senate file No. 316 be printed in the Journal, placed on the Calendar without reference to a committee and made a special order for Wednesday afternoon, April 6th, at 2:30 o'clock.

Wright of Webster moved as a substitute for that motion that the bill take its regular course and be referred to a committee.

Substitute lost.

Original motion prevailed.

SENATE FILE NO. 316 AS PASSED BY SENATE.

A BILL for an act to create a State Board of Education and prescribe its duties and to provide for the management and control of the State University, the College of Agriculture and Mechanic Arts, the Normal School, the College for the Blind and the School for the Deaf, and to make an appropriation therefor, to define certain offenses and provide penalties therefor, and to repeal certain statutes.

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

Section 1. The Governor shall, prior to the adjournment of the Thirtieth General Assembly, nominate and, with the consent of two-thirds of the members of the Senate in executive session, appoint three electors of the State, not more than two of whom shall belong to the same political party, and no two of whom shall reside at the time of their appointment in the same congressional district, and no two of whom shall have been students of any one of the educational institutions hereinafter referred to, as members of a board to be known as a "State Board of Regents."

Said members shall hold office, as designated by the Governor, for two, four and six years respectively.

Subsequent appointments shall be made as above provided and, except to fill vacancies, shall be for a period of six years. The board shall at all times be subject to the above limitations and restrictions.

No nomination shall be considered by the Senate until the same shall have been referred to a committee of five, not more than three of whom shall belong to the same political party, to be appointed by the president of the Senate without the formality of a motion, which committee shall report to the Senate in executive session, which report shall be made at any time called for by the Senate.

The consideration of nomination by the Senate, shall not be had on the same legislative day the nominations are referred.

The chairman of the board for each biennial period shall be the member whose term first expires, and each member thereof shall receive a salary of three thousand dollars (\$3,000) per annum, and shall devote his entire time to the duties of his office.

The Governor may, by and with the consent of the Senate, during a session of the General Assembly, remove any member of the board for malfeasance or nonfeasance in office, or for any cause that renders him ineligible to appointment, or incapable or unfit to discharge the duties of his office, and his removal when so made shall be final. When the General Assembly is not in session the Governor may suspend any member so disqualified, and shall appoint another to fill the vacancy thus created, subject, however, to the action of the Senate when next in session. All vacancies on said board that may occur while the General Assembly is not in session shall be filled by appointment by the Governor, which appointment shall expire at the end of thirty days from the time the General Assembly next convenes, and vacancies occurring during a session of the General Assembly shall be filled as regular appointments are made and before the end of said session.

Sec. 2. Each member of the board shall take the oath, and qualify, as required by section one hundred seventy-nine (179) of the code. Before entering on the duties of his office, each member shall give an official bond in the sum of twenty-five thousand dollars (\$25,000) conditioned as provided by law, signed by sureties, to be approved by the Governor, and when so approved said bond shall be filed in the office of the Secretary of State.

No member of the State Board of Regents shall be eligible to any other lucrative office in the State during his term of service or for one year thereafter or to any position in any State institution during the term for which he was appointed, nor within one year after his term shall have expired. Provided, however, that nothing herein not in section two (2) of chapter one hundred eighteen (118) of the acts of the Twenty-seventh General Assembly contained shall be construed to disqualify or prevent the appointment of any person who is or has been a member of the State Board of Regents to be a member of the Board of Control of State Institutions, nor to prevent the appointment of any person who is or has been a member of said Board of Control to be a member of the State Board of Regents, but no person shall be a member of both boards at the same time. The State Board of Regents shall be subject to the examination of the joint committee on retrenchment and reform, created by section one hundred eighty-one (181) of the code. The claim that any testimony or evidence sought to be elicited or produced on such examination may tend to criminate the person giving or producing it, or expose him to public ignominy, shall not excuse him from testifying or producing evidence, documentary or otherwise; but no person shall be prosecuted or subjected to penalty or forfeiture for and on account of any matter or thing concerning which he may testify or produce such evidence, provided that he shall not be exempted from prosecution and punishment for perjury committed in so testifying.

Sec. 3. The board shall be provided by the proper authorities with suitably furnished offices at the seat of government, and shall employ a competent secretary, who shall receive a salary not to exceed fifteen hundred dollars (\$1,500) per annum, and may also hire a stenographer and such other employes as may be necessary. The board shall, by the proper authorities, be also furnished with all necessary books, blanks, stationery, printing, postage stamps, and such other office supplies as are furnished other state officers: It shall present to each general assembly an itemized account of its expenditures, to the end that the legislature may, for the future, fix the maximum amount of such expenditures.

Sec. 4. There is hereby appropriated from any funds in the State treasury not otherwise appropriated sufficient thereof to pay the salaries and expenditures hereby authorized.

Sec. 5. In addition to the salaries paid the members of the board and the secretary and other employes, they shall be entitled to the necessary traveling expenses, by the nearest traveled and practicable route, incurred in going from Des Moines to the different institutions, or to other places in the State, when on official business. No expenditure for traveling expenses to other states shall be made by the board, or by any officer or agent thereof, or by any officer, employe or agent of any State institution subject to this board, unless the authority to make such trip is granted at a meeting of the State Board of Regents, upon a written resolution, adopted by the board, which shall state the purpose of such trip, and the reason the same is deemed necessary. Said resolution, if adopted, shall then be submitted to the Governor for his written approval, and if he does not approve the same such trips shall not be made at the expense of the State.

Sec. 6. Before any expenses of the members of the board, any officer, or agent thereof, or before any expenses incurred by others under the direction of the board, or the expenses of any officer or employe of any institution under the charge of the board shall be paid, a minutely itemized statement of every item of expenditure shall be presented to the proper authority, duly verified, which verification shall aver that the expense bill is just, accurate and true, and is claimed for cash expenditures, or cash disbursements, truly and actually made and paid to the parties named, as shown by said statement. Unless the statement is so verified, and duly audited, payment thereof shall not be had. The expense bills of the members of the board, the secretary and its other employes, when so verified, shall be presented to the Governor for his written audit, before payment is made. The salaries and such actual expenses of the board and of the secretary and other officers, and the salaries of employes shall be paid monthly by the Treasurer of State upon the warrant of the Auditor of State.

Sec. 7. The board shall have an official seal, and every commission, order, or other paper executed by the board may, under its direction, be attested with its seal affixed by the secretary or any member of the board.

Sec. 8. The State Board of Regents shall have full power to manage, control and govern, subject only to the limitations contained in this act, in the Constitution of the State of Iowa, and the acts of Congress, the State Univer-

sity, the College of Agriculture and Mechanic Arts, including the Agricultural Experiment Station, the Normal School, the College for the Blind and the School for the Deaf.

Within ten days after the appointment and qualification of the members of the board, it shall organize and assume the duties vested in said board, but shall not exercise full control of the institutions until the first day of July, A. D. one thousand nine hundred four (1904).

Sec. 9. The Board of Regents and Board of Trustees, now charged with the government of the State University, College of Agriculture and Mechanic Arts and the Normal School, shall cease to exist on the first day of July, A. D. 1904, and on the same date the powers possessed by the Governor, Superintendent of Public Instruction, Executive Council and Board of Control of State Institutions in the management of said institutions shall cease to exist in the Governor, Superintendent of Public Instruction, Executive Council and Board of Control of State Institutions and shall be vested in the State Board of Regents. And the said State Board of Regents is authorized and directed without further process of law, on the first day of July, A. D., 1904. to assume and exercise all the powers heretofore vested in or exercised by the Board of Regents, the Board of Trustees, the Governor, the Superintendent of Public Instruction, the Executive Council and the Board of Control of State Institutions with reference to the several institutions of the State herein named. The Board of Control of State Institutions shall on said date deliver to the State Board of Regents all books, papers and other property which pertain wholly to the College for the Blind and the School for the Deaf, and shall from time to time furnish to the State Board of Regents as it may require, such information in regard to said institutions and their business as may be shown by the records of the Board of Control.

The duties imposed on the Executive Council, by statute, to establish a uniform system of books and accounts for State Institutions, and to cause the same to be examined annually by a skilled accountant, and to annually require a settlement with the officers of each State institution, are transferred from said council to the State Board of Regents as to the institutions herein named. Nothing herein contained shall limit the general supervisory or examining powers vested in the Governor by the laws or constitution of the State, or that are vested by him in any committee appointed by him.

Sec. 10. It shall be the duty of the State Board of Regents or a committee thereof to visit and inspect, at least once in three months, the institutions named, and investigate the financial condition and management of such institutions; and in aid of any investigation the Board shall have the power to summon and compel the attendance of witnesses; to examine the same under oath, which any member thereof shall have power to administer; and shall have access to all books, papers and property material to such investigation, and may order the production of any other books or papers material thereto. Witnesses other than those in the employ of the State shall be entitled to the same fees as in civil cases in the district court. The claim that any testimony or evidence sought to be elicited or produced on such examination may tend to criminate the person giving or producing it or expose him to public ignominy, shall not excuse him from testifying or producing evidence, documentary or otherwise; but no person shall be

prosecuted or subject to any penalty or forfeiture for and on account of any matter or thing concerning which he may testify or produce such evidence, provided that he shall not be exempted from prosecution and punishment for perjury committed in so testifying. And it shall be the duty of the board to cause the testimony so taken to be transcribed and filed in the office of the secretary of the board at the seat of government within ten days after the same is taken, or as soon thereafter as practicable and when so filed the same shall be open for the inspection of any person. If charges of abuse or wrongs are investigated, the board shall report to the Governor the charges, the evidence and its conclusions. Any person failing or refusing to obey the orders of the board issued under the provisions of this section, or to give or produce evidence when required, shall be reported by the board to the district court or any judge thereof, and shall be dealt with by the court or judge as for a contempt of court.

Sec. 11. The board shall make reports to the Governor and legislature of its observations and conclusions respecting each and every one of the institutions named, including the regular biennial report to the legislature, covering the biennial period ending June 30th, preceding the regular session of the General Assembly. Said biennial report shall be made not later than November 15th in the year preceding the meeting of the General Assembly, and shall also contain the reports which the executive officers of the several institutions are now or may be by the board required to make, also a statement of visitations to the several institutions and when and by whom made.

Sec. 12. The board shall keep at its office a proper and complete system of books and accounts with each institution, which shall show every expenditure authorized and made thereat and said books shall exhibit an account of each extraordinary or special appropriation made by the legislature, with every item of expenditure thereof. The biennial report shall show the name and salary of each officer and employe of the board, and the name and salary of each officer and employe of the several institutions under its control. It shall be the duty of the board to require the proper officer of each institution to keep in a book prepared for that purpose a daily record to be made each day, of the time and number of hours of service of each officer and employe, except members of the faculty, and the monthly pay roll shall be made from such time book and shall be in accord therewith.

Sec. 13. The board shall prescribe the form of records and kind of accounts to be made and kept by the institutions heretofore specified. In providing for the books of accounts, the board shall establish as uniform a system as possible for all the institutions and shall institute and require the keeping of a perfected system of accounts, and requisitions showing the purchase, storing, and consumption of supplies for various purposes. For the purpose of establishing such system of accounts the board is authorized to employ competent and expert help, and to inaugurate in the institutions aforesaid on the first day of July, A. D. 1904, the best and most complete method of accounts practicable.

Sec. 14. The board shall prepare for the use of the legislature, biennial estimates of appropriations necessary and proper to be made for the support of the said several institutions, and for the extraordinary and special

expenditures for buildings, betterments, or other improvements. The members of the board and its secretary shall on request attend the meetings of legislative committees and furnish such committees with the information in regard to the doings of the board and the conduct and needs of the institutions as the committees shall require.

Sec. 15. When an appropriation for an improvement or building exceeding one thousand dollars (\$1,000) has been made, it shall not be expended until the board has secured suitable plans and specifications, prepared by a competent architect, accompanied by a detailed statement showing the probable cost; and no plans shall be adopted, and no betterments, improvements or buildings constructed, that contemplate the expenditure of more money for completion than the amount appropriated by the legislature therefor, unless exempted from the provisions of this section by the act making such appropriation. In no event shall the board direct or permit an expenditure for any purpose in excess of the amount appropriated by law, or contemplated by the statute, and the members of the Board, its officers and agents, are subject to the provisions of sections one hundred seventy eight (178), one hundred eighty-two (182), one hundred eighty-four (184), one hundred eighty-five (185), one hundred eighty-six (186), one hundred eighty-seven (187) and one hundred eighty-nine (189) of the code, to the same extent as if said named persons were particularly specified in said sections. The violation of any of the provisions of either of the sections of the code above named by any of such named officers or persons, shall be deemed a misdemeanor, and on conviction the offender shall be fined in any sum not less than two hundred dollars (\$200), nor more than five thousand dollars (\$5,000), in the discretion of the court, or imprisoned in the county jail not exceeding one year, or by both such fine and punishment.

Sec. 16. The board, or any member thereof shall, at the stated visits to any of the institutions under its control, inspect every part of each institution and all the places, buildings and grounds belonging thereto or used in connection therewith, and the various stores and supplies of the institution, including the general and special dietaries of the institutions in which they are furnished.

Sec. 17. It shall be the duty of the board to promote as best it can the purposes for which each of the institutions under its control is maintained, but it shall prevent the unnecessary maintenance in an institution of a department or course of work or study which is more properly maintained in another institution. Conferences of the board with the presidents and superintendents of the institutions under its control may be held from time to time in the offices of the board whenever it shall deem such conferences important.

Sec. 18. The board may employ an architect who shall be skilled in the most improved methods of sanitation and competent to prepare plans, specifications, estimates and details for the buildings, betterments and every item of equipment which may be necessary in any of the institutions, whose duty shall be to perform the work usually done by architects in preparing plans and specifications, and supervising work of construction on all buildings, betterments and improvements done at institutions under the

control of the board. Said architect shall also perform such other labor as may be designated by the board, and shall receive a compensation to be fixed by the board not to exceed three thousand dollars (\$3,000) per annum and the necessary traveling expenses. The board may, for buildings of exceptional importance, procure plans and specifications from other architects, and may secure the advice of a consulting architect, or other skilled assistants when needed, but the expense thereof shall not exceed fifteen hundred dollars (\$1,500) in any one year, provided, however, that the total expenditure under this section shall not exceed three thousand dollars (\$3,000) in any one year, exclusive of traveling expenses.

Sec. 19. The board shall have power to appoint and remove for cause the president or superintendent, members of the faculty and officers of each institution, but employes who are not officers shall be appointed and may be removed for cause by the president or superintendent, but no appointment or removal shall be made for political reasons. The president or superintendent or member of the faculty of an institution shall not be removed before the end of the time for which he is employed, except upon charges in writing, a copy of which shall be furnished him and he shall have an opportunity for meeting such charges. If a removal is made it shall be final and the cause thereof shall be set out in a permanent record in the office of the board. In case there is an alleged or seeming conflict between the powers of a president or superintendent and the board, the determination of such question by the board shall be final.

Sec. 20. The board shall, from time to time, by resolution duly made of record, designate one of its members to act as chairman in case of the absence or disability of the chairman, and a person to act as secretary in case of the absence or disability of its secretary. The board shall in like manner designate a member of the faculty of each institution to act for the president or superintendent in case of his absence or disability, and a person to act as steward in case of his absence or disability, in matters in which action is required of such officers or either of them by this act. Officers acting for others under the provisions of this section shall have the rights and duties of the principals in the matters in which they are authorized to act, and in so acting shall use the titles of their respective principals, prefixing thereto the word "Acting."

Sec. 21. Two members of the board shall constitute a quorum for the transaction of business, but no person shall be appointed president or superintendent of an institution unless he shall receive the affirmative vote of all of the members, no member of a faculty or other officer shall be appointed, and no member of a faculty or other officer shall be removed, no salary shall be fixed, no land shall be leased or sold, no other property shall be sold, no action at law or in equity shall be commenced, no course of procedure, course of study, policy, plan or action of any kind affecting the general interests of an institution shall be adopted, changed or abandoned, and no money shall be appropriated for any department, building or other improvement, except by the affirmative vote of two or more members of the board, and all votes for the purposes enumerated shall be entered in a permanent record of the board. Subject to the limitations specified and such others as may be fixed by law, the chairman, in the absence of two



other members of the board, shall, in the name of the board, transact its business according to the provisions of this act.

Sec. 22. It shall be the duty of the State Board of Regents to require its secretary and each officer and employe of said board, and of every institution under its control who may be charged with the custody or control of any money or property belonging to the State, and who is not now required by statute to give bond, to give official bond, properly conditioned, and signed by sufficient sureties, in a sum to be fixed by the board, which bond shall be approved by the board, and filed in the office of the Secretary of State.

Sec. 23. The board shall, within thirty (30) days after its organization, require the president or superintendent of each institution under its charge to make a complete, minute and accurate inventory of the stock and supplies on hand, the amount and value thereof, under such heads as the board shall direct. A like inventory shall be submitted to the board with each biennial report of the president or superintendent of each institution.

Sec. 24. No member of the board, or officer, agent or employe thereof, and no president or superintendent, officer, manager or employe of any of the institutions under the charge and control of said board, shall, directly or indirectly, for himself or any other person or for any institution under the charge of said board, receive or accept any gift or gratuity from any person or persons, firm or corporation who are dealers in goods, merchandise or supplies which may be used in any of said institutions, or from any employe, servant or agent of such person or persons, firm or corporation. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction be punished as provided in section four thousand nine hundred four (4904) of the code, and such violation shall be cause for his removal from office.

Sec. 25. Any member, employe or officer of the State Board of Regents, or any officer or employe of a State institution subject to the board, who by solicitation or otherwise, exerts his influence directly or indirectly to induce other officers or employes of the State to adopt his political views or to favor any particular person or candidate for office, or who shall in any manner contribute money or other thing of value to any person for election purposes shall be removed from his office or position by the proper authorities.

Sec. 26. Any person who demands or solicits, from any member, employe or officer of the board, or from any officer or employe of any institution subject to the board, a contribution of money or other thing of value, for election purposes, or for the payment of the expenses of any political committee or organization, shall be deemed guilty of a misdemeanor and punished accordingly.

Sec. 27. The board shall, prior to the first day of July, A. D. 1904, and annually thereafter, with the written approval of the Governor, fix the annual or monthly salaries of all the officers and employes in the several institutions, and the schedule so fixed shall become operative on the first day of July of each year. The salaries and wages shall be included in the monthly estimates as hereinafter provided, and paid in the same manner as other expenses of the several institutions.

Sec. 28. The duties devolved upon the secretary of the State University by section two thousand six hundred thirty-six (2636) of the code, and upon the secretary of the College of Agriculture and Mechanic Arts by section two thousand six hundred fifty-two (2652) of the code, shall on and after the first day of July, A. D. 1904, be performed in the office of the board under its direction, and the records of the Board of Regents and the boards of trustees kept by the secretaries of said institutions, and of the Normal School including all records and papers pertaining to leases and sales of lands and loans of money shall be delivered to the State Board of Regents on the date last specified; and after said date the office of secretary of each of said institutions may be continued or discontinued in the discretion of the board.

Sec. 29. The office of treasurer of the State University, the College of Agriculture and Mechanic Arts and the Normal School shall terminate on the first day of July, A. D. 1904, and the persons holding such office shall account to the proper authorities for all moneys, books, records, vouchers and other evidences of property belonging to their offices and in their possession. And it shall be the duty of the State Treasurer to receive all moneys, evidences of indebtedness, securities and documents relating thereto, theretofore held by the treasurers of said institutions, and the duties heretofore required of the treasurer of the State University by section two thousand six hundred thirty-seven (2637) of the code, and of the treasurer of the College of Agriculture and Mechanic Arts by section two thousand six hundred fifty-four (2654) of the code and of the treasurer of the Normal School, shall be performed by the Treasurer of State except as herein otherwise provided. All money belonging to the State, derived from any source at any of said institutions shall be, by proper officer, accounted for and remitted to the State Treasurer on the first day of each month, and all funds for the necessary expenditures of such institutions shall be drawn from the State treasury as provided by this act.

Sec. 30. The president, superintendent, or other officer acting for him, shall, on or before the fifteenth (15th) day of each month, cause to be prepared triplicate estimates in minute detail, including estimated cost of each item, of all the expenditures required for the institution for the ensuing month. Such estimate shall also include a statement of the source and amount of all the revenues received by the said institution and accounted for to the State Treasurer on the first day of each month. Two of said triplicate estimates shall be sent to the office of the board, and the third shall be kept by said president or superintendent. The board may revise the estimates for supplies or other expenditures, either as to quantity, quality or the estimated cost thereof, and shall certify that it has carefully examined the same, and that the articles contained in such estimates, as approved or revised by it, are actually required for the use of said institution. When the estimates have been so certified and revised, a copy of such revised estimates, duly certified, shall be sent to the institution, and another copy retained by the board. The certified copy sent to the institution shall be sufficient authority for the management of the institution to purchase the supplies enumerated in said estimate, at prices not to exceed those therein named, and not otherwise. Said supplies shall be so purchased as to permit at least thirty days' time to pay therefor, and the steward shall require itemized bills to be rendered by

the persons who furnished supplies, in duplicate, for all purchases, whether made upon contract or otherwise, which shall be in the following form:

The State of Iowa, on account of the..... Institution. (Date.)

To.....Dr. (Here insert an itemized account of goods or property purchased.)

THE STATE OF IOWA, } ss.  
COUNTY OF.....

I....., on oath say that the foregoing bill of account is correct and just and wholly unpaid; that the exact consideration therein charged for was received by the said institution; that neither the same nor any part thereof has since been commuted; and that neither bonus, commission, discount, nor any other consideration, directly or indirectly has been given, or stipulated, within my knowledge or belief, because of the purchase thereof, as therein set forth, or for any other reason. (To be signed by the person having personal knowledge of the facts therein set forth.)

Sworn to and subscribed before me this .....day of.....

I hereby certify that the above account is correct, and that the articles therein charged have been received in good order by the..... institution.

Steward.

It shall be endorsed as follows:

No..... Institution. \$.....

Passed upon by the State Board of Regents on the..... day of....., and ordered paid.

Secretary of the State Board of Regents.

Sec. 31. The steward shall prepare a monthly statement showing purchases and expenditures of every kind for the preceding month, which shall be signed by such officer, approved by the chief executive officer of the institution, and filed with the board on a day certain to be fixed by said board. Attached thereto shall be the affidavit of such steward stating that the goods and other articles therein specified were purchased and received by him or under his direction at the institution, and were purchased at a fair, cash, market price, on credit not exceeding thirty days, and that neither he nor any person in his behalf had any pecuniary or other interest in the purchases made, or received any pecuniary or other benefit therefrom, directly or indirectly, by commission, percentage, deductions or in any other manner whatever, and that the articles contained in such bill conformed in all respects to the invoiced goods received and ordered by him, or the samples from which the goods were purchased, both in quality and quantity. If any invoice or statement, or part thereof, is found objectionable, the board shall endorse its disapproval thereon, with its reasons therefor, and return it to the management of the institution, and when the matter complained of is corrected, said statement and invoice shall be returned to the board.

Sec. 32. When the monthly statement is so made, approved and verified, it shall be forwarded to the State Board of Regents, together with the original invoices of the purchases and a complete and itemized statement of every expense of said institution, including the receipted pay-roll, for the examination and audit of the board, which board shall fix a regular time for the auditing of the accounts of the institution for the preceding month. The monthly pay roll of each institution shall show the name of each officer and employe, when first employed, the monthly pay, time paid for, the amount of pay and any deductions for the careless loss or destruction of property. This requirement shall be observed in all cases, and in no event shall a substitute be permitted to receive compensation in the name of the employee for whom he is acting. When the said accounts are audited, the secretary of the State Board of Regents shall, under the seal of the board, prepare in triplicate an abstract showing the name, residence and amount due each claimant, and the institution and the fund thereof on account of which the payment is made, which abstract shall also be certified by at least one member of the board. He shall deliver one copy thereof to the Auditor of State, another to the Treasurer of State, and the third shall be retained in the office of the board. Upon each certificate the Auditor of State shall, if the institution named has sufficient funds, issue his warrant upon the Treasurer of State for the gross amount as shown by such certified abstract. Said last named officer, upon being furnished by the board with a certified copy of such abstract as herein provided, shall send checks of the Treasurer of State to the several persons for the amounts of their respective claims, as certified by the State Board of Regents. The Treasurer of State shall preserve in his books a record of each check and remittance in the proper manner, showing the date of the issuance of each check, the name of the person to whom it was made payable, and such other data as may be evidence for the State, showing the payment of such indebtedness. The pay roll of each institution may be paid by a single check sent to the steward.

Sec. 33. The board may permit a contingent fund, not to exceed the sum or two hundred and fifty dollars (\$250), to remain in the hands of the president or Superintendent of each institution, from which expenditures may be made in case of actual emergency requiring immediate action to prevent loss or danger to the institution, and for the purchase of articles of small cost the need of which was not known when the regular estimates were made. A full, minute and itemized statement of every expenditure made during the month from such fund shall be submitted by the proper officer of said institution to the board, under such rules and regulations as may be by said board established. If necessary, the board shall make proper requisition upon the Auditor of State for a warrant on the State Treasurer to secure the said contingent fund for each institution.

Sec. 34. The State Board of Regents shall formulate and furnish to each institution proper blanks and forms for all statements and accounts necessary to furnish the information required of such institution.

Sec. 35. The steward of each institution shall have charge of and be accountable for all the supplies and stores of such institution, and shall be charged therewith at their invoice value, and shall in conjunction with the president or superintendent of each institution make or direct

all purchases for such institution as may be ordered by the board, under the estimates as hereinbefore provided. Such officer shall issue all the stores upon requisition approved by the president or superintendent which shall be his voucher therefor. He shall present monthly to the State Board of Regents an abstract of all expenditures, together with the accounts and pay rolls for the preceding month, and shall examine and register all goods delivered, according to their amount and quality, and if found to correspond with the samples, and in good order, and correct in charge, he shall certify the bills as herein provided. He shall quarterly take an account of the subsistence, supplies and stock in his possession and under his control, and transmit a copy of such invoice, duly verified, to the board; and at the close of the biennial period he shall make a consolidated report of all purchases, and all other transactions of his department, to the Board. If it shall appear that there is any shortage in the stores of the institution, the board shall investigate the cause thereof, and if it shall appear that the said shortage resulted from unavoidable loss, without the negligence of such steward, he shall be credited therewith; otherwise, he shall be charged with the amount thereof, and shall be required to pay the same into the State treasury within sixty days after the determination of the loss. If default shall be made in said payment, he shall forfeit his office, and suit shall be instituted upon his official bond to recover the same.

Sec. 36. The State Board of Regents is authorized to make its own rules for the proper execution of its powers, and may require the performance of additional duties by the officers of the several institutions, so as to fully enforce the requirements, intents and purposes of this enactment, and particularly so much thereof as relates to the making of the estimates and furnishing proper proofs of the expenditures or use of all stocks of subsistence and supplies.

Sec. 37. Contracts may be entered into under the direction of the State Board of Regents by the proper officers of one or more of the institutions for staples and other articles of supplies, as may be found feasible by the board for the institutions to purchase in bulk for use or consumption for periods longer than thirty days. Such contracts shall not, however, be made except in conformity with the provisions of this act relating to estimates. If thought advisable, such contracts may be executed by the representative of one institution, who may be designated by the board to act for other institutions.

Sec. 38. It shall be the duty of the board to make specific rules and regulations respecting the manner in which supplies shall be purchased and contracts made for the several institutions, so as to insure the competition and publicity necessary to secure the economical management of each institution. Jobbers, or others desirous of selling supplies to an institution, shall, by filing with the president or superintendent of such institution, or with the secretary of the board, a memorandum showing their address and business, be afforded an opportunity to compete for the furnishing of the supplies under such limitations and rules as the board may prescribe. In purchasing all supplies, local dealers shall have the preference, when it can be given without loss to the State. When samples are furnished they shall be properly marked and preserved for six months after purchase of such merchandise.

Sec. 39. Contracts for the erection, repair or improvement of buildings, grounds, or properties of the institutions under charge of the board, and for which appropriations have been or may be made by the General Assembly, must be let for the whole or for any part of the work to be performed by the president or superintendent of the institution, subject, however, to the same rules and regulations as herein provided for the furnishing of estimates by said institution to, and the approval and revision thereof, by the State Board of Regents. The board shall determine to what extent and for what length of time and by what means advertisements are to be inserted in newspapers for proposals for the said erections, repairs or improvements. All contracts shall be awarded by the management of the institution to the lowest responsible bidder, subject to the provisions of this act, and the approval of the board prior to the execution of the contract. The management of the institution has the right to reject any and all bids, and to readvertise, upon the approval of the board. A preliminary deposit of money or certified check upon a solvent bank in such amount as the board may prescribe may be required as an evidence of good faith, upon all proposals for the construction of said buildings, repairs and improvements, which deposit or certified check shall be held by the management of the institution under the direction of the board or by the board. No payment shall be authorized for construction purposes until satisfactory proof has been furnished to the board by the proper officer or supervising architect, that the contract has been complied with by the parties, but if the probable cost of any repairs, buildings or other improvements shall not exceed the sum of five thousand dollars (\$5,000), the board may authorize the president or superintendent to purchase the necessary materials and make the repairs or construct the building or other improvement with the employes of the institution, if satisfied that such a course is for the best interests of the State. And if it appear for the interest of the State to let contracts for different portions of any work of repairing, or for any building or other improvement to different contractors, that may be done. All payments shall be made in a manner similar to that in which the current expenses of the institutions are paid.

Sec. 40. That sections twenty-six hundred forty-two (2642), twenty-six hundred fifty-three (2653) and twenty-six hundred eighty-one (2681) of the code, and the law as it appears in sections twenty-seven hundred twenty-seven-a-53 (2727-a-53), twenty-seven hundred twenty-seven-a-54 (2727-a-54), twenty-seven hundred twenty-seven-a-55 (2727-a-55) and twenty-seven hundred and twenty-seven-a-56 (2727-a-56) of the supplement to the code and all acts and parts of acts in conflict with this act are hereby repealed.

Sec. 41. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Daily Capital, newspapers published at Des Moines, Iowa.

## MOTION TO RECONSIDER.

The following motion to reconsider was filed:

MR. SPEAKER—I move to reconsider the vote by which House file No. 451 was lost and the vote by which it passed to its third reading.

M. H. CALDERWOOD.

I second the motion.

C. B. LAMKIN.

On motion of Head of Greene, the House adjourned until 9 o'clock A.M. tomorrow.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 6, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Rev. F. L. Johnston of Mount Pleasant, Iowa.

#### PETITIONS AND MEMORIALS.

Leech of Cedar presented petition of 500 citizens of Iowa relative to qualification of voters.

Referred to committee on Constitutional Amendments.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 141, a bill for an act making an appropriation for the department of agriculture for the purpose of erecting a permanent fireproof building for agricultural, horticultural and dairy exhibits.

Also, substitute for House file No. 245, a bill for an act to legalize the issuing of bonds to the amount of thirty-three hundred dollars (\$3,300) by the incorporated town of Deep River, Poweshiek county, Iowa.

Also, House file No. 180, a bill for an act to amend the law as it appears in section four hundred and forty-one (441) supplement to the code, relating to the number of papers authorized to publish the proceedings of the board of supervisors.

Also, House file No. 248, a bill for an act to repeal section four hundred seventy-nine (479) of the code, relating to the compensation of county auditors, and to enact a substitute therefor.



Also, House file No. 316, a bill for an act repealing chapter eighteen (18) title XXI (21) of the code and enacting a substitute therefor, relative to change of names.

Also, House file No. 335, a bill for an act to legalize certain actions of the board of supervisors of Clayton county, Iowa, relating to the purchase of land.

Also, House file No. 361, a bill for an act to repeal the law as it appears in sections forty-nine hundred and ninety-nine-e (4999-e), forty-nine hundred and ninety-nine-f (4999-f), forty-nine hundred and ninety-nine-g (4999-g), forty-nine hundred and ninety-nine-h (4999-h), forty-nine hundred and ninety-nine-i (4999-i), forty-nine hundred ninety-nine-j (4999-j) of the supplement of code and enact in lieu thereof the following, relative to the 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, additional to chapter 10 of title XXIV (24) of the code, relating to offenses against the public health.

Also, House file No. 362, a bill for an act to amend section two (2), chapter forty-one (41) of the acts of the Twenty-eighth General Assembly as found in section thirteen hundred and six-b (1306-b) of the supplement to the code, relating to the amount of indebtedness which incorporated towns and cities of the second class may incur, for the purpose of erecting or purchasing waterworks and a system of sewers.

H. L. SPAULDING,  
*Chairman.*

April 5, 1904.

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 40, a bill for an act to amend the law as it appears in sections twenty-eight hundred and twenty-three-a (2823-a) and twenty-eight hundred and twenty-three-e (2823-e) of the supplement to the code, relating to compulsory education.

Also, Senate file No. 226, a bill for an act to repeal the law as it appears in section five thousand six hundred eighty-five (5685) of the supplement to the code and to enact in lieu thereof a section relating to the disposition of gate receipts of the State penitentiaries.

Also, substitute for Senate file No. 263, a bill for an act to amend the law as it appears in section twenty-five hundred and seventy-a (2570-a) of the supplement to the code and to repeal the law as it appears in section twenty-five hundred and seventy-b (2570-b) of the supplement to the code,

relating to payment of expenses of local boards of health in restricting the spread of infectious diseases.

Also, substitute for Senate file No. 280, a bill for an act to amend the law as it appears in section eight hundred and sixty-one (861) of the supplement to the code, relating to park commissioners.

Also, substitute for Senate file No. 302, a bill for an act to amend the law as it appears in section thirteen hundred and thirty-b (1330-b) of the supplement to the code, in reference to the assessment of telegraph and telephone companies.

Also, substitute for Senate file No. 303, a bill for an act providing for the filing with county auditors of maps of telephone and telegraph lines within the several counties in the State.

Also, Senate file No. 320, a bill for an act to amend the law as it appears in section twenty-seven hundred twenty-seven-a twenty-three (2727-a 23) of the supplement to the code, in regard to the employment of architects by the Board of Control of State Institutions.

Also, Senate file No. 86, a bill for an act to empower boards of supervisors, township trustees, city and town councils to buy or condemn land for gravel and other material to improve roads, public highways, streets and alleys.

H. L. SPAULDING,  
*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. 328, a bill for an act to appropriate \$1,000 to Wm. Redden.

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. 148, a bill for an act to amend chapter 123 of the acts of the Twenty-ninth General Assembly, relative to the publication of reports.

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. 325, a bill for an act to legalize the incorporation of the town of Hamilton, Marion county, Iowa, the election of its officers, and ordinances passed and all official acts of 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. 394, a bill for an act to legalize the incorporation of the town of Arnold's Park, Dickinson county, Iowa, the notices of election and the election of its officers.

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. 430, a bill for an act legalizing the incorporation of the town Qausqueston, Buchanan 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. 297, a bill for an act making an appropriation to the State Historical Society 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. 445, a bill for an act to legalize the acts of Harry C. Wright, a notary public in and for Wayne county, State of Iowa, and the acts of Harry C. Wright, acting defacto as a notary public from July 4, 1900, to December 25, 1902.

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. 15, a bill for an act to amend section 1946 of the code, relating to the appointment, assessment, levy, reassessment, relevel and collection of taxes therefor, and issuance of drainage bonds, and to amend section 1946 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. 313, a bill for an act appropriating the sum of \$7,500 to be paid to Charles B. Fountain, Harold Fountain and Amil Hoch.

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. 358, a bill for an act to legalize the incorporation of the town of Persia, Harrison county, Iowa, the election of its officers, the passage 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 amended and passed the following bill in which the concurrence of the Senate was asked:

House file No. 318, a bill for an act to enable the State of Iowa to sell and dispose of all abandoned river channels and all sand bars or islands in

the navigable waters of the State, and authorizing the appointment of a commission to ascertain and establish the boundary lines between the State of Iowa and adjoining 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. 416, a bill for an act to legalize the incorporation of the town of Titonka, Kossuth county, Iowa, the election of its officers and all acts done and ordinances passed 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 House is asked:

Senate file No. 336, a bill for an act to empower the Executive Council to authorize the location, construction, maintenance and operation of an electric line of railway over, upon and across certain lands belonging to the State of Iowa.

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. 281, a bill for an act relating to fish and game and making appropriations for the Fish and Game Commission of 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. 185, a bill for an act in relation to common carriers, additional to section 2074 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 Senate was asked:

House file No. 366, a bill for an act to legalize the election held in the incorporated town of Alta, Buena Vista county, Iowa, on the 30th day of

March, 1903, and the proposition submitted at said election for the purpose of erecting and maintaining a hot water heating plant for municipal purposes in the town of Alta, Buena Vista 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 House is asked:

Senate file No. 333, a bill for an act to legalize ditches, drains, water courses, drainage districts, drainage bonds and proceedings in reference 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. 210, a bill for an act to amend section 4481 of the code, in relation to place of bringing action, and taxation of costs therein.

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. 335, a bill for an act to legalize the acts of the board of directors and authorize the issuing of \$10,000 in school building bonds in the Independent School District of Center Point in Washington township, Linn 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. 322, a bill for an act to appropriate money to pay for metal shelving in the new storage building.

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. 317, a bill for an act providing for the appointment of a State agent and defining his duties and making an appropriation 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. 135, a bill for an act making provision for the support of 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 passed the following bill in which the concurrence of the House is asked:

Senate file No. 329, a bill for an act providing for the condemnation of real property for the use of the State. GEO. A. NEWMAN,  
*Secretary.*

Chassell of Plymouth called up the concurrent resolution relative to a higher railing about the opening in the rotunda and moved its adoption.

Adopted.

English of Polk called up the concurrent resolution fixing the time of adjournment as Wednesday, April 6th, at noon.

Motion to reconsider prevailed.

Mr. English moved to amend by striking out the words "Wednesday, April 6th," and inserting in lieu thereof the words "Saturday, April 9th."

Adopted.

Resolution as amended adopted.

Dow of Franklin offered the following concurrent resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved, by the House of Representatives, the Senate concurring, That the Secretary of State be and is hereby directed to furnish the assistant clerks of the House and the assistant secretaries of the Senate and the Journal clerks of both houses, each with a copy of the code and supplement to the code and the session laws of the Thirtieth General Assembly.*

Adopted.

#### BILLS ON THEIR PASSAGE.

Kendall of Monroe asked unanimous consent to withdraw House file No. 448 from the committee on Judiciary.

Granted.

On motion of Kendall of Monroe, by unanimous consent, House file No. 448, a bill for an act to legalize the incorporation of the Farmers' Co-Operative Creamery Association of Tenold, Worth county, Iowa, and to legalize the acts and transactions of said association under defective articles of incorporation, and to legalize the title to the real estate acquired by said association and to authorize its re-incorporation and succession to all the rights, privileges, property and assets acquired and possessed under the defective articles of incorporation, was taken up and considered and the report of the committee, with substitute as an amendment, adopted.

Mr. Kendall moved that the rule 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. Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Crose, Cummings, Davie, DeLano, Doran, Dow, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCulloch, McDole, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Offill, Olson, Powers, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Teachout, Teter, Washburn, Weeks, Welden, Willson, Wise, Wright, Mr. Speaker—74.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Christianson, Coburn, Colclo, Conn, Dashiell, English, Flenniken, Gregory, Head, Kling, Koontz, Lowrey, McCreary, McElrath, Nichols, Peet, Prevo, Sankey, Saylor, Stanbery, Summers, Temple, Whiting, Whitmer, Wyland—26.

So the bill passed and the title was agreed to.



Kendall of Monroe asked unanimous consent to withdraw House file No. 404 from the committee on Judiciary.

Granted.

On motion of Mr. Kendall, House file No. 404, a bill for an act to amend section 1313 of the code, relating to the place of listing personal property for taxation, by administrators, guardians and trustees, was taken up and considered.

Spaulding of Howard moved to amend as follows:

Amend by striking out all after the word "following" in the second line and by inserting:

But personal property, including money and credits, notes, bills, bonds and corporate shares or stocks not otherwise assessed, if belonging to an estate, shall be listed by the executor, administrator or trustee thereof, in the township or city of the decedent's residence at the time of death; and, if held by a guardian, shall be listed in the township or city of the ward's or beneficiary's residence.

Adopted.

Wright of Webster moved that the rule 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. Bealer, Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Clary, Cobb, Coburn, Conn, Crose, Cummings, Davie, DeLano, Doran, Dow, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Morris, Mott, Ofill, Olson, Powers, Prevo, Pritchard, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg Summers, Teachout, Teter, Washburn, Weeks, Welden, Willson, Wise, Wright, Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Boland, Cheney, Christianson, Colclo, Dashiell, English, Flenniken, Gregory, Koontz, Mattes, Nichols, Peet, Ritter, Saylor, Temple, Whiting, Whitmer, Wyland—19.

So the bill passed and the title was agreed to.

Speaker announced that he had signed in the presence of the House, Senate files No. 86, No. 320, No. 303, No. 302, No. 280, No. 263, No. 226, No. 40.

Doran of Boone asked unanimous consent to withdraw House file No. 66 from the committee on Railroads and Commerce and from further consideration by the House.

Granted

#### SENATE MESSAGES CONSIDERED.

On request of Weeks of Guthrie, unanimous consent having been given, House file No. 318, a bill for an act to enable the State of Iowa to sell and dispose of all drained or reclaimed inland meandered lake beds, and other lands, with Senate amendments, was taken up and the amendments read and considered.

Mr. Weeks moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Conn, Crose, Cummings, Davie, DeLano, Dow, English, Freeman, Frudden, Geneva, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kling, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Offill, Olson, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Welden, Willson, Wise, Wright, Wyland, Mr. Speaker—79.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Christianson, Coburn, Colclo, Dashiell, Doran, Flenniken, Greeley, Gregory, Kendall, Kennedy, Koontz, Langan, Nichols, Peet, Pritchard, Saylor, Temple, Whiting, Whitmer—21.

So the House concurred in the Senate amendment.

On request of Teter of Marion, unanimous consent having been given, House file No. 325, a bill for an act to legalize the incorporation of the town of Hamilton, Marion county, Iowa, the election of its officers, and ordinances passed and all official acts of the council of said town, with Senate amendments, was taken up and the amendments read and considered.

Mr. Teter moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Cobb, Colclo, Crose, Cummings, Davie, DeLano, Doran, Dow, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McCreary, McCulloch, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Powers, Prevo, Pritchard, Ritter, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—82.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Clary, Coburn, Conn, Dashiell, English, Flenniken, Gregory, Jones, McClurkin, McDole, McElrath, Olson, Peet, Robinson, Saylor, Temple, Whiting—18.

So the House concurred in the Senate amendments.

On request of Hanna of Kossuth, unanimous consent having been given, House file No. 281, a bill for an act relating to fish and game, and making appropriation for the fish and game commission of the State of Iowa, with Senate amendments, was taken up and the amendments read and considered.

Mr. Hanna moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bealer, Bixby, Boland, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Clary, Cobb, Colclo, Crose, Cummings, Davie, DeLano, Doran, English, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, McAllister, McCreary, McCulloch, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Buchanan, Buckingham, Cassel, Coburn, Conn, Dashiell, Dow, Flenniken, Gregory, Kennedy, Lundt, McClurkin, McDole, Peet, Robinson, Saylor, Temple, Whiting—19.

So the House concurred in the Senate amendments.

Substitute for Senate file No. 148, a bill for an act to amend chapter 123 of the acts of the Twenty-ninth General Assembly, relative to the publication of reports.

Read first and second time and ordered placed on the Calendar.

Senate file No. 313, a bill for an act appropriating the sum of \$7,500 to be paid to Charles B. Fountain, Harold Fountain and Amil Hoch.

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

Senate file No. 329, a bill for an act providing for the condemnation of real property for the use of the State.

Read first and second time and was by unanimous consent placed upon the Calendar without reference.

Substitute for Senate file No. 15, a bill for an act to amend section 1946 of the code, relating to the apportionment, assessment, levy, reassessment, reley and collection of taxes therefor, and issuance of drainage bonds, and to amend section 1946 of the code.

Read first and second time and by unanimous consent was ordered printed in the Journal and placed upon the Calendar.

**SUBSTITUTE FOR SENATE FILE NO. 15.**

A BILL for an act relating to levees, drains, ditches and water courses, and to the apportionment, assessment, levy, reassessment, reley and collection of taxes therefor, and issuance of drainage bonds, and to amend section one thousand nine hundred and forty-six (1946) of the code.

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

Section 1. That section one thousand nine hundred and forty-six (1946) of the code be and it is hereby amended by striking out the semi-colon immediately following the word "supervisors" in the sixteenth line of said section, and inserting immediately following said word and before the word "which" in said sixteenth line the following: "and file the same with the county auditor who shall immediately thereafter fix a time for hearing objections thereto before the board of supervisors, and caused to be served upon the owner of each tract of land or lot described in said report as shown by the transfer books in the auditor's office notice in writing of the filing and pendency of said report, the amount of special assessment apportioned to such owner, the day set for hearing the same, and that all objections

thereto must be made in writing and filed with the county auditor on or before noon of the day set for such hearing, which notice as to residents of the county shall be served not less than ten days prior to the day set for such hearing in the same manner that original notices are required to be served, and as to non-residents of the county such notice shall be served by publishing the same once each week for two consecutive weeks, the last publication not less than ten days prior to the day set for hearing in some newspaper published in the county, and by serving the same upon the person or persons in the actual occupancy of the property not less than ten days prior to the day set for such hearing. When the day set for hearing has arrived the board of supervisors shall proceed to hear and determine all objections made and filed to said report, and may increase, diminish, annul or affirm the apportionment made in said report or any part thereof as may appear to the board to be just and equitable.

Sec. 2. That said section one thousand nine hundred and forty-six (1946) of the code, as amended by section one (1) hereof shall be construed to apply to all proceedings now pending before boards of supervisors for the location and construction of levees, drains, ditches or water courses under the provision of chapter two (2) title X (10) of the code, where the apportionment, assessment or levy of the cost of the improvement has not yet been made as well as to proceedings instituted thereafter.

Sec. 3. Where the assessment and levy on account of any ditch, drain or water course has been made by the board of supervisors of any county under the provisions of said section one thousand nine hundred and forty-six (1946) of the code, without notice or legal notice to the owner of the land affected thereby and the whole or any part thereof remains unpaid, the board of supervisors shall have the authority to recall the assessment or levy thus made without notice and proceed anew as provided in section one (1) hereof to apportion and levy the cost of such improvement among the owners and upon the land benefited thereby, taking as a basis the original apportionment, and report of the commissioners upon which the board had theretofore acted, and the new assessment and levy made upon notice and hearing in such cases shall be certified by the county auditor to the county treasurer, re-entered upon the tax list and collected as other taxes for county purposes, and all payments made under the prior assessment and levy shall be credited upon the new assessment and levy.

Sec. 4. When any levee, ditch, drain or water course or change of water course, shall have been heretofore established by any of the boards of supervisors of this State and contract or contracts let therefor, and the improvement wholly or partly constructed or drainage bonds issued on account thereof, and the proceedings or tax therefor have been or shall be for any cause found invalid and the board of supervisors has found or shall find that such improvement will be conducive to the public health, convenience or welfare, such board is authorized to provide for the completion of the work and the payment therefor, and for the payment of the work already done and of the drainage bonds issued and to that end shall recall the tax theretofore levied and shall reascertain the cost and expense of such improvement, and after notice and hearing as provided in this act shall assess and levy the same upon the lands benefited thereby, and the said board and the

other county officers shall proceed as provided by section three (3) and the other provisions of this act. Such reassessment and relevy of taxes shall be in proportion to and not in excess of benefits, and all taxes theretofore paid upon such improvement shall be credited as provided in section three (3) of this act.

Sec. 5. Such assessment shall fix the proportion for all future levies on account of such improvement or the repair or reopening thereof, and may be levied in one year or apportioned among a series of years, and drainage bonds issued therefor as provided by section one thousand nine hundred and fifty-three (1953) of the code, and appeals may be taken as provided by section one thousand nine hundred and forty-seven (1947) of the code.

Sec. 6. Section one thousand nine hundred and fifty-three (1953) of the code shall be construed to apply to and authorize the issuance of drainage bonds in proceedings heretofore or hereafter instituted under section one thousand nine hundred and forty (1940) of the code.

Sec. 7. This act, being deemed of immediate importance, shall take effect from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published at Des Moines, Iowa.

Senate file No. 333, a bill for an act legalizing drains, ditches, water courses, drainage districts, and proceedings in reference thereto.

Read first and second time and was, by unanimous consent, placed upon the Calendar and ordered printed in the Journal.

SENATE FILE NO. 333.

A BILL for an act to legalize ditches, drains, water courses, changes of water course, drainage districts, drainage bonds and proceedings in reference thereto.

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

Section 1. That all ditches, drains, water courses, changes of water course and drainage districts heretofore established by any of the boards of supervisors of this State and all proceedings therefor including contracts for the construction, reopening or repair thereof, the classification of lands benefited, apportionment and report of commissioners, and all warrants and drainage bonds issued on account thereof, be and the same are hereby in all things legalized and made valid, binding and effectual; provided that this act shall not be construed to extend to the assessment or levy of taxes on account of such improvement, but further proceedings in reference to such assessment and levy shall be taken as provided by chapter two (2) of title X (10) of the code and acts amendatory thereof. Nothing herein shall 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 Register and Leader and the Des Moines Daily Capital, newspapers published at Des Moines, Iowa.

Senate file No. 328, a bill for an act to appropriate \$1,000 to Wm. Redden.

Read first and second time and was, by unanimous consent, ordered printed in the Journal and placed upon the Calendar.

SENATE FILE NO. 328.

**A BILL** for an act appropriating one thousand dollars (\$1,000) to William Redden to aid in procuring him an education, and providing for the appointment of a trustee to control and disburse the same.

WHEREAS, William Redden, now resident of Howard county, while in the Industrial School at Eldora, Iowa, under the direction of the authorities of said school, and performing work under the direction of said authorities, received serious injuries from which it became necessary to amputate his arm, and

WHEREAS, The said William Redden has shown himself to be a deserving youth, and anxious to receive an education and has not the means to provide himself therewith nor the ability to procure such education because of his crippled condition, therefore,

*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, the sum of one thousand dollars (\$1,000), to be paid to a trustee to be appointed by the district court of Howard county, to be held by said trustee for the benefit of William Redden of said Howard county, and to be expended by said trustee in aiding said William Redden to procure an education, such disbursements to be in such amounts and at such times as said trustee shall deem for the best interests of said William Redden.

Senate file No. 336, a bill for an act to empower the Executive Council to authorize the location, construction, maintenance and operation of an electric line of railway over, upon and across certain lands belonging to the State of Iowa.

Read first and second time and was, by unanimous consent, ordered printed in the Journal and placed upon the Calendar

SENATE FILE NO. 336.

**A BILL** for an act empowering the Executive Council to authorize the location, construction, maintenance and operation of an electric line of railway over, upon and across certain lands belonging to the State of Iowa.

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

Section 1. That the Executive Council be and they are hereby authorized and empowered to grant proper and convenient right of way to any duly incorporated railway company desiring to locate its contemplated line of railway over, upon and across the lands belonging to the State of Iowa



known as the Iowa industrial school lands, at or near the city of Eldora, upon such terms and conditions as said Executive Council may deem advisable.

Sec. 2. Any railroad company duly incorporated contemplating the location, construction, maintenance and operation of its line of proposed railway upon and across said lands shall make the necessary preliminary surveys, maps and profiles defining its line and submit the same to said Executive Council, and the same shall meet the approval of said Executive Council, and upon payment by said company to the State Treasurer of the compensation agreed upon, the Governor of Iowa shall execute and deliver to said railway company, its successors or assigns, a deed for said right of way.

Sec. 3. In considering the advisability of granting such right of way, the Executive Council will take into consideration the feasibility of suitable sidings, depot and other facilities for the convenient handling of freights, and the accommodation of passengers as may be reasonably afforded by the operation of the line of railway proposed to be located, constructed, maintained and operated over, upon and across said industrial school lands; and said Executive Council shall, as one of the conditions require the construction of a proper siding to the coal house located at said school.

Sec. 4. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Daily Capital, newspapers published at Des Moines, Iowa.

Senate file No. 335, a bill for an act to legalize the acts of the board of directors and authorize the issuing of \$10,000 in school building bonds in the independent school district of Center Point, in Washington township, Linn county, Iowa.

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

#### BILLS ON THEIR PASSAGE.

On motion of Kendall of Monroe, Senate file No. 90, a bill for an act to establish a juvenile court and to regulate the treatment and control of dependent, neglected and delinquent children, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Kendall moved that the rule 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, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Pritchard, Ritter, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Welden, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—88.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Dashiell, Gregory, Koontz, Peets, Powers, Prevo, Robinson, Saylor, Springer, Weeks, Whiting—12.

So the bill passed and the title was agreed to.

Teachout of Polk called up the motion to reconsider the vote by which House file No. 451 was lost and by which it passed to its third reading.

Motion prevailed.

Mr. Teachout moved to amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. Whenever the interest of any county requires real estate for the erection of court houses or jails by a county, such county may take and hold such real estate for the purpose for which same is taken, by condemnation proceedings. Such proceedings shall be instituted pursuant to a resolution of the board of supervisors of a county, and shall be instituted and prosecuted in the name of the county seeking such condemnation by the county attorney for such county, under the provisions of chapter four (4) of title X (10) of the code.

Sec. 2. In cases where such condemnation is sought by a county, the sheriff or clerk, as the case may be, shall, when the amount of the damages

is determined, certify the amount thereof to the board of supervisors and such board may direct payment thereof by resolution, and the county auditor shall thereupon issue his warrant therefor upon the proper fund of such county. In any case when the amount of the damages is paid to the sheriff or clerk, or the person entitled thereto, and the time for appeal has expired or final judgment entered upon appeal, the county may enter into possession of the real estate taken, through its proper officers or agents, and use and occupy the same for the purpose taken.

Sec. 3. No county condemning or seeking to condemn land under the provisions of this act shall be entitled to the possession of the lands condemned or sought to be condemned until the time for appeal to the district or Supreme court from such condemnation has expired, or final judgment rendered on appeal, and in all appeals from the award of the sheriff's jury in such proceedings, the court shall have jurisdiction to pass upon the public necessity for the condemnation of such real estate, and shall determine the same without the intervention of a jury, and may make such order with reference thereto as it may deem proper within its discretion, and may modify, enlarge or diminish the area of ground sought to be condemned, but all questions as to amount of damages shall be determined by ordinary proceedings as in other cases of condemnation.

Sec. 4. This act, being deemed of immediate importance, shall take effect from and after publication thereof in the Register and Leader and Des Moines Daily Capital, newspapers published at Des Moines, Polk county, Iowa.

### Adopted.

Mr. Teachout moved that the rule 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. Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Cobb, Coburn, Colclo, Conn, Crose, Cummings, DeLano, Dow, English, Flenniken, Freeman, Frudden, Greeley, Hambleton, Hanna, Harri-, Hart, Head, Hollembeak, Hume, Jacobson, Jepson, Kendall, Kennedy, Kling, Laird, Lamkin, Langan, Leech, Lister, Lowrey, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Willson, Wise, Wright, Mr. Speaker—80.

The nays were:

Messrs. Clary, Davie, Geneva, Heles, Lundt—5.

Absent or not voting:

Messrs. Bailey, Dashiell, Doran, Greene, Gregory, Hakes, Jones, Koontz, Mattes, Peet, Saylor, Springer, Whiting, Whitmer Wyland—15.

So the bill passed.

Teachout of Polk moved to amend the title so as to read as follows:

“A bill for an act providing for the condemnation of real estate for the erection of court houses and jails.”

Adopted.

Title as amended agreed to.

On request of English of Polk the following letter from Curator Aldrich of the Historical department was read and ordered printed in the Journal.

I wish you could in some way return my heartfelt thanks to the Representatives for their aid in this great work of the completion of the historical building. The best thought in this connection is, that the State of Iowa is now thoroughly committed to carefully collect and preserve the material for her glorious history to building up a great historical art gallery and museum—a great educational enterprise which will ennure to the benefit of her own people.

If my life is spared for any further effort on my part I shall strive so to conduct it that none of its friends will ever regret the support they have given it.

Very faithfully yours,  
(signed) CHAS. ALDRICH.

On motion of Cummings of Marshall, the House took up the consideration of the application for pardon of Sarah Kuhn, and the report of the committee was adopted.

Mr. Cummings moved the adoption of the following concurrent resolution:

Concurrent resolution authorizing and recommending the conditional pardon of Sarah Kuhn.

*Be it Resolved, by the House of the Thirtieth 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 Sarah Kuhn, formerly of Keokuk county, and who is now confined in the State penitentiary at Anamosa, under life sentence from the district court of Iowa, in and for Keokuk county, upon such terms and conditions as the Governor may prescribe.

On the question, Shall the concurrent resolution be adopted?

The yeas were:

Messrs. Bealer, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Christianson, Clary, Cobb, Davie, DeLano, Dow, Freeman, Geneva, Greeley, Hakes, Hambleton, Hanna, Harris, Hart, Head, Hollembeak, Hume, Kendall, Kling, Koontz, Laird, Lamkin, Leech, Lowrey, McAllister, McClurkin, McDole, McElrath, McNie, Maben, Manning, Martin, Morris, Mott, Offill, Prevo, Pritchard, Ritter, Sankey, Shaffer, Spaulding, Springer, Stanbery, Temple, Teter, Washburn, Welden, Whitmer, Wyland, Mr. Speaker—59

The nays were:

Messrs. Bixby, Cheney, Coburn, Colclo, Conn, Crose, Cummings, English, Flenniken, Frudden, Greene, Jacobson, Jepson, Lundt, McCulloch, McCreary, Nichols, Olson, Powers, Robinson, Skinner, Stoltenberg, Summers, Teachout, Wise, Wright, Wyland—27.

Absent or not voting:

Messrs. Bailey, Dashiell, Doran, Gregory, Heles, Jones, Kennedy, Langan, Lister, Mattes, Peet, Saylor, Weeks, Whiting—14.

So the concurrent resolution 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 amended and passed the following bill in which the concurrence of the Senate was asked:

Substitute for House file No. 216, a bill for an act to repeal sections 2212, 2213, 2214 of the code and amendments thereto, and to enact a<sup>a</sup> substitute therefor, and to amend section 2278 of the code, relating to 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 House is asked:

Senate file No. 325, a bill for an act making an appropriation to defray the mileage and the expenses of the members of the various visiting committees.

GEO. A. NEWMAN,  
*Secretary.*

On motion of McNie of Benton the House adjourned until 2 o'clock P. M.

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AFTERNOON SESSION.

---

House met pursuant to adjournment.

Speaker Clarke in the chair.

Journal of April 5th was corrected and approved.

McNie of Benton desired the Journal to show that had he been present when the roll was called on the concurrent resolution to recommend the pardon of Frank Hall, he would have voted "aye."

Hambleton of Mahaska called up the motion to reconsider the vote whereby Senate file No. 307 was lost and by which it was passed to its third reading.

Hart of Allamakee moved that the motion to reconsider be laid upon the table.

Motion lost.

Motion to reconsider prevailed.

Chassell of Plymouth moved to amend section 1 by striking out the word "certificate" from line 12 of the printed bill and inserting the word "diploma" in lieu thereof.

**Adopted.**

Hambleton of Mahaska moved that the rule 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. Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Chassell, Christianson, Conn, Crose, Cummings, Dow, English, Flenniken, Greene, Hakes, Hambleton, Harris, Hollembeak, Jepson, Jones, Kendall, Kling, Laird, Lamkin, Leech, Lister, Lowrey, McAllister, McClurkin, McCulloch, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Offill, Pritchard, Robinson, Stoltenberg, Teachout, Temple, Weeks, Whitmer, Willson, Wise, Mr. Speaker—49.

The nays were:

Messrs. Boland, Cheney, Clary, Davie, DeLano, Doran, Freeman, Hart, Head, Heles, Hume, Kennedy, Lundt, McCreary, McDole, Olson, Powers, Prevo, Ritter, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Summers, Teter, Wright, Wyland—29.

Absent or not voting:

Messrs. Bailey, Bealer, Cassel, Cobb, Coburn, Colclo, Dashiell, Frudden, Geneva, Greeley, Gregory, Hanna, Jacobson, Koontz, Langan, McElrath, Nichols, Peet, Saylor, Washburn, Welden, Whiting—22.

So the bill, having failed to receive a constitutional majority, was declared lost.

## SPECIAL ORDER.

The hour of 2:30 o'clock having arrived, and Senate file No. 316, a bill for an act to create a State board of education, being a special order for that hour, same was taken up and considered.

Hart of Allamakee moved that the bill be referred to the committee on Judiciary.

Temple of Clarke and Hart of Allamakee demanded a roll call.

On the question, Shall the bill be referred to the committee on Judiciary?

**The yeas were:**

Messrs. Bealer, Boland, Buckingham, Carden, Carstensen, Cheney, Clary, Cobb, Colclo, Conn, Davie, DeLano, Freeman, Geneva, Greeley, Greene, Hakes, Hart, Head, Hollembeak, Kennedy, Koontz, Laird, Leech, Lister, Lowrey, McAllister, McClurkin, McCulloch, McDole, Manning, Mott, Nichols, Ofill, Olson, Prevo, Ritter, Sankey, Skinner, Spaulding, Springer, Stanbery, Summers, Teachout, Temple, Washburn, Willson, Wise, Wright, Wvland—50.

**The nays were:**

Messrs. Bixby, Buchanan, Calderwood, Cassel, Chassell, Christianson, Cummings, Doran, Dow, English, Flenniken, Frudden, Hambleton, Harris, Heles, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Lamkin, Langan, Lundt, McCreary, McElrath, McNie, Maben, Martin, Mattes, Morris, Powers, Pritchard, Robinson, Shaffer, Stoltenberg, Teter, Weeks, Welden, Whitmer, Mr. Speaker—41.

**Absent or not voting:**

Messrs. Bailey, Crose, Coburn, Dashiell, Gregory, Hanna, Peet, Saylor, Whiting—9.

So the bill was referred to the committee on Judiciary.



## REPORT OF COMMITTEE.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No 377, a bill for an act authorizing the Governor to deliver up and remove to any state or territory of the United States any person found within this State charged with the commission of treason or felony against such state or territory who is not extraditable under the laws of the United States, and amending sections 5169, 5170, 5172, 5173, 5180 and 5181 of the code, relating to fugitives from justice, beg leave to report that they have 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.

N. E. KENDALL,  
*Secretary.*

Adopted.

## INTRODUCTION OF BILLS.

By Teachout of Polk, House file No. 456, a bill for an act to amend the law as it appears in section twenty-seven hundred twenty-seven-c (2727-c) of the supplement to the code, relating to the chief executive officers of the Industrial School, girls' department at Mitchellville, Iowa.

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

Section 1. That the law as it appears in section twenty-seven hundred twenty-seven-c (2727-c) of the supplement to the code be and the same is hereby amended by striking from the eighth (8th) and ninth (9th) lines of said section the words, "twelve hundred dollars" and inserting in lieu thereof the words, "fifteen hundred dollars."

Read first and second time and referred to committee on Compensation of Public Officers.

By Buchanan of Wapello, House file No. 457, a bill for an act requiring a report from the State University, State College of Agriculture and Mechanic Arts, and the State Normal School, and appointing a committee to inspect and report upon said institutions.

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

Section 1. That the secretary of the State University, the secretary of the State College of Agriculture and Mechanic Arts and the secretary of the State Normal School be required hereafter to make report to each General

Assembly within ten (10) days after said General Assembly shall have convened. Said reports shall show in plain manner the amount available each fiscal year from State appropriations and all other sources, for the erection, equipment, improvement and repair of buildings, also the funds received from State appropriations, interest on endowment funds, tuition, laboratory fees, janitor fees, donations, rent of lands and from all sources whatsoever going to effect the annual income of the support fund of said institutions. Any appropriation or funds received for any special purpose whatsoever shall also be reported. Hospital receipts and sales of departments shall be listed separately.

The report shall show how the moneys thus received were expended, giving under separate heads the cost of instruction, administration, maintenance and equipment of departments and the general expenses of the institutions. It shall clearly state the number of professors, instructors, fellows and tutors and the number of students enrolled in each course during each year of the biennial period. Students attending the short courses shall be reported separately. The amount of unexpended balances of departments remaining in the hands of the treasurer and the amounts undrawn from the State treasury on the 30th of June of the last year of the biennial period shall be given. The report of the secretary of the State College of Agriculture and Mechanics Arts shall also show the receipts of the experiment station from all sources for each fiscal year and how such funds were expended.

Sec. 2. The President of the Senate and the Speaker of the House shall before adjournment of the Thirtieth General Assembly and biennially thereafter, appoint a committee of two from the Senate and three from the House to be known as a committee on State educational institutions. It shall be the duty of the committee to visit and inspect each of the educational institutions named in this act and such inspection shall be made prior to the convening of the General Assembly following the appointment of the committee. The committee shall have the power to examine the books and accounts of each educational institution and the president, secretary, treasurer and other officers or any member of the board of regents or board of trustees shall furnish any information regarding the conduct of the institution with which he is connected which said committee shall require. The committee shall make examination of the needs of the several institutions and shall recommend to the General Assembly the further appropriations necessary to their maintenance and development. The committee shall report its findings to the General Assembly before the 20th day of January after the convening of the legislature.

The members of the committee shall receive as compensation their actual traveling expenses, which shall be itemized and sent to the joint committee on Retrenchment and Reform for their approval and when so approved shall be paid out of any money in the State treasury not otherwise appropriated.

Read first and second time and ordered placed on the Calendar.

McAllister of Linn asked unanimous consent to recall House file No. 363 from the committee on the Suppression of Intemperance and from further consideration by the House.

Granted.

SENATE MESSAGES CONSIDERED.

Senate file No. 317, a bill for an act providing for the appointment of a State agent and defining his duties and making an appropriation therefor.

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

Senate file No. 325, a bill for an act making an appropriation to defray the mileage and expenses of the members of the various committees sent by the Thirtieth General Assembly to visit the several State institutions, the School for the Deaf, and the grounds of the Louisiana Purchase Exposition at St. Louis and old Camp McClellan at Davenport, Iowa. Read first and second time and referred to committee on Appropriations.

On request of Hart of Allamakee, by unanimous consent, House file No. 216, a bill for an act to repeal sections 2212, 2213 and 2214 of the code and amendments thereto, and to enact substitutes therefor, and to amend section 2178 of the code, relating to the militia, with Senate amendments, was taken up and the amendments read and considered.

Mr. Hart moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bealer, Bixby, Boland, Buckingham, Carden, Carstensen, Cassel, Chassell, Cheney, Coburn, Colclo, Conn, Crose, Cummings, Davie, DeLano, Doran, Dow, Freeman, Frudden, Geneva, Greene, Hambleton, Harris, Hart, Hollemeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Leech, Lister, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Mott, Nichols, Ofill, Olson, Powers, Prevo, Pritchard, Ritter,

Sankey, Shaffer, Skinner, Spaulding, Stanbery, Temple, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—72.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Buchanan, Calderwood, Christianson, Clary, Cobb, Dashiell, English, Flenniken, Greeley, Gregory, Hakes, Hanna, Head, Heles, Kennedy, Langan, Lowrey, Lundt, Morris, Peet, Robinson, Saylor, Stoltenberg, Summers, Teachout, Whiting—28.

So the House concurred in the Senate amendments.

MR. SPEAKER— I move to reconsider the motion by which the House voted to adjourn Saturday, April 9th.

E. D. CHASSELL.

I second the motion.

EMORY H. ENGLISH.

On motion of Wyland of Shelby the House adjourned until 9 o'clock tomorrow morning.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 7, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by Representative Jacobson of Winneshiek.

Journal of Wednesday, April 6th, was corrected and approved.

REPORTS OF COMMITTEES.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 335, a bill for an act to legalize the acts of the board of directors, and authorizing the issuing of ten thousand dollars in school building bonds in the independent school district of Center Point, in Washington township, Linn 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.

N. E. KENDALL,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 454, a bill for an act to amend section twenty-seven hundred and twenty-seven-a-fifty-nine of the supplement to the code, providing for annual reports of county institutions for the care of dependents and defectives, beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 440, a bill for an act to legalize the acts of the city of Keokuk, Iowa, relating to paving, beg leave to report that they have 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.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Dashiell of Warren, from the committee on Pharmacy, submitted the following report:

MR. SPEAKER—Your committee on Pharmacy, to whom was referred House file No. 413, a bill for an act to amend section twenty-five hundred and eighty-nine of the supplement to the code, relating to the examination and registration of pharmacists, beg leave to report that they have 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. A. DASHIELL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Mattes of Sac, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 399, 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 do pass.

JOSEPH MATTES,  
*Chairman.*

Ordered passed on file.

Harris of Poweshiek, 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. 321, a bill for an act to regulate the sale of patent medicines containing narcotic, or any alcoholic preparations, beg leave to report that they have 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.

THOMAS HARRIS,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred House file No. 392, a bill for an act to amend section two thousand four hundred and forty-nine of the code, relating to statement of consent that mulct law be put in operation, beg leave to report that they have 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.

THOMAS HARRIS,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Suppression of Intemperance, to whom was referred Senate file No. 66, a bill for an act to amend section 2451 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.

THOMAS HARRIS,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Jones of Montgomery, from the committee on Penitentiaries, submitted the following report:

MR. SPEAKER—Your committee on Penitentiaries, to whom was referred Senate file No. 4, a bill for an act to provide for indeterminate sentences, and to authorize the Board of Control of State Institutions to adopt and enforce rules for paroling prisoners, and for the government 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 indefinitely postponed.

F. F. JONES,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Buchanan of Wapello, from the committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 421, a bill for an act to repeal sections seven hundred and seventy-seven (777) and seven hundred and seventy-nine (779) of the supplement to the code and to enact substitutes therefor, relating to the construction of temporary and permanent sidewalks and to provide a sidewalk fund 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.

A. W. BUCHANAN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 405, a bill for an act to amend section thirteen hundred and seventy (1370) of the code, relating to local boards of review and making said section apply to cities acting under special charter, beg leave to report that they have 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. W. BUCHANAN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 441, a bill for an act to regulate the levy and collection of special assessments in cities acting under special charter and repealing section 792-e of the code supplement and repealing section 77-a of the code supplement, beg leave to report that they have 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. W. BUCHANAN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred House file No. 280, a bill for an act to amend section seven hundred



and seventy (770) of the code, relating to viaducts and approaches 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 indefinitely postponed.

A. W. BUCHANAN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Christianson of Hamilton, from the committee on Private Corporations, submitted the following report:

MR. SPEAKER—Your committee on Private Corporations, to whom was referred House file No. 178, a bill for an act referring to notice of dissolution of private 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 by adopting the following substitute therefor:

SUBSTITUTE AS AMENDMENT FOR HOUSE FILE NO. 178.

A BILL for an act to amend the law as it now appears in section sixteen hundred and seventeen (1617) of the code.

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

Section 1. Strike out of section sixteen hundred and seventeen (1617) of the code, all after the word "Be" in the fourth line of said section and substitute in lieu thereof the following: "published for four (4) weeks in succession in some newspaper as convenient as practical to the principal place of business, and proof of such publication, by affidavit of the publisher, shall be filed with the Secretary of State."

And when so amended the same do pass.

G. P. CHRISTIANSON,  
*Chairman.*

Adopted.

Substitute amendment adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding from Howard, 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. 34, a bill for an act to amend section twenty-four hundred six (2406) of the code, relating to the sale of intoxicating liquors and the manner of bringing

and prosecuting injunction actions for the suppression of the illegal sale of intoxicating liquors.

Also, Senate file No. 57, a bill for an act governing the right of inheritance of a child born after the making of a will, providing manner of payment of claims and amounts necessary to be paid in disregard of, or opposition to the terms of a will, repealing section thirty-two hundred and seventy-nine (3279) of the code, and amending section thirty-two hundred and seventy-six (3276) of the code.

Also, substitutes for Senate file No. 90, a bill for an act enlarging the powers of the district court, and to regulate the treatment and control of dependent, neglected and delinquent children.

Also, Senate file No. 169, a bill for an act to amend the law as it appears in section four hundred and three (403) of the code, relating to funding and refunding outstanding county indebtedness.

H. L. SPAULDING,  
*Chairman House Committee.*

D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By Teachout of Polk, House file No. 458, a bill for an act to amend section six hundred and forty-six (646) of the code:

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

Section 1. That section six hundred and forty-six (646) of the code be and the same is hereby amended by striking out the word "one" in the third line of subdivision one (1) of said section and inserting in lieu thereof the word "five."

Read first and second time and ordered printed in the Journal and placed on the Calendar without reference to a committee.

By committee on Appropriations, House file No. 459, a bill for an act making an appropriation to pay the costs of the case of State of Iowa vs. Sioux county.

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

Section 1. That the Executive Council of the State of Iowa is hereby instructed to investigate the matter of costs in the case of State of Iowa v. Sioux county to require said Sioux county to bear the expense incurred in the treatment and care of one Langhorst at the hospital at Independence, Iowa; and if it finds said costs to be reasonable and just, then it shall order the same to be paid.

Sec. 2. That there is hereby appropriated out of any money in the State treasury not otherwise appropriated, the sum of one hundred fifty-three dollars five cents, or so much thereof as may be necessary to pay the costs referred to in section one of this act.

Read first and second time and ordered printed in the Journal and placed upon the Calendar without reference to a committee.

McCreary of Appanoose offered the following concurrent resolution, relative to the inspection of the gypsum mines of Iowa:

WHEREAS, The gypsum mines of Iowa are not now inspected under statutory provision, and

WHEREAS, This industry which is rapidly developing and now employs about two hundred (200) men in underground mines, it becomes necessary to provide all possible safeguards to the life, limb and health of such employes, therefore, be it

*Resolved, by the House of Representatives, the Senate concurring,* That the State Mine Inspector of the third inspection district, and the Commissioner of the Bureau of Labor Statistics, in connection with their regular duties and without extra compensation, be and are hereby authorized and instructed to personally visit and investigate all gypsum mines in the State, and inquire into all conditions of such mines that pertain to life, limb, safety and health of the employes therein, and that said Mine Inspector and Commissioner of the Bureau of Labor Statistics submit a complete report of their investigations to the Governor, not later than October 1, 1905, in order to thoroughly advise the members of the Thirty-first General Assembly of the State of Iowa, as to the conditions that exist in such gypsum mines pertaining to the safety of life, limb and health of the employes in said mines.

Laid over under rule 34.

Sankey of Decatur offered the following resolution and moved that the rule be suspended and the resolution be adopted:

WHEREAS, The Honorable William C. Garrett, an honored member of the Tenth General Assembly from Van Buren county, departed this life March 22, 1904, at Decatur City, Iowa, therefore, be it

*Resolved,* That a committee of three be appointed to draft resolutions commemorative of his life and public services.

**Adopted.**

Speaker appointed as such committee Sankey of Decatur, Cobb of Taylor and Summers of Van Buren.

## 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:

By Mattes of Sac, House file No. 439, a bill for an act legalizing the acts and proceedings of the council of the incorporated town of Schaller, Iowa, in granting a franchise to the Schaller Gas Light and Fuel Company and contracting with said gas light and fuel company for lights, and legalizing the ordinance granting such franchise and the franchise so granted, and the contract made between said town and the Schaller Gas Light and Fuel Company, and the levy of a tax by said town to defray the expense of lighting the streets 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. 432, a bill for an act to make appropriations for construction, repair, improvement and contingent funds for State institutions under the State Board of Health.

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. 150, a bill for an act to amend section 586 of the code, as amended by the acts 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. 393, a bill for an act to provide for the licensing of agents of insurance companies and associations.

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. 402, a bill for an act providing for the disposition of State documents, publications and laws not required for public uses.

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. 389, a bill for an act to provide for the approval of policies or contracts of life insurance companies contemplated by chapter 6 of title IX 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 Senate was asked:

House file No. 418, a bill for an act to require the registration of births and deaths in Iowa.

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 authorizing and recommending the conditional pardon of Frank Hall.

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 authorizing the Secretary of State to furnish the assistant clerks of the House and Senate and Journal clerks of both houses each with a copy of code and supplement to the code and session laws of the Thirtieth 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. 222, a bill for an act to amend section 511 of the supplement to the code, relating to fees to be collected by the sheriff 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. 338, a bill for an act repealing chapter 8, title II of the code and enacting in lieu thereof a substitute providing for the taking of the census and making an appropriation 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. 301, a bill for an act to repeal the law as it appears in sections 1875 and 1876 of the code, relating to the appointment, compensation and expense of bank examiners.

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. 298, by Ericson, a bill for an act to repeal subdivision 4 of section 394 of the code and to enact a substitute therefor, relating to the levy 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 House is asked:

Senate file No. 104, a bill for an act making an appropriation for the purchase of a permanent headquarters for I. N. G.

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. 142, a bill for an act relating to motor vehicles, regarding registration, defining and limiting their use of the public highways.

GEO. A. NEWMAN,  
*Secretary.*

Speaker announced that he had signed in the presence of the House, Senate files No. 90, No. 34, No. 57, No. 169.

#### BILLS ON THEIR PASSAGE.

On motion of Kendall of Monroe, by unanimous consent, Senate file No. 335, a bill for an act to legalize the acts of the board of directors and authorize the issuing of \$10,000 in school building bonds in the independent school district of Center Point in Washington township, Linn county, Iowa, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Kendall moved that the rule 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, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Coburn, Conn, Crose, Dashiell, Davie, Doran, Freeman, Frud-den, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles

Hume, Jacobson, Jepson, Jones, Kendall, Kling, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McNie, Maben, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Stoltenberg, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Mr. Speaker—73.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Carden, Christianson, Colclo, Cummings, DeLano, Dow, English, Flenniken, Geneva, Greeley, Greene, Gregory, Hollembeak, Kennedy, Koontz, McDole, McElrath, Manning, Peet, Saylor, Springer, Stanbery, Summers, Teachout, Temple, Wyland—27.

So the bill passed and the title was agreed to.

On motion of Frudden of Dubuque, House file No. 455, a bill for an act for the maintenance of a bacteriological laboratory at Iowa City, Iowa, in connection with the medical department of the State University, additional to chapter 16, title XII of the code, was taken up and considered.

Frudden of Dubuque moved to amend by striking out the word "annually" in the seventh line of section 3 of the bill as it appears in the Journal of April 5th, and substituting in lieu thereof the word "biennially."

**Adopted.**

Mr. Frudden moved that the rule 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. Bealer, Bixby, Boland, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Clary, Conn, Davie, DeLano,



Doran, Dow, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Harris, Hart, Head, Heles, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lowrey, Lundt, McAllister, McClurkin, McCreary, McNie, Maben, Martin, Morris, Offill, Olson, Peet, Prevo, Pritchard, Ritter, Shaffer, Spaulding, Springer, Stanbery, Teter, Washburn, Weeks, Welden, Whiting, Willson, Wise, Wright, Wyland, Mr. Speaker—67.

The nays were:

Messrs. Buckingham, Cassel, Cobb, Coburn, Colclo, Crose, Dashiell, Hanna, Hume, McCulloch, McDole, McElrath, Manning, Mattes, Mott, Powers, Robinson, Sankey, Skinner, Stoltenberg—20.

Absent or not voting:

Messrs. Bailey, Buchanan, Cummings, English, Gregory, Kennedy, Lister, Nichols, Saylor, Summers, Teachout, Temple, Whitmer—13.

So the bill passed and the title was agreed to.

#### EXPLANATION OF VOTE.

The following explanation of vote was filed:

MR. SPEAKER—I am heartily in sympathy with the object of this bill. I vote No, as I believe it should be located at Des Moines.

B. F. ROBINSON.

Pritchard of Wright moved that Senate file No. 16 be substituted on the Calendar for House file No. 36, which had been made a special order for this day at 10 o'clock.

Motion prevailed unanimously.

#### SPECIAL ORDER.

The hour of 10 o'clock having arrived and Senate file No. 16, a bill for an act to promote the public health, convenience and welfare by providing for the location, establishment and construction of ditches, drains, etc., being a special order for that hour was taken up and considered.

Chassell of Plymouth offered the following amendment:

Amend by adding to section six (6) the following: "Provided however that no levee or drainage district or improvement shall be established, if a remonstrance in writing against the same, signed by a majority of the residents of the county or counties owning land in the district, or taxable for the improvement, shall be presented to the board or boards, or filed with the county auditor or auditors."

DeLano of Cass moved to amend the amendment by adding after the word "improvement" in the fifth line the following: "and owning one-half or more of the lands included in the proposed district."

Amendment to amendment lost.

Amendment lost.

Wright of Webster moved that the rule 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, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Freeman, Greene, Hakes, Hambleton, Hart, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wright, Wyland, Mr. Speaker—87.

The nays were:

Messrs. Hanna, McCreary—2.

Absent or not voting:

Messrs. Bailey, Flenniken, Frudden, Geneva, Greeley, Gregory, Harris, Peet, Saylor, Springer, Wise—11.

So the bill passed and the title was agreed to.

SENATE MESSAGES CONSIDERED.

Senate file No. 301, a bill for an act to repeal the law as it appears in sections 1875 and 1876 of the code, relating to the appointment, compensation and expense of bank examiners.

Read first and second time and placed on the Calendar without reference.

Senate file No. 298, a bill for an act to repeal subdivision 4 of section 394 of the code and to enact a substitute therefor, relating to the levy of taxes for library purposes.

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

Senate file No. 222, a bill for an act to amend section 511 of the supplement to the code, relating to fees to be collected by the sheriff in certain cases.

Read first and second time and placed on the Calendar without reference.

Senate file No. 104, a bill for an act making an appropriation for the purchase of a permanent headquarters for I. N. G.

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

Senate file No. 338, a bill for an act repealing chapter 8, title II of the code, and enacting in lieu thereof a substitute providing for the taking of the census and making an appropriation therefor.

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

Pritchard of Wright, asked unanimous consent to withdraw House file No. 36 from further consideration by the House.

Granted.

Pritchard of Wright asked unanimous consent to withdraw House file No. 35 from the committee on Agriculture and from further consideration by the House.

Granted.

McClurkin of Louisa asked unanimous consent to withdraw House file No. 422 from further consideration by the House.

Granted.

Buckingham of Buena Vista asked unanimous consent to withdraw House file No. 166 from the committee on Agriculture and from further consideration by the House.

Granted.

Mattes of Sac asked unanimous consent to have Senate file No. 328 re-referred to the committee on Appropriations.

Granted, and the bill was so referred.

On motion of Teachout of Polk the House adjourned until 2 o'clock P. M.

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#### AFTERNOON SESSION.

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House met pursuant to adjournment.

Speaker Clarke in the chair.

#### BILLS ON THEIR PASSAGE.

On motion of Wise of Black Hawk, Senate file No. 62, a bill for an act to amend sections 728 and 730 of the code, relating to library trustees and library treasurer, and to legalize the maintenance and control under joint ownership and control of cities and towns and institutions of learning, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Wise moved that the rule 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, Bixby, Boland, Carden, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Coburn, Conn, Crose, Cummings, Davie, DeLano, Doran, English, Flenniken, Freeman, Frudden, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Hollembeak, Hume, Jacobson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McNie, Maben, Manning, Martin, Morris, Nichols, Offill, Olson, Peet, Powers, Prevo, Ritter, Sankey, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Willson, Wise, Wright, Mr. Speaker—78.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Buchanan, Buckingham, Calderwood, Christianson, Colclo, Dashiell, Dow, Geneva, Gregory, Heles, Jepson, McElrath, Mattes, Mott, Pritchard, Robinson, Saylor, Stanbery, Whiting, Whitmer, Wyland—22.

So the bill passed and the title was agreed to.

On motion of Wise of Black Hawk, Senate file No. 149, a bill for an act to amend section 732 of the code, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Wise moved that the rule 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, Bixby, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Clary, Colclo, Conn, Crose, Cummings, Dow, Flenniken, Freeman, Greeley, Greene, Hakes, Hanna, Harris, Hollembek, Hume, Jacobson, Jones, Koontz, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Ritter, Sankey, Shaffer, Skinner, Spaulding, Springer, Teachout, Temple, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Wright, Mr. Speaker—66.

The nays were :

Messrs. Doran, Hambleton, Hart, Laird, Prevo, Stoltenberg—6.

Absent or not voting :

Messrs. Bailey, Boland, Buchanan, Buckingham, Christianson, Cobb, Coburn, Dashiell, Davie, DeLano, English, Frudden, Geneva, Gregory, Head, Heles, Jepson, Kendall, Kennedy, Kling, Pritchard, Robinson, Saylor, Stanbery, Summers, Teter, Whiting, Wyland—28.

So the bill passed and the title was agreed to.

On motion of Welden of Hardin, Senate file No. 336, a bill for an act empowering the Executive Council to authorize the location, construction, maintenance and operation of an electric line of railway over and across certain lands belonging to the State of Iowa, was taken up and considered.

Mr. Welden moved that the rule 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. Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassel, Cheney, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano,

Doran, Dow, English, Flenniken, Freeman, Frudden, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Ritter, Sankey, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—88.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Christianson, Geneva, Gregory, Kling, Lowrey, Pritchard, Robinson, Saylor, Stanbery, Summers—12.

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. 339, a bill for an act making an appropriation for the restoration and repair of the Capitol building on account of damages caused by the fire therein, and for the purpose of providing for needed additional repairs upon said 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. 116, a bill for an act providing for the compiling of a roster of Iowa soldiers, sailors and marines of the war of the Rebellion, and of the Spanish-American war.

GEO. A. NEWMAN,  
*Secretary.*

**Also:**

MR. SPEAKER—I am directed to inform your honorable body that the Senate refuses to concur in House substitute to Senate file No. 300, a bill for an act relating to offenses by persons in this State, attempted to be consummated or consummated elsewhere than within the borders of this State, and to offenses by persons out of this State attempted to be consummated or consummated within this 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. 169, a bill for an act to amend section 1530, chapter 2, title VIII of the supplement to the code of Iowa, in relation to the levy of a county road fund.

GEO. A. NEWMAN,  
*Secretary.*

**BILLS ON THEIR PASSAGE.**

On motion of Mattes of Sac, House file No. 444, 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, was taken up, and considered.

Mr. Mattes of Sac moved to amend as follows:

Amend by striking out line seventeen (17) of section one (1) of the printed bill, and substituting the following in lieu thereof:

“The sums as mentioned in this paragraph shall be paid upon the order of the board of trustees of the said agricultural college, to be paid quarterly, but not more than one-half thereof shall be paid before July 1, 1905.”

Amend by striking out line twenty-four (24) of section one (1) of the printed bill, and substituting the following in lieu thereof:

“The sums as mentioned in this paragraph shall be paid upon the order of the board of trustees of the said agricultural college, to be paid quarterly, but not more than one-half thereof shall be paid before July 1, 1905.”

Amend by striking out line thirty-three (33) of section one (1) of the printed bill, and substituting the following in lieu thereof:

“The sums as mentioned in this paragraph shall be paid upon the order of the board of trustees of the said agricultural college, to be paid quarterly, but not more than fifty-five thousand dollars (\$55,000.00) thereof shall be paid before July 1, 1905.”



Amend by striking out lines 38, 39, 40, 41, 42, 43 and 44 of section one (1) of the printed bill; and substituting the following in lieu thereof:

“There is hereby further 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 six thousand dollars (\$6,000.00) for the benefit of the engineering department, to be paid quarterly and expended under the direction of a committee of the engineering faculty appointed by the board of trustees.”

Amend by striking out lines 18, 19 and 20 of section two (2) of the printed bill and substituting the following in lieu thereof:

“The sums as mentioned in this paragraph shall be paid upon the order of the board of regents of the said university, to be paid quarterly, but not more than one-half thereof shall be paid before July 1, 1905.”

The amendments were taken up one at a time, considered and each of them adopted.

Powers of Floyd moved to amend by striking out all of section 1 after line 24 to line 38, printed bill.

Lost.

Head of Greene moved to amend the bill as follows:

Amend by striking out the words “eighty-four thousand” and the figures “84” before the figures “500” in line 26; by striking out lines 27, 28 and 30 of section 1, printed bill.

Amend lines 9 and 10, section 2, printed bill, by striking out the words and figures “one hundred forty-three thousand dollars (\$143,000)” and substituting therefor the words and figures “eighty-four thousand five hundred dollars (\$84,500)”; also by striking out line 16, section 2, printed bill, and substituting therefor “For engineering department \$1,500;” and by striking out line 17, section 2, printed bill.

Head of Greene and Dow of Franklin demanded a roll call on the amendment in so far as it related to section 1.

On the question, Shall the amendment to section 1 be adopted?

The yeas were:

Messrs. Cheney, Cobb, Dashiell, Dow, Harris, Head, Heles, Hume, Jacobson, Lamkin, Langan, McAllister, McCreary, McNie, Olson, Powers, Sankey, Spaulding, Welden, Wyland—20.

The nays were:

Messrs. Bealer, Bixby, Boland Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Clary, Colclo,

Conn, Crose, Cummings, Davie, DeLano, English, Flenniken, Freeman, Frudden, Greeley, Greene, Hakes, Hambleton, Hanna, Hart, Hollembeak, Jepson, Kendall, Kennedy, Kling, Koontz, Laird, Leech, Lister, Lowrey, Lundt, McClurkin, McCulloch, McDole, McElrath, Maben, Manning, Martin, Mattes, Morris, Mott, Peet, Prevo, Pritchard, Ritter, Robinson, Shaffer, Skinner, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Whiting, Whitmer, Willson, Wise, Wright, Mr. Speaker—70.

**Absent or not voting:**

Messrs. Bailey, Christianson, Coburn, Doran, Geneva, Gregory, Jones, Nichols, Offill, Saylor—10.

So the House refused to adopt the amendment so far as it related to section 1.

EXPLANATION OF VOTE.

The following explanation of vote was filed:

MR. SPEAKER—I vote against the appropriations for dairy tests and experiments at State Agricultural College because it is excessive and such experiments are no longer of practical use.

WM. COBB.

The vote was then on the adoption of that part of the amendment so far as it related to section 2.

The amendment was lost.

Mr. Mattes moved that the rule 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. Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Clary, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling,

Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Spaulding, Springer, Stanbery, Stoltenberg, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—91.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Christianson, Cobb, Gregory, Heles, McCulloch, Saylor, Skinner, Summers—9.

So the bill passed and the title was agreed to.

On motion of Flenniken of Clayton, Senate file No. 148, a bill for an act to amend section one hundred and twenty-three (123) of the acts of the Twenty-ninth General Assembly which is included in section twenty-seven hundred and thirty-eight (2738) of the supplement to the code, in relation to the publication of reports, was taken up and considered.

Mr. Flenniken moved that the rule 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, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, English, Flenniken, Freeman, Frudden, Greeley, Greene, Hambleton, Hanna, Harris, Hart, Head, Heles, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Manning, Martin, Mott, Offill, Olson, Peet, Prevo, Pritchard, Ritter, Robinson, Shaffer,

Skinner, Springer, Stanbery, Stoltenberg, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—78.

The nays were:

Messrs. Doran, Dow, Sankey—3.

Absent or not voting:

Messrs. Bailey, Christianson, Coburn, Geneva, Gregory, Hakes, Hollembeak, Kling, Koontz, Maben, Mattes, Morris, Nichols, Powers, Saylor, Spaulding, Summers, Teachout, Wright—19.

So the bill passed and the title was agreed to.

#### REPORTS OF COMMITTEES.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 316, a bill for an act to create a State board of education, and prescribe its duties, and to provide for the management and control of the State University, the College of Agriculture and Mechanic Arts, the 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 recommendation that the same be indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Judiciary respectfully reports that it has had under consideration the concurrent resolution herewith submitted, and has instructed me to report the same to the House with the recommendation that the same be adopted:

Concurrent resolution providing for the appointment of a joint committee to investigate the different systems of management, supervision and control of the educational institutions of this and other states, for a report thereof, and for the payment of the expenses incurred thereby.

*Be it Resolved by the House, the Senate concurring:*

1. That there be appointed by the Speaker of the House, three members of the House, and by the President of the Senate, two members of the Senate, who shall constitute a commission to investigate, examine and consider the different systems of management, supervision and control of the

educational institutions of this and other states; to acquire all information possible with respect thereto to the end that the system best approved and most practicable to the successful operation, management and development of such institutions be ascertained, and to report in writing its observations, suggestions and recommendations not later than September 1, 1905.

2. The report herein provided for shall be addressed to the Governor of the State, and be by him communicated to the Thirty-first General Assembly at the opening of its session.

3. That the members of said commission shall be allowed their actual traveling and other expenses incurred, which shall be presented by an itemized and verified account to the Executive Council; and, when allowed, shall be paid out of any funds in the treasury not otherwise appropriated.

N. E. KENDALL,  
*Chairman.*

Mattes of Sac moved that the resolution go over until tomorrow.

Lost.

On motion of Kendall of Monroe, the rules were suspended and the resolution adopted.

Mattes of Sac, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 317, a bill for an act providing for the appointment of a State agent and defining his duties 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.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 325, a bill for an act making an appropriation to defray the mileage and expense of the members of the various committees sent by the Thirtieth General Assembly to visit the several State institutions, the School for the Deaf, and the grounds of the Louisiana Exposition at St. Louis, and old Camp McClellan at Davenport, 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.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

**Also:**

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 328, a bill for an act appropriating one thousand dollars (\$1,000.00) to William Redden to aid in procuring him an education, and providing for the appointment of a trustee to control and disburse 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.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

**Also:**

MR. SPEAKER Your committee on Apropriations, to whom was referred Senate file No. 338, a bill for an act repealing chapter eight (8) of title II (2) of the code, relating to the census, and enacting in lieu thereof a substitute providing for the taking of the census, 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.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

**Also:**

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 313, a bill for an act appropriating the sum of seventy-five hundred dollars (\$7500) to be paid to Charles B. Fountain, Harold Fountain and Amil Hoch, in settlement of all claims against the State of Iowa, by reason of the death of Mrs. Charles B. Fountain and Mrs. Amil Hoch, who were killed by an accident which occurred in one of the elevators at the State House on the twenty-sixth day of February, 1904, beg leave to report that they 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.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

**Also:**

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 104, a bill for an act making appropriation for the purchase and improvement of a permanent camp ground for Iowa National Guard,

beg leave to report that they 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.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

Also:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 429, a bill for an act to appropriate money to pay the costs and attorney's fees in certain cases brought in Marion county to revoke fraudulent naturalization papers, and to pay the costs incurred by the State in the case of the State v. William 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 amended by the adoption of the following substitute therefor:

SUBSTITUTE FOR HOUSE FILE NO. 429.

A BILL for an act to appropriate money to pay the costs and attorney's fees in certain cases brought in Marion county to revoke fraudulent naturalization papers.

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

Section 1. There is hereby appropriated out of any money in the State treasury not otherwise appropriated the sum of two hundred fifty-six dollars and forty-five cents (\$256.45) with which to pay the witness fees, court costs and attorney's fees incurred by the State of Iowa in the cases brought in the name of the State upon the relation of the Attorney General in Marion county, for the revocation and cancellation of certain fraudulent naturalization papers issued by the district court of that county.

Sec. 2. The Auditor of State is hereby authorized and directed to issue his warrant upon the State Treasurer for the amounts to which the parties are entitled under the provisions of this act and to be delivered when receipts are filed with the Auditor of State acknowledging full payment of the amounts to which such persons are entitled as follows:

The sum of one hundred and twenty dollars and eighty-five cents (\$120.85) to be paid over to the clerk of the district court of Marion county with which to pay the court costs and witness fees in said cases.

The sum of thirty-five dollars and sixty cents (\$35.60) to be paid to Kinkead & Mentzer for their personal expenses incurred in procuring testimony and in the preparation of said cases.

The sum of one hundred dollars (\$100) to be paid to Kinkead & Mentzer for attorney's fees in the prosecution of said cases.

Sec. 3. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and

Leader and the Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa.

And that when so amended the same do pass.

JOS. MATTES,  
*Chairman.*

Ordered passed on file.

McNie of Benton, from the committee on Claims, submitted the following report:

MR. SPEAKER—Your committee on Claims, to whom was referred House file No. 447, a bill for an act to appropriate money for the relief of L. H. Fenton, beg leave to report that they 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. We recommend that the bill be referred to the committee on Appropriations.

MALCOLM F. MCNIE,  
*Chairman.*

Adopted, and the bill was referred as recommended.

#### BILLS ON THEIR PASSAGE.

On motion of Buchanan of Wapello, House file No. 457, a bill for an act requiring a report from the State University, State College of Agriculture and Mechanic Arts, and the State Normal School, and appointing a committee to inspect and report upon said institutions, was taken up and considered.

Buchanan of Wapello moved to amend as follows:

Amend House file No. 457 by striking out the period in the twelfth line of section one (1) of the bill as it appears in the Journal and inserting the following: "and on request of the committee the State expert examiner shall make an examination of the books and accounts of any State educational institution and report their findings to the committee."

Amead House file No. 457 by striking out of the sixteenth line of section two (2) of the bill as it appears in the Journal the words "before the 20th day of January" and inserting in lieu thereof the words "within three days."

Amend House file No. 457 by striking out of the sixteenth line of section two (2) of the bill as it appears in the Journal the words "before the 20th day of January" and inserting in lieu thereof the words "within three (3) days."

Amendment adopted.



Mr. Buchanan moved that the rule 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. Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Cheney, Cobb, Colclo, Conn, Crose, Cummings, Dashiell, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greene, Hakes, Hambleton, Hanna, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wyland, Mr. Speaker—84.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Chassell, Christianson, Clary, Coburn, Davie, Greeley, Gregory, Hakes, Lowrey, Robinson, Saylor, Stoltenberg, Temple, Wise, Wright—16.

So the bill passed and the title was agreed to.

On motion of Mattes of Sac, Senate file No. 328, a bill for an act appropriating one thousand dollars (\$1,000) to William Redden to aid in procuring him an education and providing for the appointment of a trustee to control and disburse the same, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Clary of Chickasaw moved that the rule 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, Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Chassell, Cheney, Clary, Coburn, Colclo, Crose, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Hakes, Hambleton, Hanna, Harris, Hart, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—85.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Buchanan, Cassel, Christianson, Cobb, Conn, Cummings, Dashiell, Greene, Gregory, Head, Robinson, Saylor, Teachout, Wright—15.

So the bill passed and the title was agreed to.

On motion of Cummings, Senate file No. 329, a bill for an act providing for the condemnation of real property for the use of the State, was taken up and considered.

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. Bealer, Bixby, Boland, Buckingham, Calderwood, Carden, Cassel, Chassell, Cheney, Cobb, Coburn, Colclo, Crose, Cummings, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Greeley, Hambleton, Hanna, Harris, Hart,

Head, Heles, Hollebeak, Hume, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Mattes, Morris, Mott, Nichols, Olson, Powers, Prevo, Pritchard, Ritter, Spaulding, Springer, Stanbery, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—77.

The nays were:

Messrs. Geneva, Peet—2.

Absent or not voting:

Messrs. Bailey, Buchanan, Carstensen, Christianson, Clary, Conn, Dashiell, Greene, Gregory, Hakes, Jacobson, Martin, Offill, Robinson, Sankey, Saylor, Shaffer, Stoltenberg, Summers, Wright—21.

So the bill passed and the title was agreed to.

On motion of Crose of Page, by unanimous consent, Senate file No. 301, a bill for an act to repeal the law as it appears in section eighteen hundred seventy-five (1875) and eighteen hundred seventy-six (1876) of the code, relating to the appointment, compensation and expenses of bank examiners, and providing a substitute therefor, was taken up and considered.

Mr. Crose moved that the rule be suspended, that the bill be read a third time now, which motion prevailed unanimously and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bealer, Bixby, Boland, Buckingham, Calderwood, Carden, Chassell, Cheney, Clary, Cobb, Colclo, Conn, Crose, Cummings, Dashiell, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Hambleton, Hanna, Harris, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, McAllister, McCreary, McCulloch, McDole, McElrath, McNie,

Maben, Manning, Mattes, Mott, Nichols, Offill, Olson, Powers, Prevo, Ritter, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whitmer, Willson, Wise, Mr. Speaker—74.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Buchanan, Carstensen, Cassel, Christianson, Coburn, Davie, Greeley, Greene, Gregory, Hakes, Hart, Langan, Lundt, McClurkin, Martin, Morris, Peet, Pritchard, Robinson, Saylor, Springer, Temple, Whiting, Wright, Wyland—26.

So the bill passed and the title was agreed to.

On motion of Mattes of Sac, Senate file No. 313, a bill for an act appropriating the sum of \$7,500 to be paid to Charles B. Fountain, Harold Fountain and Amil Hoch, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

English of Polk moved that the rule 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, Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassel, Cheney, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Greeley, Hakes, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wyland, Mr. Speaker—87.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Buchanan, Christianson, Geneva, Greene, Gregory, Hambleton, Langan, Robinson, Saylor, Springer, Summers, Wright—13.

So the bill passed and the title was agreed to.

On motion of Mattes of Sac, Senate file No. 317, a bill for an act providing for the appointment of a State agent and defining his duties, and making an appropriation therefor, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Weeks of Guthrie moved to amend as follows:

Amend said bill by inserting after the word "place" in the sixth line of section two (2) thereof, the following: "He shall, so far as his other duties will permit, procure employment and homes for persons discharged from the penal institutions of this State, and shall aid such persons to become good citizens thereof."

Lost.

Mr. Mattes moved that the rule 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, Bixby, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Cobb, Colclo, Conn, Crose, Cummings, Dashiell, Davie, Doran, Dow, English, Flenniken, Frudden, Geneva, Hakes, Hambleton, Hanna, Head, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Ofill, Olson, Powers, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Stanbery,

Stoltenberg, Teachout, Temple, Washburn, Weeks, Welden  
Whiting, Willson, Wise, Mr. Speaker—74.

The nays were:

Messrs. Coburn, Hart, Wyland—3

Absent or not voting:

Messrs. Bailey, Boland, Buchanan, Buckingham, Christianson,  
Clary, DeLano, Freeman, Greeley, Greene, Gregory, Harris,  
Heles, McDole, Nichols, Peet, Prevo, Saylor, Springer, Summers,  
Teter, Whitmer, Wright, Wyland—23.

So the bill passed and the title was agreed to.

On motion of Mattes of Sac, Senate file No. 325, a bill for an act making an appropriation to defray the mileage and expenses of the members of the various committees sent by the Thirtieth General Assembly to visit the several State institutions, the School for the Deaf, and the grounds of the Louisiana Purchase Exposition at St. Louis and old Camp McClellan at Davenport, 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, 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, Buchanan, Buckingham, Calderwood, Carden, Cassel, Cheney, Clary, Cobb, Coburn, Colclo, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Frudden, Greeley, Hakes, Hambleton, Hanna, Hart, Hollembeak, Hume, Jones, Kendall, Kling, Koontz, Laird, Lamkin, Langan, Lister, Lowrey, Lundt, McClurkin, McCreary, McDole, McElrath, McNie, Martin, Mattes, Mott, Offill, Olson, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Willson, Wise, Wyland, Mr. Speaker—70.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bixby, Boland, Carstensen, Chassell, Christianson, Conn, Freeman, Geneva, Greene, Gregory, Harris, Head, Heles, Jacobson, Jepson, Kennedy, Leech, McAllister, McCulloch, Maben, Manning, Morris, Nichols, Peet, Powers, Saylor, Springer, Whitmer, Wright—30.

So the bill passed and the title was agreed to.

SENATE MESSAGES CONSIDERED.

Senate file No. 339, a bill for an act making an appropriation for the restoration and repair of the Capitol building on account of damages caused by the fire therein, and for the purpose of providing for needed additional repairs upon said building.

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

On request of McClurkin of Louisa, unanimous consent having been given, House file No. 150, a bill for an act to amend section 586 of the code of Iowa as amended by the acts of the Twenty-ninth General Assembly, with Senate amendments, was taken up and the amendments read and considered.

Mr. McClurkin moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Cheney, Cobb, Coburn, Conn, Crose, Davie, DeLano, Doran, Dow, Flenniken, Frudden, Greeley, Hakes, Hambleton, Hanna, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin,

Mattes, Morris, Mott, Nichols, Offill, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Shaffer, Skinner, Spaulding, Teachout, Temple, Teter, Washburn, Welden, Whiting, Wise, Mr. Speaker—70.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Carstensen, Cassel, Chassell, Christianson, Clary, Colclo, Cummings, Dashiell, English, Freeman, Geneva, Greene, Gregory, Harris, Hart, Head, Kendall, Olson, Sankey, Saylor, Springer, Stanbery, Stoltenberg, Summers, Weeks, Whitmer, Willson, Wright, Wyland—30.

So the House concurred in the Senate amendments.

On request of Teter of Marion, unanimous consent having been given, House file No. 389, a bill for an act to provide for the approval of policies or contracts of life insurance companies contemplated by chapter 6 of title IX of the code, with Senate amendments, was taken up and the amendments read and considered.

Mr. Teter moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bealer, Bixby, Boland, Buchanan, Calderwood, Cassel, Cheney, Clary, Cobb, Colclo, Conn, Crose, Davie, DeLano, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Hakes, Hambleton, Hanna, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McNie, Maben, Manning, Martin, Mattes, Morris, Morris, Mott, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Wise, Wyland, Mr. Speaker—76.



The nays were:

None.

Absent or not voting:

Messrs. Bailey, Buckingham, Carden, Carstensen, Chassell, Christianson, Coburn, Cummings, Dashiell, Freeman, Greeley, Greene, Gregory, Harris, Hart, McElrath, Nichols, Peet, Saylor, Springer, Stanbery, Stoltenberg, Summers, Willson, Wright—24.

So the House concurred in the Senate amendments.

Jepson of Woodbury, from the committee on Schools and Text-Books, reported the following bills and asked that they be printed in the Journal and placed on the Calendar without reference.

SENATE FILE NO. 151.

A BILL for an act to amend section twenty-eight hundred and sixteen (2816) of the code, in relation to reversion of schoolhouse sites.

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

Section 1. That section twenty-eight hundred and sixteen (2816) of the code is hereby amended by striking out the word "shall" in the third line and inserting the words "may at the option of the school corporation" in lieu thereof.

SENATE FILE NO. 184.

A BILL for an act to provide for the classification of teachers' certificates, and to limit the number thereof.

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

Section 1. Applicants for certificates to teach in the public schools of this State whose examination entitles them to a third class certificate only, shall receive the same for one year, and the same shall be renewed only upon examination, and in no event shall more than two such renewals be made.

Sec. 2. Applicants whose examination entitles them to a second class certificate only, shall receive the same for two years with privilege of renewal without further examination, provided the holder thereof has taught successfully during said time; otherwise, said renewal will be made upon examination.

Sec. 3. Applicants who have taught successfully for at least thirty-six (36) weeks, and whose examination entitles them to a first class certificate shall receive the same which shall continue in force for the term of three years from the date thereof, and shall be renewable without examination at

the discretion of the county superintendent; provided, the holder thereof continuously pursues such vocation.

Sec. 4. Applicants who have had no experience in teaching, but whose examination entitles them to a first class certificate shall receive a second class certificate for one year, and at the end of said time, provided they have taught successfully shall be entitled to receive without further examination a first class certificate as herein provided.

Sec. 5. Any person to whom a certificate for two years is issued hereunder shall pay a fee of two dollars (\$2.00) and to whom a certificate for three years is issued hereunder shall pay a fee of three dollars (\$3.00).

Sec. 6. The provisions of this chapter shall be printed on the reverse side of all certificates issued by the county superintendent.

Sec. 7. All laws in conflict herewith are hereby repealed.

On motion of Temple of Clarke, House voted to insist on its substitute amendment to substitute for Senate file No. 300, and to request a committee of conference on the subject.

On motion of Temple of Clarke, House adjourned until 9 o'clock tomorrow morning.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 8, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by the Reverend C. H. Stull of Waukon, Iowa.

Journal of Thursday, April 7th, was corrected and approved.

REPORTS OF COMMITTEES.

Coburn of Cherokee, 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. 433, a bill to for an act to repeal section 2161 of the code and to enact a substitute in lieu thereof, in relation to 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.

G. F. COBURN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Also:

MR. SPEAKER—Your committee on Telegraph, Telephone and Express, to whom was referred House file No. 415, a bill for an act to provide uniform rates for telephone service in cities, towns and villages, beg leave to report that they have 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.*

Adopted, and the bill was indefinitely postponed.

MR. SPEAKER—Your committee on Telegraph, Telephone and Express, to whom was referred House file No. 417, a bill for an act to compel receipt and transmission of telephone communications on and over 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 indefinitely postponed.

G. F. COBURN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

MR. SPEAKER—Your committee on Telegraph, Telephone and Express, to whom was referred House file No. 6, a bill for an act to establish the rights and define the duties 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 be indefinitely postponed.

G. F. COBURN,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

McCreary of Appanoose called up the concurrent resolution relating to gypsum mines and their inspection, laid over under rule 34.

Head of Greene moved that the resolution be referred to the committee on Mines and Mining.

Motion lost.

Bealer of Linn moved to amend by making the resolution apply to stone quarries.

Lost.

Resolution adopted.

Dow of Franklin called up resolution to memorialize congress relative to carrying library books through mail at reduced rates, laid over under rule 34, and moved its adoption.

Resolution adopted.

## INTRODUCTION OF BILLS.

By committee on Retrenchment and Reform, House file No. 460, a bill for an act requiring all boards, commissions, departments and officers of State to turn into the State treasury all fees collected, and to file with the Executive Council statements of expenses and per diem allowances to be paid by the State, and repealing all acts or parts of acts inconsistent with this act.

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

Section 1. That all boards, commissions, departments and officers of State, elective or appointive, shall turn into the State treasury on or before the fifteenth day of each month all fees, commissions or moneys collected or received during the preceding calendar month with an itemized statement of sources from which received; and shall also file with the Auditor of State a duplicate of such statement; provided, however, that the provisions of this act shall not apply to the State Agricultural Society, regents of the State University, trustees of the State College of Agriculture and Mechanic Arts and of the State Normal School, Horticultural Society, Supreme Court reporter and inspector of passenger boats.

Sec. 2. That all members of boards, commissions or departments of State, and all State officers, who are authorized to contract expense accounts in the service of the State, and all who are allowed a per diem for services, instead of a fixed compensation, shall, on or before the end of each month, file with the secretary of the Executive Council an itemized and sworn statement of all expenses and days' service, with dates and amounts, for the preceding calendar month.

Sec. 3. That the Executive Council shall examine all statements referred to in section two (2) of this act that shall have been filed with the secretary of the Council, and for all items of per diem and expenses approved and amounts allowed by a majority of said Council the Auditor of State shall draw warrants payable by the Treasurer of State out of such funds as are now, or may hereafter be, provided by law.

The Treasurer of State and Auditor of State shall each keep an account of the moneys paid in under the provisions of this act and where the law now provides, or may hereafter provide, that the amounts allowed for per diem and expenses shall be limited to or paid from fees collected, the Auditor's warrant shall be drawn against the funds realized from such fees, and shall not exceed the amount thereof.

Sec. 4. All acts or parts of acts in conflict with this act are hereby repealed

Read first and second time, ordered printed in the Journal and placed on the Calendar without reference to a committee.

House joint resolution No. 9, 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 July 1, 1906, the number of employees 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 amounts herein fixed:

<i>For the Office of the Attorney General—</i>		Per Annum
One stenographer at a salary of.....		\$ 900
Additional assistance and contingent fund to pay advance costs....		800
<i>For the Auditor of State—</i>		
One chief clerk and examiner of insurance department at a salary of.....		1,600
One security clerk in insurance department, who shall give bond at a salary of.....		1,350
One fee clerk, who shall give bond, at a salary of.....		1,200
One chief clerk in revenue department at a salary of.....		1,400
One clerk in banking department at a salary of.....		1,300
One assistant clerk in banking and revenue departments at a salary of.....		900
Extra clerical assistance, expense in adjusting accounts between the State and counties and expense in attending annual meeting of insurance commissioners, not to exceed.....		1,500
One stenographer at a salary of.....		900
One janitor at a salary of.....		720
<i>For the Office of the Clerk of the Supreme Court—</i>		
One clerk at a salary of.....		1,200
Additional clerical assistance not to exceed.....		900
One janitor who shall also act as messenger and as janitor of the supreme court room at a salary of.....		720
<i>For the Office of the Governor—</i>		
One pardon secretary at a salary of.....		1,500
One pardon clerk at a salary of.....		1,200
One requisition clerk at a salary of.....		1,200
One general clerk at a salary of.....		900
One general clerk and stenographer at a salary of.....		900
One messenger and usher, who shall act as janitor, at a salary of.....		900
<i>For the State Librarian's Office—</i>		
One cataloguer at a salary of.....		1,000
One stenographer and bookkeeper at a salary of.....		720
One janitor at a salary of.....		720
Assistant help in janitors service.....		200
<i>For the Office of the Railroad Commissioners—</i>		
One clerk at a salary of.....		1,200
One stenographer at a salary of.....		780
For extra clerical assistance not to exceed.....		300

*For the Office of the Secretary of State—*

One chief clerk, who shall give bond, at a salary of.....	1,250
One corporation clerk at a salary of.....	1,200
One assistant corporation clerk at a salary of.....	1,200
One stenographer at a salary of.....	780
One librarian of document department at a salary of.....	1,200
One document clerk and accountant for storage building at a salary of.....	1,200
Shipping help and cataloguing in storage building not to exceed..	1,000
For additional clerical assistance not to exceed.....	900
For indexing vault, if supplied with steel cases as contemplated....	1,200
One janitor and messenger at a salary of.....	720

*For the Office of Superintendent of Public Instruction—*

One stenographer at a salary of.....	900
One janitor at a salary of.....	720
For extra clerical assistance not to exceed.....	500

*For the Supreme Court Rooms—*

One bailiff who shall also act as messenger and janitor at a salary of	780
One messenger, under orders of the court, at a salary of.....	720
For stenographic service.....	900

*For the Office of Treasurer of State—*

One cashier, who shall give bond, at a salary of.....	1,250
One revenue clerk at a salary of.....	1,200
One general clerk at a salary of.....	900
One stenographer at a salary of.....	780
One watchman who shall be janitor, at a salary of.....	780

*For the Historical Department—*

Assistant curator at a salary of.....	1,020
Second assistant curator, clerk and stenographer at a salary of....	900
One museum assistant at a salary of.....	720
One janitor for the historical building at a salary of.....	720
One night watchman at a salary of.....	720

*For the Executive Council—*

One secretary at a salary of.....	1,800
One clerk at a salary of.....	1,400
One clerk at a salary of.....	840
One mail-carrier with team and wagon who shall perform the duties assigned to him by the Executive Council at a salary of.	1,200
For additional clerical assistance not to exceed.....	900

*For the Board of Control—*

One chief bookkeeper at a salary of.....	1,600
One storekeeper and clerk at a salary of.....	780
One assistant bookkeeper at a salary of.....	780
One clerk at a salary of.....	720
One estimate clerk at a salary of.....	900
One stenographer at a salary of.....	780

One stenographer at a salary of.....	780
One clerk and stenographer at a salary of.....	720
One clerk and janitor at a salary of.....	780
For extra clerical assistance not to exceed.....	1,500
<i>For the Department of Geological Survey—</i>	
One secretary and clerk at a salary of.....	\$ 900
<i>For the office of State Mine Inspector—</i>	
One clerk at at a salary of.....	\$ 780
<i>For Weather and Crop Service—</i>	
Director's salary .....	\$1,500
Clerical assistance not to exceed .....	720
<i>For the office of the State Board of Health—</i>	
One clerk or stenographer at a salary of .....	780
<i>For the office of Supreme Court Reporter—</i>	
One clerk at a salary of.....	720
<i>For the office of the Library Commission—</i>	
One secretary at a salary of .....	\$1,200
One clerk and stenographer at a salary of .....	720
For other clerical assistance not to exceed .....	800

For the offices of the attorney general, adjutant general, railroad commissioners, horticultural department, State agricultural society, State board of health, pharmacy department, dairy department, mine inspector, labor bureau, Executive Council, the G. A. R. department and the geological survey, there may be employed five janitors.

All janitors shall be employed and assigned to duty by the custodian subject to the approval of the Executive Council. The custodian shall provide the necessary janitor service for all parts of the Capitol and historical building, not otherwise provided for, and the salaries paid shall not exceed the amount of \$720.00 per annum for each of such janitors so employed. The janitors employed in the Capitol under the provisions of this resolutions shall shall at all times be subject to the orders of the custodian to perform any additional service, by way of rendering assistance to the State house engineers, State house carpenter, supply department, historical department or any other labor that may be necessary about the Capitol or upon the Capitol 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 such janitors to such extra service, and he may discharge any janitor for incompetency, neglect or insubordination.

The custodian may employ such other employees, as follows:

One chief engineer at a salary of.....	\$1,500
One assistant engineer at a salary of .....	1,200
Additional engineers at cost not to exceed.....	600
One carpenter at a salary of .....	1,000
One chief of police at a salary of.....	900
Two night watchmen each at a salary of .....	900



Eight janitors each at a salary of .....	720
One janitress of ladies' toilet rooms, not to exceed three months per year, at a rate of .....	660
Three laborers for the Capitol grounds and other State grounds, at a salary, eight months in the year, at a rate of .....	720
All necessary firemen for the boiler rooms each at a salary of .....	780
One elevator tender at a salary of .....	720
One janitor for storage building at a salary of .....	720

All clerks in the departments named in this resolution shall be under the control of the head of the department and may by him be transferred to such work as he shall direct in assisting other clerks in the different branches of the service of the department.

Any head of a department may at any time discharge any clerk, or other employe in such department, for negligence, insubordination or incapacity.

Read first and second time, ordered printed in the Journal and placed on the Calendar without reference to a committee.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 135, a bill for an act making provision for the support of the Industrial School for Girls at Mitchellville.

Also, House file No. 210, a bill for an act to amend section four thousand four hundred and eighty-one (4481) of the code, in relation to place of bringing actions, and a taxation of costs therein.

Also, House file No. 247, a bill for an act relating to the payment by the State of the premiums of surety companies on the bond of the State Treasurer and Deputy State Treasurer.

Also, House file No. 322, a bill for an act to appropriate money to pay for metal shelving in the new storage building.

Also, House file No. 394, a bill for an act to legalize the incorporation of the town of Arnold's Park, Dickinson county, Iowa, the notices of election and the election of its officers.

Also, House file No. 358, a bill for an act to legalize the incorporation of the town of Persia, Harrison county, Iowa, the election of its officers, the passage of its ordinances and resolutions, and all acts done by the council of said town.

Also, House file No. 430, a bill for an act to legalize the incorporation of the town of Quasqueton, Buchanan 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.

Also, House file No. 366, a bill for an act to legalize the election held in the incorporated town of Alta, Buena Vista county, Iowa, on the 30th day of March, 1903, and the proposition submitted at said election for the

purpose of erecting and maintaining a hot water heating plant for municipal purposes in the town of Alta, Buena Vista county, Iowa.

Also, House file No. 215, a bill for an act providing for the erection of a monument at the site of the Confederate military prison at Andersonville, Georgia, in commemoration of the patriotism, suffering and martyrdom of the Iowa soldiers who were imprisoned and died in such military prison, and creating a commission to have charge of the erection thereof and providing an appropriation therefor.

Also, substitute for House file No. 318, a bill for an act to enable the State of Iowa to sell and dispose of all abandoned river channels, and all land within such abandoned river channels, and all sand bars or islands in the navigable waters of the State, and authorizing the appointment of a commission to ascertain and establish the boundary lines between the State of Iowa and adjoining states.

Also, substitute for House file No. 165, a bill for an act to repeal the law as it appears in section thirteen hundred and forty-seven-a (1347-a) of the supplement to the code relating to the vocation of peddlers and to enact a substitute therefor.

Also, House 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 III (3) of said Constitution, and proposing to adopt the following in lieu thereof and as a substitute therefor.

Also, House joint resolution No. 6, proposing an amendment to the Constitution of the State of Iowa additional to section eighteen (18) of article I (1) of said Constitution.

Also, House file No. 185, a bill for an act in relation to common carriers, additional to section two thousand and seventy-four (2074) of the code.

Also, House file No. 325, a bill for an act to legalize the incorporation of the town of Hamilton, Marion county, Iowa, the election of its officers, and ordinances passed and all official acts of the council of said town.

Also, House file No. 416, a bill for an act to legalize the incorporation of the town of Titonka, Kossuth county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town.

Also, House file No. 266, a bill for an act to require common carriers to issue transportation to owners shipping live stock, additional to chapter seven (7), title X (10) of the code, relating to the regulation of common carriers.

Also, substitute for House file No. 1, a bill for an act providing for the election of delegates of political parties by a primary election and for the nomination of officers by a delegate convention system.

Also, House file No. 393, a bill for an act to provide for the licensing of agents of insurance companies and associations.

Also, House file No. 297, a bill for an act making appropriations to the State Historical Society of Iowa.

Also, House file No. 402, a bill for an act providing for the disposition of State documents, publications and laws, not required for public uses.

Also, House file No. 445, a bill for an act to legalize the acts of Harry C. Wright, a notary public in and for Wayne county, State of Iowa, and the acts of Harry C. Wright, acting *de facto* as a notary public from July 4, 1900, to December 25, 1902.

H. L. SPAULDING,  
*Chairman.*

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 135, a bill for an act making provision for the support of the Industrial School for Girls at Mitchellville.

Also, House file No. 210, a bill for an act to amend section four thousand four hundred and eighty-one (4481) of the code, in relation to place of bringing actions, and a taxation of costs therein.

Also, House file No. 247, a bill for an act relating to the payment by the State of the premiums of surety companies on the bond of the State Treasurer and Deputy State Treasurer.

Also, House file No. 322, a bill for an act to appropriate money to pay for metal shelving in the new storage building.

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Also, House file No. 366, a bill for an act to legalize the election held in the incorporated town of Alta, Buena Vista county, Iowa, on the 30th day of March, 1903, and the proposition submitted at said election for the purpose of erecting and maintaining a hot water heating plant for municipal purposes in the town of Alta, Buena Vista county, Iowa.

Also, House file No. 215, a bill for an act providing for the erection of a monument at the site of the Confederate military prison at Anderson

ville, Georgia, in commemoration of the patriotism, suffering and martyrdom of the Iowa soldiers who were imprisoned and died in such military prison, and creating a commission to have charge of the erection thereof and providing an appropriation therefor.

Also, substitute for House file No. 318, a bill for an act to enable the State of Iowa to sell and dispose of all abandoned river channels, and all sand bars or islands in the navigable waters of the State, and authorizing the appointment of a commission to ascertain and establish the boundary lines between the State of Iowa and adjoining states.

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Also, House 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 III (3) of said constitution, and proposing to adopt the following in lieu thereof and as a substitute therefor.

Also, House joint resolution No. 6, proposing an amendment to the Constitution of the State of Iowa additional to section eighteen (18) of Article I of said constitution.

Also, House file No. 185, a bill for an act in relation to common carriers additional to section two thousand and seventy-four (2074) of the code.

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Also, House file No. 416, a bill for an act to legalize the incorporation of the town of Titonka, Kossuth county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town.

Also, House file No. 266, a bill for an act to require common carriers to issue transportation to owners shipping live stock, additional to chapter seven (7), title X (10) of the code, relating to the regulation of common carriers.

Also, substitute for House file No. 1, a bill for an act providing for the election of delegates of political parties by a primary election and for the nomination of officers by a delegate convention system.

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Also, House file No. 402, a bill for an act providing for the disposition of State documents, publications and laws, not required for public uses.

Also, House file No. 445, a bill for an act to legalize the acts of Harry C. Wright, a notary public in and for Wayne county, State of Iowa, and

the acts of Harry C. Wright, acting de facto as a notary public from July 4, 1900, to December 25, 1902.

H. L. SPAULDING,  
*Chairman of House Committee.*

D. W. TURNER,  
*Chairman of 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 joint resolution in which the concurrence of the House is asked:

Joint resolution No. 7, providing for the appointment of a joint committee to investigate the system of management and affairs of the State educational institutions of Iowa, and for the payment of the expenses of such investigation and defining the powers of the committee.

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 authorizing the Executive Council to prepare for shipment to St. Louis such articles as they may decide to be suitable for the historical exhibit from the Historical Department 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. 436, a bill for an act to legalize the election of the town council of the incorporated town of Minburn, Dallas county, Iowa, and all the acts thereof during the ten years last past.

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. 383, a bill for an act to amend section 860 of the supplement to the code, as the same is found in said section of the code and the supplement thereto, relating to the creation and improvement of parks, in towns and cities having a population of 12,500 and less.

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 legalize the election of town officers elected March 28, 1904, for the incorporated town of Weldon, Decatur 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. 277, a bill for an act relating to the meandered lake beds of the State and authorizing the Executive Council to survey, sell or lease the same.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

House file No. 353, a bill for an act to amend sections 55, 1419, 1441, 1495, 1842, 1843, 2388, 3074, 3109, 3131, 3284 and 4474 of the code and the law which appears as section 1618 of the supplement to the code, relating to the publication of legal notices.

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. 6, relative to providing for the appointment of a committee to investigate the workings of the indeterminate sentence and Elmira reformatory systems and making an appropriation of \$500 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. 455, a bill for an act to provide for the maintenance of a bacteriological laboratory at Iowa City, Iowa, in connection with the medical department of the State University, (additional to chapter 16 title XII 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. 337, a bill for an act to legalize all the acts and proceedings of the town of Mapleton, Monona county, Iowa, relative to the construction of permanent sidewalks.

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. 452, a bill for an act to amend section 403 of the code relating to county bonds.

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. 189, a bill for an act to repeal section 2477 of the code, relating to the expenses of the Bureau of Labor Statistics.

GEO. A. NEWMAN,  
*Secretary.*

**Also :**

MR. SPEAKER—I am directed to inform your honorable body that the Senate requests the recall of Senate file No. 418 in which the concurrence of the Senate was asked.

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. 352, a bill for an act in relation to objectionable advertisements in the vicinity of public school buildings.

GEO. A. NEWMAN,  
*Secretary*

**REPORTS OF COMMITTEE.**

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 Senate file No. 235, a bill for an act to amend chapter 62 acts of the Twenty-ninth General Assembly providing for the taxation of freight line and equipment 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 Senate file No. 230, a bill for an act relating to islands in the waters of the State, and authorizing the Executive Council to sell or lease 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.

M. L. TEMPLE,  
*Chairman.*

Ordered passed on file.



## BILLS ON THEIR PASSAGE.

On motion of Temple of Clarke, Senate file No. 235, a bill for for an act to amend chapter 62, acts of the Twenty-ninth General Assembly, providing for the taxation of freight lines and equipment companies, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Temple 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, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Summers, Teachout, Temple, Teter, Washburn, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—88.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Christianson, Cummings, Flenniken, Gregory, Hart, Langan, Pritchard, Saylor, Stanbery, Stoltenberg, Weeks—12.

So the bill passed and the title was agreed to.

On motion of Temple of Clarke, Senate file No. 230, a bill for an act relating to islands in the waters of the State and authorizing the Executive Council to sell or lease the same, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Mr. Buchanan 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, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Coburn, Colclo, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Frudden, Geneva, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Kendall, Kling, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Teachout, Temple, Teeter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Mr. Speaker—82.

The nays were:

None.

**Absent or not voting:**

Messrs. Christianson, Conn, Cummings, Freeman, Greeley, Gregory, Jones, Kennedy, Koontz, Langan, Maben, Peet, Pritchard, Saylor, Stanbery, Stoltenberg, Summers, Wyland—18.

So the bill passed and the title was agreed to.

Mattes of Sac offered the following concurrent resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved, by the House, the Senate concurring,* That the chief clerk of the House, and the secretary of the Senate be required to remain at the Capitol and perform their respective duties as such for a period of four days after the close of the session of the Thirtieth General Assembly, the first assistant clerk of the House, two days; first assistant secretary of the Senate, two days; journal clerk of the House, two days; journal clerk of the Senate, two days; engrossing clerk of the House, two days; engrossing clerk of Senate, two days; assistant postmistress, three days; mail carrier, three days; 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.

### Adopted.

Chair appointed as conference committee, to confer with a like Senate committee in relation to insisting on House amendment to Senate file No. 300, Temple of Clarke, Kendall of Monroe, Clary of Chickasaw, DeLano of Cass.

#### REPORTS OF COMMITTEE.

Pritchard of Wright, from the committee on Agriculture, submitted the following report:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House file No. 290, a bill for an act to amend section nineteen hundred and fifty-two (1952) of the code, relating to petitions for draining, ditching and leveeing lands subject to overflow and changing water course, beg leave to report that they have 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. S. PRITCHARD,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

### Also:

MR. SPEAKER—Your committee on Agriculture, to whom was referred House file No. 390, a bill for an act to regulate the practice of veterinary medicine, surgery and dentistry in regard to examination, beg leave to report that they have 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. S. PRITCHARD,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

On request of Robinson of Emmet leave of absence was granted Pritchard of Wright until tomorrow.

BILLS ON THEIR PASSAGE.

On motion of Kendall of Monroe, House file No. 453, a bill for an act to repeal section 13 of the code and to enact a substitute therefor, relating to the officers and employes of the General Assembly and fixing their compensation, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Mr. Kendall moved to amend by striking out sub-section 11 and inserting in lieu thereof the following: "11. One mail carrier at a salary of three dollars a day."

Adopted.

Mr. Kendall moved to amend sub-section 17 by striking out the word "four" and substituting in lieu thereof the word "three".

Adopted.

English of Polk moved to amend by striking out sub-section 12 and substituting in lieu thereof the following:

12. Twenty-four (24) committee clerks for the Senate and twenty-four (24) committee clerks for the House, who shall be competent stenographers and typewriters, at a salary of three dollars (\$3.00) per day each, to be selected by the chairmen of the several committees to which they shall be assigned by the committee on Retrenchment and Reform, which committee shall also group the standing committees of the Senate and House and assign rooms and time of meeting of same.

Bealer of Linn moved to amend the amendment by striking out the word "twenty-four" and substituting in lieu thereof the word "thirty".

Buchanan of Wapello moved that the bill be referred to the committee on Retrenchment and Reform of the Thirty-first General Assembly.

Amendment to the amendment lost.

Langan of Clinton and Colelo of Carroll demanded a roll call on the question of the adoption of the amendment.

On the question, Shall the amendment be adopted ?

The yeas were:

Messrs. Bealer, Bixby, Boland, Buchanan, Carden, Carstensen, Cassel, Chassell, Cheney, Colclo, Conn, Crose, Cummings, Dashiell, Doran, Dow, English, Flenniken, Freeman, Geneva, Greeley, Greene, Hambleton, Hanna, Harris, Head, Hollembeak, Hume, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Leech, Lister, Lowrey, McAllister, McClurkin, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Robinson, Shaffer, Skinner, Spaulding, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Whiting, Willson, Wise, Wright, Mr. Speaker—71.

The nays were:

Messrs. Bailey, Buckingham, Calderwood, Clary, Cobb, Cobby, Davie, DeLano, Frudden, Heles, Jacobson, Langan, Lundt, McCreary, Prevo, Ritter, Sankey, Springer, Welden, Whitmer, Wyland—21.

Absent or not voting:

Messrs. Christianson, Gregory, Hakes, Hart, Koontz, Pritchard, Saylor, Stanbery—8.

So the amendment was adopted.

The motion to refer was lost.

Chassell of Plymouth moved to amend sub-section 16 of section 1 by striking out the words "two dollars and fifty cents" and inserting in lieu thereof the words "three dollars".

Lost.

Kendall of Monroe moved to amend subsection 16 by striking out the word "three" where it last appears in the first line thereof and substituting in lieu thereof the word "four".

Adopted.

Mr. Kendall moved that the rule 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. Bailey, Bealer, Bixby, Boland, Calderwood, Carden, Carstensen, Cassel, Chassell, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Geneva, Greeley, Greene, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Mr. Speaker—87.

The nays were:

Messrs. Buchanan, Buckingham, Cheney, Wyland—4.

Absent or not voting:

Messrs. Christianson, Frudden, Gregory, Hakes, Peet, Pritchard, Saylor. Springer, Stanbery—9.

So the bill passed and the title was agreed to.

On motion of Wright of Webster, Senate file No. 15, a bill for an act to amend section nineteen hundred and forty-six (1946) of the code, relating to the apportionment and assessment of the cost of levees, drains, ditches and water courses, was taken up and considered.

Mr. Wright moved that the rule 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, Bixby, Calderwood, Carden, Carstensen, Cassel, Chassell, Clary, Cobb, Colclo, Conn, Crose, Cummings,

Dashiell, Davie, DeLano, Dow, English, Freeman, Geneva, Greeley, Greene, Hambleton, Hanna, Head, Hollembeak, Hume, Jacobson, Jepson, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Langan, Lister, Lowrey, Lundt, McAllister, McClurkin, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Peet, Powers, Pevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—74.

The nays were:

Mr. Doran—1.

Absent or not voting:

Messrs. Bealer, Boland, Buchanan, Buckingham, Cheney, Christianson, Coburn, Flenniken, Frudden, Gregory, Hakes, Harris, Hart, Heles, Jones, Leech, McCreary, Offill, Pritchard, Saylor, Stanbery, Stoltenberg, Summers, Willson—25.

So the bill passed and the title was agreed to.

On motion of De Lano of Cass, Senate file No. 222, a bill for an act amending the law as it now appears in section 511 of the supplement to the code, relating to the fees to be collected by the sheriff in certain cases, was taken up and considered.

#### REPORTS OF COMMITTEES.

Koontz of Johnson, from the committee on Public Libraries, submitted the following report:

MR. SPEAKER—Your committee on Public Libraries, to whom was referred Senate file No. 266, a bill for an act to amend sections 728, 729 and 731 of the code, relating to the appointment of library trustees, their powers and 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.

G. W. KOONTZ,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Temple of Clarke, from the committee on Retrenchment and Reform, submitted the following report:

REPORT OF THE COMMITTEE ON RETRENCHMENT AND REFORM TO THE  
THIRTIETH GENERAL ASSEMBLY.

Temple of Clarke, from the Committee on Retrenchment and Reform, submitted the following report:

To the President of the Senate  
and  
To the Speaker of the House.

The statutory committee of Retrenchment and Reform for the Thirtieth General Assembly begs leave to submit the following report:

The statute provides that this Committee shall examine into the reports and official acts of the Executive Council and of each officer, board, commission and department of the State at the seat of government, in respect to the conduct and expenditures thereof, and the receipts and disbursements of public funds thereby. It shall report to the General Assembly a joint resolution fixing the number of employes, and the salary of each, for the several offices, boards, commissions and departments for the ensuing biennial period, and recommend such appropriations and legislation as shall promote public interests and an efficient and economical administration of the affairs of the state.

The Committee has endeavored to comply with the provisions of the statute referred to as fully as the limited time at its disposal, in connection with other duties, would permit.

We find that an expert accountant is employed by the Executive Council to examine the books and accounts of the various departments of State, and his last completed report was placed in our hands. His report shows care in his work and discloses but few items of criticism, and these of a minor character, confined to methods of bookkeeping and accounting for small expenditures. Corrections in these matters have in most instances already been made and in others no doubt will be, attention having been called to them by the committee. We would suggest, however, in this connection, that the accountant or examiner be encouraged to criticise freely in his reports any and all matters not strictly in line with business methods, no matter how small or seemingly unimportant, to the end that the slightest irregularity may be promptly checked on its first appearance.

In accordance with its duties as understood the committee has drafted and reported to the two branches of the General Assembly with its endorsement the following bills:

One fixing the number, position and compensation of officers and employes of future General Assemblies, other than those of President of the Senate and Speaker of the House.

One providing that fees collected by various departments of State be turned into the State treasury and expense accounts be audited by the Executive Council.



One fixing the number, position and compensation of employees of the various departments of State.

Governor A. B. Cummins, in his message to this General Assembly, after referring to the subject of the examination of insurance companies, made the following statement:

"I am led to comment upon this subject with unusual emphasis, largely on account of some matters which occurred during the four years in which Frank F. Merriam was Auditor of State. Towards the close of his last term it was charged by various foreign insurance companies that he, together with his insurance examiner, Mr. Max Beehler, had made, or pretended to make, a large number of examinations which were without authority of the Executive Council, and for which fees and disbursements were exacted grossly in excess of fair compensation and reimbursement for the examinations made and expenses incurred. The records of the Executive Council do not disclose any authority for such examinations. When Mr. Merriam's attention was called to this matter, he said that the members of the Executive Council had given him oral authority, and his recollections in this respect were verified by letters from former members. As Governor of the State I then made an examination of his office, for the purpose of ascertaining what companies had been examined and what fees and disbursements had been charged. I at once discovered that the books of the Auditor's office did not show what examinations had been made, or what had been charged for them, or indeed anything in respect to this matter. The only papers that could be found, relating to the examinations under consideration, were some reports of examinations. In this situation the Auditor was asked, under the advice of the Attorney-General, to complete his books in this respect, so we might know what had been done and what money had been collected. The term expired, and Mr. Merriam left the office without complying with this request. The present Auditor, Mr. B. F. Carroll, was requested by the Executive Council to correspond with the insurance companies that had been doing business in Iowa and discover, if possible, when and by whom examinations had been made, and what had been charged for them. He prepared blanks for this purpose, and I now have the result of his investigation. I summarize it as follows:

Examinations made (a few in Iowa).....	116
Charged for examinations.....	\$23,267.03

"No man should be judged without a hearing, and these men have had no hearing. It may be that they can explain what they have done so that all adverse criticism will be unwarranted. I think it is your duty to give them an opportunity to do so. Upon the face of the papers that I have, and upon the information that I have received, it appears that many of these examinations were not in good faith, were without value, and that the farce was enacted for no other purpose than to collect money which had not been earned. It seems, from the *ex parte* inquiry that we have been able to make, that nearly all the insurance companies paid what was demanded of them, simply because they knew that the Auditor held

a power which he could exercise to their injury. It is due to these men, as well as to the reputation of the commonwealth; that these matters be investigated by a committee having authority to ascertain the whole truth; and if it be found that the power of the State of Iowa has been used by unworthy officers to coerce payments for which no honest service was rendered, I recommend the reimbursement of the sums so unjustly exacted."

A resolution on this subject, calling for an examination into this matter, was presented in the House and referred to this committee.

In accordance with the recommendation of the Governor and the requirements of the resolution referred to, this committee at its first meeting, held on January 29, 1904, instructed its chairman to communicate to Ex-Auditor Frank F. Merriam and his examiner, Max Beehler, if they could be found, the desire of the committee to give them a hearing and an opportunity to make such explanation as they could, or desired to make, of the matters heretofore set forth. This was done.

On March 30, 1904, Mr. Merriam appeared before the committee and submitted a written statement, signed by himself, in explanation of the matters in question and which is hereto attached and marked, "Exhibit A."

Mr. Beehler advised the committee that the state of his health would not permit his appearing before the committee in person (he being in Chicago), but he submitted a statement signed and sworn to by himself, which is also hereto attached and marked Exhibit "B."

From a mass of communications from various insurance companies, including sworn statements of fees and expenses charged for examinations, and letters in reference thereto, now on file in the office of the Auditor of State, and from the record made up by the present Auditor, the committee has prepared a condensed statement showing names and location of companies examined, dates of examination and fees and expenses charged, which statement is hereto attached and marked Exhibit "C."

Exhibit "A." by Mr. Merriam, contains copies of an opinion by the Attorney-General and a statement by present members of the Executive Council, to which attention is invited. This committee has found no reason for differing with the opinions and statements therein expressed. It is proper to state here, however, that the information as to the amounts charged for examinations was obtained at a later date, and no doubt constitute the principal basis for the reference to this matter by the Governor.

It is apparent from the uncontradicted records herewith submitted that a large number of outside insurance companies were examined within a comparatively short period of time, toward the close of Mr. Merriam's term of office; that a considerable number were examined upon or during a single Eastern trip by the examiners and that in most cases each company examined was charged for full railway and sleeping

car fare, meals and hotel bills, from Des Moines to the office of the company and return to Des Moines.

This committee regards the charges thus made as irregular, unauthorized and in obvious contravention of the letter and spirit of Section 1753 of the Code authorizing the collection of necessary expenses incurred in such examinations.

The committee is not advised and has had neither time nor opportunity to ascertain as to the charges usually made for the examination of insurance companies, either in the way of per diem or expenses, by examiners employed by other states. It is fair to assume that the companies examined were informed in these matters and they could not have been compelled to pay more than was just and reasonable. In any event it was clearly incumbent upon them to submit the bills rendered them to the Governor or Executive Council before payment and demand a revision or reduction of the charges made if they were considered exorbitant. The committee has no hesitancy, however, in condemning, without reservation, the practice of Mr. Merriam, as Auditor, and Mr. Beehler, as examiner, in collecting from foreign companies the unwarranted and excessive charges exacted from them as exhibited in this report.

A bill already passed by this General Assembly provides for an insurance examiner, whose salary and actual expenses shall be paid by the State, and the charges for examination of any insurance company to be paid by said company directly to the State, and not to the examiner. It is not likely that under the provisions of this law any insurance company will be required to pay more for an examination than its actual cost to the State.

In conclusion, we earnestly recommend that a law be enacted at this session of the General Assembly requiring all boards, commissions, departments and officers of State to turn into the State treasury all fees collected, and to file with the Executive Council statements of expenses and per diem allowances to be paid by the State.

Respectfully submitted,

W. C. Hayward,

C. C. Dowell,

Warren Garst,

M. L. Temple,

N. E. Kendall,

Joseph Mattes,

Committee.

#### EXHIBIT "A."

To The Honorable Committee on Retrenchment and Reform of the Senate and House of Representatives of Iowa:

In compliance with your request as expressed when I was before your Committee recently, I desire to submit the following regarding certain examinations of insurance companies, made during my administration of the office of Auditor of State, said examinations having been made, in

some instances, by Hon. Max Beehler, without assistance; in other cases with the assistance of various parties whose selection was approved by me, and in still other instances he was assisted by me personally. In all cases examinations were made on requisitions from the Auditor's office under authority of law as set out in Sections 1700, 1731, 1753, 1766, 1777, 1790, 1794 and 1829, according to the chapter of the Code under which the corporation examined was organized or admitted to the State for the transaction of business and the class of business being transacted by said company.

The members of the Executive Council made inquiries some months ago regarding certain phases of these examinations and their conclusions supported by an opinion of Attorney-General Mullan are set forth in this connection as bearing directly on certain of the matters at hand and especially on the authority extended by a former Executive Council under Section 1753 of the Code.

The statement above referred to is as follows:

"Des Moines, Iowa, January 2, 1903.

"The undersigned members of the Executive Council of the State of Iowa, in view of the criticisms which have appeared in the press, and the charges laid before them respecting the examination of insurance companies by the Auditor of State, have undertaken an investigation of the various matters that are involved in the public discussion. In order to guide us we submitted to the Attorney-General a series of inquiries, as follows:

"First. Is it the duty of the Auditor to account for and pay into the State treasury the sums which are paid by insurance companies to defray the expenses of examination, including the compensation of the examiner if he be a person not regularly employed in the office of the Auditor?

"Second. Has the Auditor the right to examine insurance companies doing business in the State of Iowa but organized under the laws of other states, without first being authorized so to do by the Executive Council?

"Third. Is it the duty of the Auditor to make a record of the examinations made, including the amounts which the insurance companies are required to pay for the expenses of examination, including the compensation of the examiner?

"The Attorney-General has replied to these inquiries in an opinion, a copy of which is submitted to the public herewith.

"It will be observed that the opinion holds that the Auditor is not required to account for or to pay into the treasury the moneys paid by the insurance companies for examinations, whether as traveling expenses, hotel bills, or compensation for the examiner. While the undersigned members of the Executive Council believe that it would be wise to amend the law so as to require all sums paid for examinations to be paid into the treasury, and that the State should compensate its em-

ployees in the regular way, they all concur with the Attorney-General in the construction which he has placed upon the various statutes to which he has referred; and they conclude that, in the present state of the law the Auditor is not subject to any criticism or censure because he has not accounted for these collections.

“It will be observed further that the Attorney-General holds that there can be no valid examination by the Auditor of companies organized under the laws of other states, without the authority of the Executive Council. The Executive Council, as now composed, never gave any authority for these examinations, nor has such authority been given at any time during the period in which any one of the present members, except Mr. Merriam, has been a member, nor is there any record of any such authority in any of the proceedings of the Executive Council at any time. The Auditor has, however, submitted to the remaining members of the Council a letter recently written by Leslie M. Shaw, who was for four years Governor of the State of Iowa, in which it is stated in substance that at a time when the Executive Council was composed of Governor Shaw, Secretary Dobson, Auditor Merriam and Treasurer Herriott, the subject was brought up, and that there seemed to be a doubt whether the words “foreign insurance company” in the statute which has been construed by the Attorney-General, means an insurance company organized under the laws of some other state or country than Iowa, or whether it is limited to a company organized in some foreign country; and that thereupon it was said to Mr. Merriam, the Auditor, that inasmuch as the examination was the objective point, and inasmuch as the members had entire confidence in the insurance department, that the Auditor was at liberty to proceed as he saw fit, and if any insurance company objected to an examination, then the matter could be brought before the Executive Council for specific authority. Mr. Dobson endorses, or verifies, the letter so written by Governor Shaw. Under this arrangement the Auditor, Mr. Merriam, assumed, and we think he cannot be justly criticised for so doing, that he had the authority of the Executive Council; and while the present Council is of the opinion that there must be specific authority in each instance and that will be the rule for the future, the members who sign this statement believe that Mr. Merriam could accept, and did accept this informal order as his authority for making the examinations.’”

“It will be further observed that the Attorney-General holds there should be a record in the Auditor’s office, not only of the examinations that have been made, but of the amounts which the insurance companies have been required to pay. The Auditor advises us that the records of his office do show a report of all examinations that have taken place during his term of office, but that neither the records nor the reports show the amounts which have been paid by the insurance companies for examinations. It has been his opinion that the law did not require this information to be stated in the records of his office, and for that reason it has been omitted. The remaining members of the Council have asked

him to complete his records in this particular, and he expresses his entire willingness to do so, provided his examiner has retained the information necessary to enable him to make the additions to the reports or to make the entries upon his records. If this is done, and whether his examiner has the necessary information or not it can be procured by inquiring of the various insurance companies that have been examined, the records in his office will be complete and we can see nothing whatever of which the State or any of its officers can legally complain. If, as has been charged, the amounts required to be paid by the insurance companies have been excessive, the State is without remedy. Under the opinion of the Attorney-General the State has no interest in these amounts and no authority over the Auditor with respect to the sums charged. The conclusion seems clear that when insurance companies voluntarily pay sums which they believe to be excessive that, if there is any remedy, it is one which must be sought by the companies directly, against the Auditor or his examiner. The members of the Council who sign this statement have no information with regard to these amounts sufficient to enable them to say whether they are reasonable or unreasonable, and, as officers of the State, they are powerless to undertake any proceeding which could determine in an appropriate way that question.

"This statement is published for the reason that there has been a great deal of discussion of the matter, and many persons hold erroneous views both as to the law and the facts."

(Signed)

ALBERT B. CUMMINS,  
Governor.  
W. B. MARTIN,  
Secretary of State.  
G. S. GILBERTSON,  
Treasurer of State.

THE ATTORNEY-GENERAL'S OPINION.

Sirs:

Before taking up the legal questions involved in your request for an opinion as to whether the Auditor of State is required by law to account for and pay into the State treasury the expenses and fees received by him, or by any person appointed by him, for the examination of insurance companies doing business in this State, I desire to say that the statutes regulating the business of insurance companies within the State are so conflicting and inharmonious that it is almost impossible to reconcile the various provisions which have been incorporated into the statute by different legislatures.

The insurance laws of the State should, in my judgment, be repealed and a new insurance code enacted, with harmonious provisions which will cure the many glaring defects existing in the present statute.

With this statement as to the present condition of the insurance laws of the State, I will now take up the questions upon which my opinion is requested.

The insurance laws of the State consist of chapters 4, 5, 6, 7, 8 and 9 of Title IX of the Code, and the amendments thereto since 1897, and chapter 66 of the acts of the Twenty-eighth General Assembly. These statutes recognize and attempt to regulate two general classes of insurance, viz: insurance other than life, and life insurance. Chapters 4 and 5 of Title IX regulate companies and associations conducting the business of insurance other than life. Chapters 6, 7, 8 and 9, and Chapter 65 of the acts of the Twenty-eighth General Assembly relate to the various classes of life insurance companies and associations, and regulate the same.

Section 1731 of the Code, which is a part of chapter 4, authorizes the Auditor of State, whenever he shall find it expedient, to appoint one or more persons, not officers, agents or stockholders of any insurance company doing business in the State, to make an examination of the affairs of any insurance company doing business in the State, other than life insurance companies, or he may make such examinations himself.

No provision is made in this section, nor in chapter 4, as to the compensation to be paid for making such examination.

At the time this section of the Code was enacted, it was undoubtedly the intention of the legislature that all expenses and fees paid by the insurance company or association which was examined by the Auditor, or by the person appointed by him for that purpose, should be paid into the State treasury, as is clearly indicated by the language of Section 1752, which provides:

"There shall be paid to the Auditor of State for services required under the provisions of this chapter, the following fees, which shall be accounted for by him in the same manner as other fees received in the discharge of the duties of his office:

\* \* \* \* \*

For official examination of either domestic or foreign company, the actual expense incurred."

This provision of Section 1752 continued to be the law after the enactment of the Code until the eighth day of April, 1898, when it was repealed by chapter 45 of the acts of the Twenty-seventh General Assembly.

Prior to its repeal, the Auditor was required to account for all fees and expenses received by him for the examination of insurance companies doing business in the State under the provisions of chapter 4, and to pay the same into the State treasury.

The act of the legislature in repealing subdivision 8 was an explicit declaration by the law-making power, that the Auditor of State should not thereafter be required to account for, or pay into the State treasury,

the money paid to him, or to the person appointed by him, by insurance companies doing business under chapter 4, as the expenses incurred in the examination of such companies.

The repeal of subdivision 8 must be taken as a grant of authority from the legislature, by which the Auditor, or the person appointed by him, is authorized to retain the money received from the insurance companies examined, for the purpose of reimbursing themselves for actual expenses incurred, and, in the case of the person appointed by the Auditor, as compensation for his services in making such examination.

No other conclusion can be reached in construing the provisions of section 1752 in connection with chapter 45 of the acts of the Twenty-seventh General Assembly.

The repeal of subdivision 8 must also be taken as an expression of the legislature as to the disposition of any money paid by insurance companies doing business under Title IX of the Code, and as having a bearing upon the construction which must be given to the other provisions of Chapters 5, 6, 7, 8 and 9 thereof.

Section 1766 of the Code authorizes the Auditor to make a personal examination of insurance associations doing business under Chapter 5 of Title IX, or to appoint some person, not an officer, agent, or stockholder of any insurance company doing business in the State, to make such examination, and provides that, if the person so appointed is not receiving a regular salary in the office of the Auditor, he shall be entitled to receive five dollars a day for his services, in addition to his actual traveling and hotel expenses; but if such person is a regular employee of the office he shall be paid only his actual traveling and hotel expenses. Such expenses are to be paid by the association examined, or by the State upon the approval of the Executive Council, if the association fails to pay the same. There is no provision of this chapter requiring the Auditor, or the person so appointed, to account for or pay into the State treasury the expenses and fees paid by the association for such examination.

The provision of the statute which requires such expenses and fees to be paid by the State to the person entitled thereto, if the same are not collected from the association examined, negatives the idea that it was the intention of the legislature that such fees and expenses should be accounted for and paid into the State treasury, as such a transaction would be simply taking the money out of the State treasury by the person who made the examination, and then at once requiring him to account for the same and pay it back into the treasury. There is certainly no object to be attained by such a transaction, nor any reason upon which it can be based.

Section 1777 of the Code provides:

"The auditor at any time may make a personal examination of the books, securities and business of any life insurance company doing business in this State, or authorize any other suitable person to make the same, and he or the person so authorized may examine, under oath, any



office or agent of the company or others, relative to its business and management. If upon such examination the auditor is of the opinion that the company is insolvent, or that its condition is such as to render its further continuance in business hazardous to the public or holders of its policies, he shall advise and communicate the facts to the Attorney-General, who shall at once apply to the district court of the county, or any judge thereof, for an injunction," etc.

There is no provision in this section, or chapter 6, for the payment of the expenses or compensation of the person conducting such examination. The question of payment, both of expenses and compensation, appears to have been left to the Auditor by the legislature. It is of course true upon general principles that the Auditor could charge no compensation for making an examination of an insurance company, but would undoubtedly be entitled to any actual expenses incurred by him in making such examination. It is equally true that if some other person was appointed by him who was not receiving a salary from any of the State departments, such person would be entitled to receive compensation for his labor.

The construction which has always been given this section is that such expenses and compensation are to be paid by the company examined, and there being no provision requiring the Auditor to account for any pay into the treasury the amount of such expenses and compensation, such amounts have always been retained by the persons making the examination.

Section 1790 of the Code, which is contained in chapter 7 of Title IX, and Section 14 of chapter 65 of the acts of the Twenty-eighth General Assembly, which may be considered as an amendment to Chapter 7, give to the Auditor power to make, or cause to be made, an examination of the affairs of associations organized under chapter 7 of the Code, or under Chapter 65 of the Acts of the Twenty-eighth General Assembly, at the expense of the association examined, and provide that if the examination is made by the Auditor or his clerk, he shall receive necessary hotel and traveling expenses only; if made by a person not regularly employed in his office, the association is required to pay the actual cost thereof, not exceeding five dollars a day for the time required, and actual expenses.

There is a further provision in Section 14 that if such amounts are not paid by the association examined, they shall be paid by the State upon the approval of the Executive Council.

There is no provision, either in chapter 7 of the Code or chapter 65 of the Acts of the Twenty-eighth General Assembly, requiring the expenses of such examination to be accounted for by the Auditor and paid into the State Treasury.

Section 1829, which is contained in chapter 9, of Title IX, relating to fraternity beneficiary societies, provides that the Auditor may personally, or by some one designated by him, examine such associations at

their home office, and that such examination shall be at the expense of the association, and be limited to five dollars a day and the necessary expenses of travel and hotel bills. There is no provision in this chapter requiring the auditor to account for or pay into the State treasury any part of the money received for such expenses.

These are all the provisions contained in the chapters of the Code relating to insurance, for examination of insurance companies by the Auditor, and for the payment of expenses and compensation incurred and to be paid for such examinations, except Section 1753, which is as follows:

"The necessary expenses of any examination of any insurance company made or ordered to be made by the Auditor of State under this chapter, shall be certified to by him and paid on his requisition by the company so examined; and in case of failure of the company to make such payment, the Auditor shall suspend such company from doing business in this State until such expenses are paid. If such expenses are not paid by the company, they shall be audited by the Executive Council and paid out of the State treasury. But in no case shall any foreign insurance company be examined, except by order of the Executive Council."

The effect of the provisions of this section is to empower the Auditor to make a requisition upon any insurance company organized or doing business under chapter 4 of Title IX of the Code, for the expenses of any examination which he has ordered to be made of the affairs of such company, and if the company refuses to pay such expenses on the requisition of the Auditor, he may suspend it from doing business in the State until such expenses are paid. It is the method provided by the legislature of enforcing the collection of the expenses incurred in examining insurance companies, and cannot affect the interpretation which must be given Sections 1731, 1766, 1777, 1790 and 1829 of the Code, and Section 14 of Chapter 65 of the Acts of the Twenty-eighth General Assembly.

Construing the provisions of these sections with Section 1752, and taking into consideration the act of the legislature in repealing subdivision 8 of that section, whereby the legislature took from the Auditor the duty of accounting for and paying into the State treasury the money received by him, or by any person appointed by him for the examination of the insurance company, but one conclusion can be reached as to the right of the Auditor to retain the money paid him by insurance companies to re-imburse him for actual expenses incurred in making such examinations; or as to the right of any person appointed by him to make such examination, who is not receiving a salary from the State, to retain money paid by such insurance companies as compensation for his services and to reimburse him for actual expenses incurred.

In repealing subdivision 8 of Section 1752, the legislature undoubtedly attempted to harmonize in some degree the conflicting provisions of chapters 4, 5, 6, 7, 8 and 9, and to establish a uniform rule as to the

disposition of money paid by insurance companies for examinations; and the repeal of the only provision of the statute which required the Auditor to account for and pay into the State treasury the money so paid by insurance companies, must be taken as conclusion that it was the intent of the legislature that such expenses and fees should not be paid into the State treasury.

Such expenses and fees are undoubtedly required, by the provisions of sections referred to, to be paid by the insurance companies to the person making the examination, and the legislature having declared by its act that the amounts received therefor should not be paid into the State treasury, the conclusion necessarily is that such amounts are to be retained by the person making the examination to reimburse him for actual expenses incurred, or to compensate him for the labor performed, as the case may be.

I am therefore of the opinion, that when under the existing statute the Auditor, or other person appointed by him, makes an examination of an insurance company, he, or the person so appointed, has the right to retain the money paid by the company for expenses incurred in making the examination, or as compensation, if it is made by one who is not receiving a salary from the State; and that the Auditor is not required to account for and pay the money so received into the State treasury.

Second. As to the meaning of the phrase, "foreign insurance company," as used in section 1753 of the Code, I am of the opinion that it must be held to mean every insurance company not organized under the laws of the State of Iowa.

This phrase, or one of similar import, occurs in every chapter of the Code relating to insurance companies, and it clearly refers to all classes of insurance companies organized in other states and in foreign countries. To give the phrase a different interpretation in the connection in which it occurs in Section 1753, would be a violation of every well known rule of statutory construction.

Third. As to whether it is the duty of the Auditor to keep an official record of examinations made or ordered to be made, by him of insurance companies, and of the money paid, either as expenses or compensation for such examinations, and to whom the same was paid, I am of the opinion that it is his duty to keep such official record.

It is part of the official duty of the Auditor to make an examination of the business and affairs of insurance companies doing business in the State, as circumstances may demand, and everything connected with such examination should be made a part of the official records of his office. Such records should include a statement of the amount of money paid by insurance companies, and to whom the same was paid, for examinations, so that information as to every material fact connected with the examination of insurance companies may be obtained from the official records of the Auditor's office.

Respectfully submitted,

CHAS. W. MULLAN,  
Attorney-General.

December 31, 1902.

To the Honorable Executive Council of the State of Iowa.

## THE REASONS FOR THE EXAMINATIONS.

The examinations were, in all cases, ordered by the Auditor's office for reasons deemed good and sufficient. They were not ordered to enable the examiner to collect his fees, as has been charged, but to obtain information regarding the condition of the various companies examined and the methods employed by them in the transaction of their business. These reasons may be grouped as follows:

First. To ascertain the financial condition of the companies and determine their solvency or insolvency. This includes a checking of securities and assets and establishment of their relative market value.

Second. To check and verify the annual statements filed with the department and which are supposed to exhibit the condition of each organization as of December 31st each year, and the figures appearing therein should correspond with the books at the home office of the company examined.

Third. To see that all companies subject thereto paid taxes to the State of Iowa as provided in Section 1333 of the Code. This necessitated a checking of each company's business transacted in the State, as most companies are required to pay a tax on premiums secured on Iowa business. Especial attention was also given to the matter of re-insurance, many companies insisting that the State was not entitled to tax on business re-insured.

Fourth. To determine the extent to which certain companies were complying with the "anti-compact" law as set out in Section 1754 of the Code.

Fifth. To see that certain companies were complying with the Iowa laws regarding the classes of business being written by said companies as provided in Section 1709 of the Code. The department experienced much difficulty in the enforcement of this section in addition to preventing the writing of health insurance by certain companies, the Attorney-General holding in an opinion that such insurance could not be legally written in this State at that time.

Not all of the reasons above noted apply to all the companies examined, that being determined by the chapter under which the company was organized or admitted to the State for the transaction of business. However, in all cases, the examinations were ordered to satisfactorily establish some or all the reasons mentioned.

Either in compliance with law or the rules of insurance departments, companies from Iowa were refused admission in many states for the transaction of business until after an examination had been made by the officials of the State into which admission was sought. It is true these examinations were sometimes waived temporarily in order not to delay immediate admission with a distinct stipulation that the examination

was to be made later at the convenience of said departments. Such were the provisions generally enforced by Minnesota, South Dakota, Wisconsin, Michigan, Illinois, Nebraska and Missouri, and I am of the opinion the Iowa Department was justified in enforcing similar rules and provisions against the companies from other states, if, in fact, it was not under obligations to enforce the same under the reciprocal features of Sections 1736 and 1810 of the Code. Many of the examinations ordered were to determine the advisability of admitting new concerns under the above mentioned provisions.

#### CHARGES FOR PER DIEM AND MILEAGE.

"Section 1736. Laws of other States—reciprocity. When, by the laws of any other State, any taxes, fines, penalties, licenses, fees, deposits of money, securities or other obligations or prohibitions are imposed, or would be imposed, on insurance companies of this State doing or that might seek to do business in such other State, or upon their agents therein, so long as such laws continue in force the same obligations and prohibitions of whatever kind shall be imposed upon all insurance companies of such other State doing business in this State or upon their agents here."

"Section 1810. Laws of other States—reciprocity. If by the laws of any State, or the rulings or decisions of the appropriate officers thereof, any burden, obligation, requirement, disqualification or disability is put upon any company or association of any class organized in this State affecting its freedom to do business in that State then the same or like burden, obligation, requirement, disqualification or disability shall be put upon every such company or association of the same class from that State doing or seeking to do business in this State; and the Auditor of State shall enforce the provisions of this section, and in doing so may refuse or revoke the certificate of such company or association of such other State; and it shall be unlawful for the Auditor of State to impose upon companies or associations organized under chapter seven of this title any rules or regulations, requirements or limitations, that shall not be imposed with equal force upon like companies or associations from other States doing a like business in this State.

Acting under the provisions of the above quoted sections, the examiner and his assistants, with the full knowledge of the department, charged a per diem equal to that which was charged or would have been charged by the examiners of other States for doing similar work in Iowa. This I believe is permitted and contemplated by the law quoted. Mileage charges were made under the same provisions where applicable. When more than one examination was made at any one place on the same trip, the mileage was divided between the companies examined as nearly as practicable to equalize the expense. When examinations were made in distant or nearby places on the same trip, the same rule was often applied, although full mileage was usually charged each company in such

cases, believing that such a charge was fully justified in that the examiners of other States did the same and in further recognition of the undisputed right of peace officers and others in the practice of the same privilege.

#### THE EXAMINATIONS MADE IN 1902.

The companies filed their 1902 annual statements as usual, the companies "other than life" on or before February 1st, and the life companies on or before March 1st of that year. Mr. Beehler, at my request, and without expense to the State, came to Des Moines and aided the department in passing upon the statements, as was his custom.

In making these investigations the company's statements which for any reason needed further attention or consideration at the hands of the department were laid aside and where deemed necessary the company was later notified that the examiner would call at the home office for the purpose of verifying the annual statement and making such further investigation as circumstances developing at the time of the examination might warrant. All but a few of the companies examined in 1902 were so notified in April of that year, as the Committee may determine by an examination of the letter book in the Auditor's office. I most emphatically deny that there was any thought or attempt at "wholesale" examinations of companies for the fees that such proceedings might yield the examiner or examiners, as has been charged.

For the investigation of some features of certain statements made by companies to the department, and for the investigation of the companies writing the railroad risks in Iowa, I determined to accompany the examiner as his assistant in certain investigations. In this undertaking I was delayed until it became late in the year, and this fact accounts for the apparently hasty trips and examinations. The criticism in this matter must be that there was the appearance rather than the fact of "wholesale" examinations. In passing upon this question I ask the Committee to please remember that these companies were, with few exceptions, notified of the proposed examination in April, 1902, and that a report for each examination made is on file in the Auditor's office. Said reports are the best evidence of the careful, painstaking and thorough work of the examiners in that they frequently show the discovery of errors in company's books, or irregularities in statements filed with the department and in some instances show a failure to pay taxes in the amounts due the State.

#### THE COMPLAINTS.

Prior to December, 1902, the department was in receipt of not to exceed three or four complaints regarding the examinations made by its examiners. The suddenness and rapidity with which the complaints materialized is probably best explained by a reading of the following letter sent out by a firm of Des Moines attorneys.

"Gentlemen: Kindly advise us at your earliest convenience as to whether or not the insurance department of this State has made an examination of your company during the last four years. If so, we have something of considerable importance and interest, to communicate to you.

"Awaiting your early reply.

Yours very truly,

(Signed)

"McVey, McVey & Graham."

A SECOND LETTER.

Upon receipt of a reply from a company to which the first letter was sent, this enterprising and "fifty per cent" firm of attorneys, in some instances at least, sent a second letter as follows:

"Gentlemen: We are in receipt of your favor of December 22nd, stating that Auditor Merriam and Assistant made an examination of your company within the last two years. Our motive in writing you was, that the Auditor of this State has for some months past been engaged in making illegal examinations and exactions of fees therefor. Our statutes provide that no examination of a company organized outside of the State shall be made, except upon orders of the Executive Council, a body composed of the Governor, Secretary of State, Treasurer of State, and Auditor of State. This Council has taken no action whatever regarding the examination of any company, and the Auditor's acts are wholly unauthorized. In confidence we beg to say we have been in consultation several times with the Governor and Secretary of State, and the matter has been brought up by them, with the Attorney-General. It is highly probable that some action will be taken by the State against the Auditor. In the meantime we are undertaking the collection of the fees illegally exacted from the insurance companies. We may say that our action has the hearty approval of the administration and the incoming Auditor, who takes his seat the first of the year. The frauds have been so extensive that it is necessary for the companies to make an example, and their action will be assisted in every possible way by the other State officials and the new Auditor. If you desire to co-operate with the other companies and forward the bill paid by you, to us, we will undertake the collection of the same upon the basis of a fifty per cent fee contingent upon success, no charge to be made unless successful.

"Kindly let us hear from you at your early convenience, and oblige.

"Yours very truly,

(Signed)

"McVey, McVey & Graham."

While it is maintained that the reports on file are the best evidence of the work of the examinations, yet the quoting of a letter bearing directly on the work done by the examiners may not be considered out of place. The letter follows:

## "THE BANKERS SURETY COMPANY,

"Cleveland, Ohio, Feb. 10, 1903.

"Hon. B. F. Carroll,  
"Auditor of State,  
"Des Moines, Iowa.

"Dear Sir:—

"We have your letter of the 5th instant relative to providing you with information respecting the examinations made of this company under the direction of Frank F. Merriam, Ex-Auditor of State. Enclosed herewith we hand you sworn statement as per your request. The "bill" rendered consists of nothing but a memorandum, an exact copy of which we also enclose. The payment was made in cash and a receipt taken, a copy of which we also enclose.

"In reporting this matter to your Executive Council we desire to say that, while we are impressed with the injustice of being charged for railroad fare from Des Moines to Cleveland four times, when as a matter of fact, they only stopped off here returning from an Eastern trip, we were also impressed with the ability displayed by Mr. Beehler, who did the main work of examining, and in all justice it should be stated that he knows his business and accomplished more in one day than many examiners would accomplish in five days. The Iowa examiners did not 'soldier' at their work. It was manifest from the time they started in that they knew their business. We do not feel that under the strict supervision of Ohio and its stringent laws, we should be subject to such expensive examinations, but so long as 'necessary evils' of this character are imposed upon legitimate companies we would rather pay first-class examiners' fees which, though appearing exorbitant for the time employed, are really less for the work done than is often charged by less competent men working at a less rate per diem but taking their time at the work.

"If there is any refund coming to us out of what appears to be the over-charge for transportation, we will be glad to receive your check therefor.

"Very truly yours,

(Signed) "D. A. MacBeth,  
"2nd V. Pres. & Gen. Mgr."

## IN CONCLUSION.

In concluding this statement, which has necessarily become somewhat lengthy in order to satisfactorily present matters, permit me to thank your honorable Committee for the kindnesses extended, assuring you that, when so desired, I will be pleased to furnish you with any further information at my command.

Yours respectfully,

(Signed) FRANK F. MERRIAM.



## EXHIBIT "B."

To the Honorable Committee on Retrenchment and Reform of the General Assembly of Iowa:

Acting upon your wishes imparted to me by Hon. Frank F. Merriam, I desire to present herewith to your Honorable Committee detailed facts relating to certain examinations made by me and assistants while acting as Examiner for the State of Iowa during the years 1899 to 1902, inclusive.

I regret, as previously expressed in my letters to your Chairman of February 19th and 29th, also March 12, 1904, that I can not appear in person at this time, and would have liked it very much had your Committee found it convenient to come here in order to ask such questions as you might wish. It being inexpedient for me to go to Des Moines, owing to the state of my health, and my suggestion to the Committee remaining unaccepted, I will take up in this statement such matters about which complaints are made.

I have no desire to be fault-finding, and the least in censuring your honorable body for making this inquiry; nothing else could you do, under the circumstances, in justice to yourselves. No one can find fault with your request, if fairness shall prevail, and while this Committee is not responsible for the situation, yet, little outside of malicious persecution has so far marked the consideration of these matters. The newspapers of Iowa have been furnished by someone with all the material which could be made to reflect upon the work of the examiner to the universal exclusion of any fair or complimentary statements which have been made by large and reputable companies.

All examinations made by myself and assistants were made by order and instructions of Hon. Frank F. Merriam, who, in most cases, notified the company to be examined anywhere from thirty days to six months ahead of such contemplated examination. The work performed by me speaks for itself. There was filed with the Auditor of State a full and complete report of such examination, in every case two copies were furnished, one for the office and one to be forwarded to the company so examined. In most cases the tabulating, compiling matter, preparing reports and typewriting was done after leaving the Home Offices examined, and charges for said work is included in the bills rendered, and every company examined was so informed. Most, if not all, of the insurance companies examined, have overlooked this important item in reporting to the State authorities, the time spent in the examination. For your information and guidance, it is safe to state that no report required less than one day for preparation in the examination of small companies, while reports of the examination of larger corporations required from two to five days in its complete preparation, not counting endless correspondence ensuing from the reconciling of bank balances and statements and straightening the books of treasurers, or where Home Offices had abstracts of their daily business only and detail transactions had to be traced to General Agents or Managers of departments.

Before going into details, I desire to enter a most vigorous protest on behalf of my son and in refutation of the statements made by certain parties regarding his work. He is competent and was at all times industrious and attentive to his duties. He asks no praise but simple deserved credit for the work done. The worst complainants offered him a good position at the time he aided me in checking their books, but he declined.

With these preliminaries stated, we take up the cases where specific complaints are made.

MINNESOTA FARMERS HAIL INSURANCE COMPANY. MINNESOTA,  
MINNESOTA.

The complaint is that I charged \$48.50 for placing my card under the company's office door.

This concern was examined on August 15, 1901. The report of that examination now on file in the Auditor's Office says: "The record book of the company makes no showing of any of the company's current transactions, such as adjusting, ordering and paying losses, fixing of different salaries, all of which the officers agreed to improve upon.

Owing to the conditions of the company's books, it was agreed between the officers and myself that the statement of the company for the succeeding year should be checked at the Home Office and an examination made to see that the reforms promised had been satisfactorily completed.

The following letter is explanatory of my further proceedings in this matter.

"Manchester, Iowa. Aug. 8, 1902.

"Minnesota Farmers Insurance Company,

Minneapolis, Minnesota.

"Gentlemen:

"By direction from Hon. Frank F. Merriam, Auditor of State, I called at your offices two times on Wednesday, August 6th, twice on Thursday in the afternoon, once in the afternoon of the same day, and telephoned you from the West Hotel without getting any answer.

"I called at your office by instruction to check over your 1901 statement, and presume that you were out of town. I did not care, it being a special mission, to place you to any unnecessary expense for more than the two days that I spent there, and returned home. The examination, therefore, must be deferred until such a time that something else may call me to your city. I also left my card at your door.

"I will request you to reimburse me for expenses incurred for railroad fare, sleeping car, and hotel bill in your city, with two days' time, \$48.50, for which please send me here draft, as this is my home town.

"Very truly yours,

(Signed)

"M. Beehler,

"Examiner."

In answer to the above I received a letter from the Secretary of the company, under the date of August 11, 1902, of which the following is an extract: "Your communication of the 8th inst. at hand. I herewith enclose you our check for the amount you mention, \$48.50. I am sorry I was not at home, but was out of the city the last half of the week." I made the trip to the company's home office in good faith, and made an effort to make the examination, but was prevented through no fault of my own, and hence, felt under no obligation to be loser in such a transaction.

#### THE SUPREME TRIBE OF BEN-HUR.

On June 12, 1901 (not "October, 1901," as stated by Mr. Snyder), I called at the Home Office of the Supreme Tribe of Ben-Hur at Crawfordsville, Indiana, with an assistant, to make an examination as directed by the Auditor of State under date of February 1, 1901. Neither the president nor Secretary of the order were then at their offices. A clerk informed me that the Secretary, Mr. Snyder, was at home preparing for a trip to Chicago, but that the President would be in his office later. I awaited the President's arrival and explained to him my mission. He refused to permit an examination, claiming that the Indiana Department had but recently examined the order, although the report of no such examination had at the time of my visit been forwarded to the Iowa Department. Copy of such report was received at the Auditor's office later. After returning to Iowa I sent bill to the officers for expenses and per diem of myself and assistant, which bill was paid after some correspondence between the officers of the order and the Auditor's office. I made no threat as to the revoking of the order's license, and did not know of such threat being made, and if such threat was made the correspondence in the Auditor's office will undoubtedly disclose it. It was certainly through no fault of mine nor of my assistant if "an injustice" was done in making such a "charge against the society," even though they "had not had the benefit of an examination."

#### SUPREME LODGE KNIGHTS OF PYTHIAS.

The charge is made that I collected \$250.00 of said society, without making any examination. I introduce herewith a copy of a letter addressed to Hon. B. F. Carroll, Auditor of State, of date April 28, 1903, written by Hon. Carlos J. Hardy, General Counsel of the society. This letter sets forth the entire transaction. If, however, the Committee wish further information, I would refer them to page three, Appendix, Report of the Supreme Chancellor to the Special Convention of the Supreme Lodge, held in Chicago, July 9, 1901, wherein a complete statement furnished by me at the request of the officers of the Board of Control, Endowment, Rank, K. of P. The letter above mentioned is as follows:

"Chicago, April 28, 1903.

"Hon. B. F. Carroll,  
"Auditor of State,  
"Des Moines, Iowa.

"Dear Sir:

"Your letter of the 22nd, addressed to the Endowment Rank, Knights of Pythias, has been referred to me, and replying thereto I beg to say that no examinations were made of the Endowment Rank by Mr. Merriam, or under his direction, so far as I am advised.

"In April, 1901, Mr. Beehler, representing Mr. Merriam, came to the office of the Board of Control of the Endowment Rank, and stated that he desired to make an examination of the condition of the Endowment Rank. This was immediately preceding the explosion that occurred in this society, and at that time the officers were conducting an examination to ascertain the exact condition of affairs. The present administration had just come into office, and were fully advised that things were not right, but were trying to find out for themselves just where the society stood. Mr. Beehler was here in consultation with myself and other officers for perhaps two days, and I requested that no examination be made at that time. He left here for Des Moines, stating that he desired to lay the facts and my request before Mr. Merriam, and promised to return to meet our Board of Control at a meeting to be held a few days later. He did return, according to his promise, and spent some time before our Board of Control, and then left without having made any actual examination.

"Shortly thereafter the officers asked for an official examination to be made by the Illinois Insurance Department, which was done during May and June, 1901, the Illinois Department acting jointly with the Connecticut Department.

"Mr. Beehler presented a charge for his expenses and time consumed in connection with our affair, which was \$250.00, and which was paid. I do not recall that the statement was itemized, and I am unable, at this time, to lay my hands upon it so as to furnish you with a copy. The matter was entirely satisfactory to our Board of Control, and we felt that the interest of the Knights of Pythias was conserved by the Auditor of your State acceding to our request made at that time.

"If I can be of further service, I shall be pleased to do so, and I trust that this information will answer your purposes.

"Respectfully,

(Signed)

"Carlos J. Hardy,

"General Counsel."

SUPREME COUNCIL CATHOLIC KNIGHTS OF AMERICA, ST. LOUIS,  
MISSOURI.

The Secretary protests against the collection of \$226.98 for an examination which was made under difficulties occasioned by the peculiar

system in vogue in the offices of the order. For vindication regarding this charge, I ask an examination and perusal of my eleven-page type-written report on file with the Auditor of State.

ALLEMANIA FIRE INSURANCE COMPANY, PITTSBURG, PA.

Secretary claims I called at the company's office with assistant on December 7, 1901, and spent only one and one half days, collecting \$322.20 for the examination. The Secretary's charge is unjust and his statements but partially true. We arrived at Pittsburg from Des Moines on December 6th, and reported to the company that afternoon and immediately after the arrival of the train. Examination of the office was started on the morning of the 7th, and not at 4 P.M. as charged. We worked all day and did *not* take two hours for dinner, either. On December 9th we were through, and left there in the evening on our return to Chicago.

The report of my findings of this examination is now on file at the office of the Auditor of State and will assist you in determining the amount of labor performed. The Secretary of the company was in bad humor from the time we entered the company's office, and had it not been for Mr. Kellerman, Auditor and General Adjuster of the company, who has known me for more than twenty years, the Secretary and myself might have clashed several times while doing the work. It is true that no other company was examined at that time, the trip being made solely to examine the Allemania.

ILLINOIS BANKERS LIFE ASSOCIATION, MONMOUTH, ILLINOIS.

It is charged that only four hours were consumed in the examination, for which \$130.00 was collected. It is also charged that my son, who was assistant, "was of no value whatever, appeared unable to add correctly a column of figures."

The report on file of the examination of this association is sufficient refutation of the charge as to lack of time spent in the examination. A reading of the report will convince the Committee of the thoroughness of the examination. The fact that their books did not correspond with the statement filed with Iowa Department, and the further fact that my report criticised the officers with "lack of knowledge of how insurance books ought to be kept," may account for the hostile statement submitted to the Committee. Granting the association books exhibit the officers' knowledge of accounting, the criticism passed upon the capabilities of my assistant are not worthy of serious consideration.

SUPREME COUNCIL, ROYAL ARCANUM, BOSTON, MASS.

In this instance the complaint seems to be an alleged lack of time spent in the Secretary's office. In reply I beg to say that from a perusal of the report of the examination, a copy of which is on file in the office of the Auditor of State, it would appear that sufficient time was given by the examiner to enable the compiling of a complete report of the

society's condition and affairs. In addition, certain bonds were examined in Chicago which were there in the possession of one of the society's officials. In this examination I was assisted by Hon. I. M. Treynor, then of Council Bluffs, he receiving one half of the fees collected.

SCOTTISH UNION AND NATIONAL INSURANCE COMPANY. HARTFORD, CONNECTICUT.

The complaint is that the examiners were there on "Saturday morning, June 14, 1902, and worked until about 1:30 P.M. the same day. The writer left later that day for Chicago and is informed by the Cashier that the gentlemen returned again on Monday morning and completed their work early in the afternoon of the same day. When they rendered their bill it was for such a considerable amount he had some hesitancy about paying it, but after consulting with the other heads of departments they concluded there was no other course open."

Mr. Brewster's complaint is probably aggravated, and arises from the findings as set out in the report on file in the Auditor of State's office from which I quote:

"This is one of the companies known as 'Railway Syndicate' companies.

"In addition to verification of statement, we made a special examination relating the entering up of premiums received by said company for insuring railway property located in the State of Iowa. From the books and sheets exhibited we found the company issued its policies to various railways covering property in the State of Iowa during the year 1901, amounting to \$1,197,932.25, for which they received in premiums \$4,115.73, but no part thereof is accounted for among the premiums written in the State of Iowa. The company freely admitted that such omission is a fact, and claimed it to be an oversight. The company is indebted to the State of Iowa on 1901 receipts and not reported as above indicated, (\$4,115.73, subject to 3½ per cent) tax amounting to \$144.05."

Mr. Brewster left the city on the day of our arrival. The office, however, was at our disposal through Mr. John A. Kelly, Superintendent of Agencies.

U. S. BRANCH LONDON GUARANTEE AND ACCIDENT CO., LTD.

The complaint is against the "perfunctory nature" of the examination, and charges that the examiner and his assistant gave but three hours a day to the work.

In reply I beg to say that the statement of Mr. Masters in regard to the time given to the work per day is absolutely erroneous. We worked from 9:30 to noon, and from 1:30 to 5 o'clock each day. The "perfunctory nature" of the examination is best exploded by a reading of the report, a copy of which is on file in the Auditor's office. That report indicates the discovery of no less than five different and distinct errors in their books. While these errors are to some extent technical,

yet they indicate better than any statement I might make, would do, the carefulness and thoroughness given to the investigation.

My assistant in these various examinations is not the son who was a resident of Chicago and to whom Mr. Masters made reference.

#### PREFERRED ACCIDENT INSURANCE COMPANY, NEW YORK.

The complaint is made that the examination consisted "in looking over 500 health applications" to find whether any health insurance was issued to Iowa citizens, and that only two hours were spent at their office.

In reply would say that Mr. Atwood, Secretary, is sadly mistaken as to the time consumed in the examination of the 1,300 cases instead of 500 as stated by him. For further information, your Honorable Committee is referred to a detailed report of my findings, now on file at the State Auditor's office at Des Moines.

#### FIDELITY FIRE INSURANCE COMPANY, BALTIMORE, MARYLAND.

Charges that I only spent a few minutes to examine the company.

In reply desire to state that the above statement was not made by any official of said company, but by Harry L. Riall, Secretary of the Firemen's Insurance Company of Baltimore, which re-insured the former company. Mr. James H. Stone was Secretary at the time the examination was made, and as an offset to Mr. Riall's false statement I refer you to the report filed with the State Auditor at the time.

#### FIREMEN'S INSURANCE COMPANY, BALTIMORE, MARYLAND.

Harry L. Riall, Secretary, states under oath that I was only at the company's office three or four hours. All the business relating to the examination was done between the President and myself in the President's office. A closely written six-page typewritten report which I ask your honorable Committee to peruse will convince you that the examination and preparation of the work required several days. My investigation disclosed that the books of the company could be improved upon by discarding a system of slips on which they carried memorandas, and the President thought they would soon discard that method.

#### KNIGHTS OF COLUMBUS, NEW HAVEN, CONNECTICUT.

It is stated sixteen hours were spent on examination and amount of bill, \$215.00 seemed excessive, considering time spent.

In reply thereto I offer my report of examination as evidence to the false statement made by the society, and ask you to read the same, it being on file at the State Auditor's office. I quote therefrom, "The examination was started a day before any of the General Officers were at the Home Office," and suggest that this may account for the misstatement appearing above.

Having devoted all the space so far for answering complaints, I trust the Committee will indulge me for quoting a few extracts complimentary of the work performed. Only one of these (the first) was directed to

me personally, all the others were taken from letters addressed to Hon. B. F. Carroll, Auditor of State, in response to his inquiries sent to the companies asking for information.

"Your esteemed favor of the 4th inst. enclosing your official report of the examination of the Anchor Fire Insurance Company, of Cincinnati, reached me in due time. I have read same carefully and congratulate you on the very exhaustive statement of your examination. I note your several points with great interest, and thank you very much for your courtesy."

From A. Loeb, General Agent of Company at Chicago. Dated August 6, 1902.

"He made a careful examination of all books and papers of this association."

From R. J. Koeler, Secretary, German Mutual Insurance Company, LeMars, Iowa.

"We believe the examiners performed their duty conscientiously with a desire only to obtain the facts as they actually existed."

From the American Guild, Richmond, Va.

"I regard the examination made by Messrs. Merriam and Beehler as a very exhaustive and complete examination. Our company is small, and they were able to do the work in a few days."

From Geo. B. Luper, Vice President, Security Trust and Life Insurance Company, New York.

"In the summer of 1902 we were notified that an examination would be made by the State examiners of the State of Iowa. On the 10th of December, Messrs. F. F. Merriam and Max Beehler, examiners, appeared, and for several days were engaged in making an examination of the affairs of this company. The trial balance was checked up by the ledger, the cash was counted and the securities, loans and mortgages were counted, and values established. In fact, a thorough examination was made."

From the United States Fidelity and Guaranty Co., Baltimore, Md.

"The examination was entirely agreeable to the Company and was apparently quite complete, and at our request they made an exhaustive examination of the securities, except bonds and mortgages, which were taken at random. The report was quite favorable to our corporation."

From Harry F. West, President, The Penn Mutual Life Insurance Co., Philadelphia, Pa.

"Mr. Beehler and assistant spent several days and evenings in office besides time of coming and going. All his figuring and computing was done after leaving office. Besides above he did some extra typewriting and work for us, which was included in above bill, as we understand it. He was one of the most careful and satisfactory examiners we ever had."



From Wm. W. Krape, Secretary and General Manager, Cosmopolitan Life Insurance Association, Freeport, Ill.

"They were here several days and made a thorough examination and we paid them for their services \$272.20."

From the American Bonding Company of Baltimore, Md.

"In conclusion, I trust the Committee will find the above statement satisfactory in all respects. Should further information be desired, I will be pleased to aid the Committee to the best of my ability. Any reports of examinations not found on file in the Auditor's office can be duplicated from carbon copies of the original preserved by me and now in my possession.

Very truly yours,

MAX BEEHLER.

I, Max Beehler, solemnly swear that the above statement is true and correct to the best of my knowledge and belief.

MAX BEEHLER.

Subscribed and sworn to before me, a notary public, this 29th day of March, 1904.

Florence E. Eldridge,

(Seal)

Notary Public in and for Cook Co., Ill.

EXHIBIT "C"

The following comprises a synopsis of amounts charged for the examination of insurance companies by Messrs. Merriam and Beehler, as shown by statements from the various companies, now on file in the office of the Auditor of State, and which comprise the examinations referred to by the Governor in his message to the Thirtieth General Assembly:

Date.	Name of Company Examined and Location.	Amt. Collected.
2-23-1899	Knights Templars' and Masons Life Indemnity Co., Chicago, Ill.	\$262.00
4-11-1899	Lumbermen's Insurance Co., Philadelphia, Pa.	
	Per diem .....	\$100.00
	Expenses .....	136.40
		236.40
5-20-1899	Iowa Home Insurance Co., Dubuque, Iowa.	22.30
6-18-1899	Continental Assurance Co. of N. A., Hammond, Ind.	195.00
6-24-1899	Pelican Assurance Co., New York, N. Y.	100.00
6-27-1899	Fidelity Insurance Co., Baltimore, Md.	245.00
8-10-1899	Northwestern Life Insurance Co., Minneapolis, Minn.	300.00
9-20-1899	Anchor Fire Insurance Co., Des Moines, Iowa.	50.00
12-10-1899	Fidelity Mutual Life Insurance Co., Philadelphia, Pa.	
	Per diem .....	100.00
	Expenses .....	145.00
		245.00

Date.	Name of Company Examined and Location.	Amt. Collected.	
1-16-1900	Des Moines Life Insurance Co., Des Moines, Iowa.		
	Per diem .....	\$117.00	
	Expenses .....	42.00	\$159.00
2-1-1900	Bankers Mutual Casualty Co., Des Moines, Iowa.		
	Per diem .....	15.00	
	Expenses .....	12.00	27.00
2-9-1900	Merchants Tornado Mutual Insurance Co., Des Moines, Iowa.....		16.00
5-19-1900	Security Mutual Life Ins. Co., Binghamton, N. Y. ....		250.00
5-20-1900	Am. Temp. Life Ins. Assn., New York, N. Y....		250.00
5-21-1900	Ocean Accident and Guaranty Co., New York, N. Y. ....		200.00
5-23-1900	National Assurance Co., Hartford, Conn.....		225.00
5-24-1900	Knights of Columbus, New Haven, Conn.....		215.00
5-29-1900	The Firemen's Ins. Co., Baltimore, Md.....		225.00
6-21-1900	Western Masons Mutual Life Assn., Yank- ton, S. D. ....		113.20
9-7-1900	Independent Order of Foresters, Toronto, Canada.		374.40
9-15-1900	Property Mutual Ins. Ass'n, Waterloo, Iowa....		17.50
9-27-1900	Supreme Ruling Frat. Mystic Circle, Philadel- phia, Pa.		
	Per diem .....	90.00	
	Expenses .....	252.00	342.00
10-1-1900	Machinery Mutual Ins. Ass'n, Waterloo, Iowa..		17.20
10-11-1900	Svea Fire and Life Ins. Co., New York, N. Y...		154.00
11-22-1900	Mutual Reserve Life Ins. Co., New York, N. Y. ....		489.78
11-20-1900	Woman's Catholic Order of Foresters, Chi- cago, Ill. ....		210.00
12-15-1900	Farmers' Mutual Hail Ins. Ass'n, Des Moines, Iowa.		
	Per diem .....	45.00	
	Expenses .....	18.00	63.00
12-21-1900	D. M. Mutual Hail Ins. Ass'n, Des Moines, Iowa .....		31.00
1-11-1901	Cosmopolitan Life Ins. Ass'n, Freeport, Ill....		145.00
1-17-1901	Western Hail Mutual Ins. Ass'n, Des Moines, Iowa .....		8.00

Date.	Name of Company Examined and Location.	Amt. Collected.
1-17-1901—	Merchants Tornado Mutual Ins. Co., Des Moines, Iowa .....	\$ 8.00
2-13-1901—	Royal Union Mutual Life Ins. Co., Des Moines, Iowa .....	27.80
2-23-1901—	Western Underwriters Ass'n, Chicago, Ill. ....	94.60
11-4-1899—	Fidelity Ins. Co., Des Moines, Iowa .....	47.00
2-27-1901—	Fidelity Ins. Co., Des Moines, Iowa .....	61.35
2-21-1901—	Royal Fraternal Union, St. Louis, Mo. ....	50.00
2-27-1901—	Iowa Mutual Tornado and Windstorm Ins. Ass'n, Des Moines, Iowa .....	41.00
2-20-1901—	Supreme Council Catholic Knights of America, St. Louis, Mo. ....	226.98
3-25-1901—	Conservative Life Ins. Co., Los Angeles, Cal. ....	800.00
3-28-1901—	Pacific Mutual Life Ins. Co., San Francisco, Cal. ....	900.00
5-31-1901—	Bankers Union of the World, Omaha, Neb.	
	Per diem .....	70.00
	Expenses .....	55.00 125.00
	Mutual Hailstorm Ins. Ass'n, Des Moines, Iowa.	5.34
	Farm Property Mutual Ins. Ass'n, Des Moines, Iowa .....	5.33
	Mutual Windstorm Ins. Ass'n, Des Moines, Iowa.	5.33
	Endowment Rank K. of P. ....	250.00
6-5-1901—	Citizens Ins. Co., St. Louis, Mo. ....	103.30
6-22-1901—	Modern Brotherhood of America, Mason City, Iowa .....	113.28
8-15-1901—	Minnesota Farmers Hail Ins. Co., Minneapolis, Minn.	
	Per diem .....	60.00
	Expense .....	65.00 125.00
9-1-1901—	Mutual Reserve Life Ins. Co., New York, N. Y.	
	Per diem .....	80.00
	Expense .....	286.60 346.60
9-10-1901—	Palatine Ins. Co., U. S. Branch, New York, N. Y. ....	150.00
9-12-1901—	State Mutual Life Insurance Co., Worcester, Mass. ....	640.00
10-10-1901—	Supreme Tribe of Ben-Hur, Crawfordsville, Ind.	124.70
9-23-1901—	Preferred Assessment Ins. Co., New York, N. Y.	150.00
10-19-1901—	National Union Ins. Co., Toledo, Ohio. ....	134.60
10-28-1901—	Employers Liability Assurance Co., Boston, Mass. ....	270.00

Date.	Name of Company Examined and Location.	Amt. Collected.
10-20-1901	Supreme Council Royal Arcanum, Boston, Mass.	
	Per diem .....	\$130.00
	Expense .....	457.75 \$587.75
11-20-1901	National Mutual Life Ass'n, Minneapolis, Minn.	
11-11-1901	Minnesota Scandinavian Relief Ass'n, Red Wing, Minn. ....	97.00
11-12-1901	State Mutual Hail Ins. Co., Winnebago City, Minn. ....	80.00
11-18-1901	Alliance Hail and Cyclone Ins. Co., Austin, Minn. ....	85.00
11-22-1901	Illinois Bankers Life Ass'n, Monmouth, Ill. ....	130.00
12-2-1901	Minnesota Mutual Life Ins. Co., St. Paul, Minn. ....	250.00
12-9-1901	Allemania Fire Ins. Co., Pittsburg, Pa. ....	322.20
12-12-1901	Supreme Hive, Ladies of Maccabees of World, Port Huron, Mich. ....	346.75
1-30-1902	Iowa Merchants Mutual Ins. Co., Sioux City. ....	24.15
3-20-1902	London Guarantee Accident Ins. Co., Chicago, Ill. ....	124.60
3-27-1902	Atlas Assurance Co., Chicago, Ill. ....	
	Per diem .....	60.00
	Expenses .....	64.10 124.10
3-31-1902	Women's Catholic Order of Foresters, Chicago, Ill. ....	
	Per diem .....	55.00
	Expenses .....	73.10 128.10
2-7-1902	Fidelity Ins. Co., Des Moines, Iowa. ....	25.50
4-20-1902	Western Hail Mutual Ins. Ass'n, Des Moines, Iowa. ....	15.00
4-21-1902	Sovereign Camp W. O. W., Omaha, Neb. ....	
	Per diem .....	80.00
	Expenses .....	117.80 197.80
5-14-1902	Penn Mutual Life Ins. Co., Philadelphia, Pa. ....	
	Per diem .....	300.00
	Expenses .....	337.60 637.60
5-22-1902	Maryland Casualty Co., Baltimore, Md. ....	
	Per diem .....	125.00
	Expenses .....	135.20 260.20
5-24-1902	American Bonding Co., Baltimore, Md. ....	272.20
6-5-1902	Security Life and Trust Co., Philadelphia, Pa. ....	442.60
6-12-1902	German American Ins. Co., New York, N. Y. ....	466.60
6-14-1902	Scottish Union National Ins. Co., Hartford. ....	
	Per diem .....	175.00
	Expenses .....	290.00 465.00

Date.	Name of Company Examined and Location.	Amt. Collected.
7-25-1902	Anchor Fire Ins. Co., Cincinnati, Ohio.	\$169.30
7-28-1902	Standard Life and Accident Co., Detroit, Mich.	
	Per diem .....	\$100.00
	Expenses .....	63.80 163.80
7-29-1902	Supreme Forest Woodman Circle, Omaha, Neb.	
	Per diem .....	40.00
	Expenses .....	68.30 108.30
7-31-1902	German Mutual Ins. Ass'n, LeMars, Iowa.	23.40
8-6-1902	Minnesota Farmers Hail Ins. Co., Minneapolis.	48.50
8-13-1902	The American Fire Ins. Co., Philadelphia.	
	Per diem .....	210.00
	Expenses .....	183.00 393.00
8-15-1902	N. Y. Plate Glass Ins. Co., New York, N. Y.	252.85
8-20-1902	National Surety Co., New York, N. Y.	225.00
8-20-1902	Metropolitan Plate Glass Ins. Co., New York, N. Y.	252.85
8-22-1902	American Surety Co., New York, N. Y.	
	Per diem .....	90.00
	Expenses .....	333.50 423.50
8-26-1902	American Fire Insurance Co., Newark, N. J.	
	Per diem .....	150.00
	Expenses .....	121.00 271.00
8-28-1902	N. J. Plate Glass Ins. Co., Newark, N. J.	
	Per diem .....	87.50
	Expenses .....	128.50 216.00
8-29-1902	Merchants F. & M. Ins. Co., Boston, Mass.	
	Per diem .....	100.00
	Expenses .....	161.40 261.40
9-8-1902	Supreme Lodge Knights of Honor, St. Louis.	85.00
	The American Guild, Richmond, Va.	350.00
10-25-1902	Security Life and Savings Ins. Co., Des Moines, Iowa	30.75
11-10-1902	British America Assurance Co., Toronto, Canada	307.45
11-13-1902	Buffalo German Ins. Co., Buffalo, N. Y.	281.85
11-14-1902	Springfield Fire and Marine Ins. Co., Springfield, Mass.	350.60
11-19-1902	Security Ins. Co., New Haven, Conn.	
	Per diem .....	150.00
	Expenses .....	204.60 354.60
11-21-1902	American Ins. Co., Boston, Mass.	
	Per diem .....	100.00
	Expenses .....	105.30 205.30

Date.	Name of Company Examined and Location.	Amt. Collected.
11-22-1902	Loyal Protective Ass'n, Boston, Mass.....	\$245.00
11-25-1902	New Hampshire Fire Ins. Co., Manchester, N. H.	
	Per diem .....	\$100.00
	Expenses .....	204.16 304.16
11-26-1902	Union Mutual Life Ins. Co., Portland, Me.	
	Per diem .....	100.00
	Expenses .....	237.60 337.60
11-20-1902	U. S. Casualty Co., New York, N. Y.....	125.00
12-2-1902	Williamsburgh City Fire Ins. Co., New York, N. Y.	
	Per diem .....	100.00
	Expenses .....	206.75 306.75
12-4-1902	Lloyds Plate Glass Ins. Co., New York, N. Y....	253.75
12-8-1902	The Delaware Ins. Co., Philadelphia, Pa.....	329.75
12-10-1902	U. S. Fidelity and Guaranty Co., Baltimore, Md.	
	Per diem .....	150.00
	Expenses .....	206.60 356.60
12-16-1902	National Union Fire Ins. Co., Pittsburg, Pa...	187.60
12-17-1902	Bankers Surety Co., Cleveland, Ohio.	
	Per diem .....	50.00
	Expenses .....	127.00 177.00
6-20-1899	Reading Fire Insurance Co., Reading, Pa.....	265.00
9-20-1900	I. O. O. F. Mutual Life, Philadelphia, Pa.....	412.00

Ordered passed on file and printed in The Journal.

Speaker announced that he had signed in the presence of the House, House files No. 135, No. 210, No. 247, No. 322, No. 394, No. 358, No. 430, No. 366, No. 215, No. 318, No. 165, No. 1, No. 402, No. 185, No. 325, No. 416, No. 266, No. 393, No. 297, No. 445; House joint resolution No. 6, House joint resolution No. 2.

Wright of Webster moved that Senate file No. 333 be referred to the committee on Judiciary.

Motion prevailed, and the bill was so referred.

Weeks of Guthrie moved that the request of the Senate to return House file No. 418 be complied with.

Motion prevailed.

On motion of Cobb of Taylor the House adjourned until 2 o'clock P.M.

AFTERNOON SESSION.

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House met pursuant to adjournment.

Speaker Clarke in the chair.

House resumed consideration of Senate file No. 222.

Teter of Marion moved to amend the bill by striking out all of section 1 and substituting in lieu thereof the following:

Section 1. That section five hundred eleven (511) of the supplement to the code be and the same is hereby amended by inserting between the words "necessary" and "expenses" in the second (2nd) line of paragraph three (3) the following: "personal;" and also insert immediately following the word "expenses" in the said second line of paragraph three (3) and before the word "in" in the said second line of paragraph three (3) the following: "and also all other necessary expenses incurred."

Hambleton of Mahaska moved that the amendment be laid upon the table.

Motion prevailed.

Kennedy of Lee offered the following concurrent resolution and moved that the rule be suspended and that the resolution be adopted:

WHEREAS, The code and supplement to the code furnished to the member from Clarke have been lost, strayed or stolen, therefore, be it

*Resolved, by the House of the Thirtieth General Assembly, the Senate concurring, That the Secretary of State be and he is hereby directed to furnish him another code and supplement to the code in lieu of those lost.*

Adopted.

On motion of Harris of Poweshiek, House file No. 178, a bill for an act referring to notice of dissolution of private corporations, was taken up and considered.

Mr. Harris moved that the rule 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. Bailey, Calderwood, Carden, Carstensen, Cassel, Cheney, Christianson, Clary, Cobb, Coon, Cummings, Davie, Doran, Dow, English, Freeman, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Jepson, Kennedy, Kling, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McDole, McNie, Martin, Nichols, Olson, Prevot, Ritter, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teter, Washburn, Weeks, Whiting, Wright, Mr. Speaker—53.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Bixby, Boland, Buchanan, Buckingham, Chas-sell, Coburn, Colclo, Crose, Dashiell, DeLano, Flenniken, Frud-den, Geneva, Greeley, Gregory, Head, Heles, Hollembeak, Hume, Jacobson, Jones, Kendall, Koontz, Langan, Low-rey, McCulloch, McElrath, Maben, Manning, Mattes, Morris, Mott, Offill, Peet, Powers, Pritchard, Robinson, Saylor, Springer, Teachout, Temple, Welden, Whitmer, Willson, Wise, Wyland—47.

So the bill passed and the title was agreed to.

On motion of Teachout of Polk, House file No. 458, a bill for an act to amend section 646 of the code, was taken up and considered.

Mr. Teachout moved that the rule 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. Bailey, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Carstenson, Cassel, Chassell, Cheney, Colclo, Conn, Crose, Cummings, Davie, Dow, English, Flenniken, Frudden, Geneva, Hakes, Hambleton, Hanna, Harris, Hart, Head, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Leech, Lister, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Morris, Mott, Nichols, Olson, Peet, Powers, Prevost, Robinson, Sankey, Shaffer, Skinner, Spaulding, Stanberry, Stoltenberg, Summers, Teachout, Temple, Washburn, Whiting, Wise, Wright, Mr. Speaker--70.

The nays were:

None.

Absent or not voting:

Messrs. Buckingham, Christianson, Clary, Cobb, Coburn, Dashiell, DeLano, Doran, Freeman, Greeley, Greene, Gregory, Heles, Hollembeak, Hume, Koontz, Langan, Lowrey, Mattes, Offill, Pritchard, Ritter, Saylor, Springer, Teter, Weeks, Welden, Whitmer, Willson, Wyland--30.

So the bill passed.

Teachout of Polk moved to amend the title by adding thereto the words "relating to the election of councilmen."

Adopted.

Title as amended 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. 341, a bill for an act requiring all boards, commissions, departments and officers of State to turn into the State treasury all fees col-

lected, and to file with the Executive Council statements of expense and per diem allowances to be paid by the State, and repealing all acts or parts of acts inconsistent with this act.

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 empowering the Governor to execute quitclaim deeds to all right, title and interest of the State of Iowa in and to lot 6 of block 8; lot 8 of block 14; lot 6 of block 15 and lot 2 of block 35, all in Railroad Addition to Cedar Falls, Iowa.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the President of the Senate has appointed as a conference committee on the part of the Senate as requested in Senate regard to Senate file No. 300, a bill for an act relating to offenses by persons in this State, attempted to be consummated or consummated elsewhere than within the borders of this State, and to offenses by persons out of this State attempted to be consummated or consummated in this State, Senators Courtright, Whipple, Dowell and Jamison.

GEO. A. NEWMAN,  
*Secretary.*

#### REPORT OF COMMITTEE.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred Senate file No. 333, a bill for an act to legalize ditches, drains, water courses, changes of water courses, drainage districts, drainage bonds and proceedings in reference 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 indefinitely postponed.

N. E. KENDALL,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

On motion of Mattes of Sac, Senate file No. 338, a bill for an act repealing chapter 8, title II of the code, relating to census, and enacting in lieu thereof a substitute providing for the taking of the census and making an appropriation therefor, 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, 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, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Olson, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Mr. Speaker—83.

The nays were:

Messrs. Head, Temple—2.

Absent or not voting:

Messrs. Clary, Cobb, Gregory, Hart, Heles, Langan, Lister, McDole, Nichols, Offill, Peet, Pritchard, Saylor, Springer, Wyland—15.

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 amended and passed the following, in which the concurrence of the Senate was asked:

Substitute for House file No. 310, a bill for an act amendatory of chapter 5-a, of title III, of the supplement to the code, relating to appointments of trustees by district court to manage, control and invest cemetery 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. 387, a bill for an act to amend section 2538-i of the supplement of the code, and to provide for registering without examination veterinarians registered in other states or in foreign countries.

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. 449, a bill for an act to provide for the disposition of canvases, furniture and other property used temporarily in the hall of the House of Representatives.

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. 450, a bill for an act to establish and maintain pumping stations or plants in levee districts of the State, presenting the method of so doing, additional to title X chapter 2 of the code and code supplement.

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. 69, a bill for an act to amend section 881 of the code, relative to condemnation of land for sewer outlets, and for sewer and garbage disposal plants.

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 providing punishment for the larceny of domestic fowl or poultry in the nighttime from buildings, sheds, coops or enclosed premises.

GEO. A. NEWMAN,

Secretary.

On motion of Mattes of Sac, Senate file No. 104, a bill for an act making appropriation for the purchase and improvement of a permanent camp ground for the Iowa National Guard, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Speaker pro tem Cummings in the chair.

Mr. Mattes moved that the rule 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, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Chassell, Cheney, Christianson, Clary, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Greeley, Greene, Hambleton, Hanna, Harris, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lowrey, Lundt, McAllister, McClurkin, McCulloch, McElrath, Manning, Mattes, Morris, Mott, Nichols, Olson, Ritter, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright—73.

The nays were:

Mr. Hart—1.

Absent or not voting:

Messrs. Buckingham, Carstensen, Cassel, Cobb, Geneva, Gregory, Hakes, Langan, Lister, McCreary, McDole, McNie,

Maben, Martin, Offill, Peet, Powers, Prevo, Pritchard, Robinson, Sankey, Saylor, Springer, Temple, Wyland, Mr. Speaker--26.

So the bill passed and the title was agreed to.

On motion of Bixby of Delaware, House file No. 399, 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, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Speaker Clarke in the chair.

Bixby of Delaware moved to amend as follows:

Amend House file No. 399 by substituting the word "and" for the word "or" in the first line of section six (6) immediately following the word "sixteen."

Amend House file No. 399 by substituting for the word "twenty-six" as it appears in line one (1) of section six (6) and in line one (1) of section seven (7) of the printed bill the word "thirty."

Amend House file No. 399 by adding the following to section seventeen (17) of the bill:

Females who are dipsomaniacs, inebriates or addicted to the excessive use of morphine, cocaine or other narcotic drug, may, in the discretion of the judge or court be committed to the reformatory established by this act, and when so committed the provisions of Senate file No. 36, acts of the Thirtieth General Assembly, so far as they relate to women, and are not herein modified shall apply.

Adopted.

Mr. Bixby moved that the rule 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. Bealer, Bixby, Boland, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Clary, Colclo, Crose, Dashiell, Davie, DeLano, Dow, Freeman, Frudden, Greeley, Hambleton, Harris, Hollembek, Hume, Jacobson, Jones, Kennedy, Kling, Laird, Lamkin, Leech, Lowrey, Lundt, McAllister, McClurkin, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Peet, Prevo, Ritter, Shaffer, Skinner, Spaulding,

Stanbery, Summers, Teachout, Temple, Washburn, Welden, Whitmer, Willson, Wise, Wright, Mr. Speaker—60.

The nays were:

Messrs. Buckingham, Coburn, Doran, Flenniken, Greene, Head, Heles, Lowrey, McCulloch, McDole, Olson, Powers, Sankey, Whiting—14.

Absent or not voting:

Messrs. Bailey, Buchanan, Cassel, Cobb, Conn, Cummings, English, Geneva, Gregory, Hakes, Hanna, Hart, Jepson, Kendall, Koontz, Langan, McCreary, Nichols, Offill, Pritchard, Robinson, Saylor, Springer, Stoltenberg, Teter, Weeks, Wyland—26.

So the bill passed and the title was agreed to.

On motion of Kendall of Monroe, unanimous consent being granted, Senate joint resolution No. 7, joint resolution providing for the appointment of a joint committee to investigate the system of management and affairs of the State educational institutions of Iowa, and for the payment of the expenses of such investigation and defining the powers of the committee, was taken up and considered.

Read first and second time.

Mr. Kendall moved that the rule be suspended, that the joint resolution be read a third time now, which motion prevailed unanimously, and the joint resolution was read a third time.

On the question, Shall the joint resolution pass?

The yeas were:

Messrs. Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Colclo, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greene, Hakes, Hambleton, Harris, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, Maben, Manning, Martin,

Mattes, Morris, Mott, Olson, Peet, Powers, Ritter, Robinson, Sankey, Shaffer, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whitmer, Wise, Wright, Mr. Speaker—79.

The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Buckingham, Coburn, Conn, Greeley, Gregory, Hanna, Hart, Langan, McNie, Nichols, Offill, Prevost, Pritchard, Saylor, Skinner, Springer, Whiting, Willson, Wyland—21.

So the joint resolution was adopted and the title agreed to.

#### INTRODUCTION OF BILLS.

By Teachout of Polk, House file No. 461, a bill for an act authorizing cities over sixty thousand (60,000) inhabitants to levy a tax for the purpose of erecting public buildings and procuring grounds for the same:

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

Section 1. Cities over sixty thousand (60,000) inhabitants are hereby authorized to levy a tax, not exceeding in any one year, two mills on the dollar upon all property within the corporate limits of said cities, for the purpose of creating a fund to be used for erecting city buildings and procuring ground.

Sec. 2. No buildings shall be erected, unless a majority of the legal voters voting thereon, vote in favor of the same at a general or a special election.

Sec. 3. In cities over sixty thousand (60,000), the question provided in the preceding section may be ordered by the city council, submitted to a vote at a general election or at one specially called for that purpose. Notice of such election shall be given in two newspapers published in said city, once each week for at least four consecutive weeks.

Read first and second time, ordered printed in the Journal and placed on the Calendar without reference to a committee.

On request of Temple of Clarke, unanimous consent having been given, House file No. 383, a bill for an act to amend section



eight hundred and sixty (860) of the supplement to the code, as the same is found in said section of the code and the supplement thereto, relating to the creation and improvement of parks, in towns and cities having a population of twelve thousand five hundred and less, with Senate amendments, was taken up and the amendments read and considered.

Mr. Temple moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Coburn, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Greene, Hambleton, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Matthes, Morris, Mott, Nichols, Olson, Peet, Powers, Prevo, Ritter, Sankey, Shaffer, Spaulding, Springer, Stanbery, Stoltenberg, Teachout, Teter, Washburn, Weeks, Whiting, Whitmer, Willson, Wise, Wright, Mr. Speaker—81.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Buckingham, Cobb, Cummings, Greeley, Gregory, Hakes, Hanna, Langan, Offill, Pritchard, Robinson, Saylor, Skinner, Summers, Temple, Welden, Wyland—19.

So the House concurred in the Senate amendments.

On motion of Chassell of Plymouth, House file No. 459, a bill for an act making an appropriation to pay the costs of the case of State of Iowa vs. Sioux county, was taken up and considered.

Mr. Chassell moved that the rule 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. Bailey, Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Chassell, Cheney, Christianson, Cobb, Colclo, Crose, Dashiell, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Hambleton, Harris, Heles, Hollenbeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McElrath, McNie, Maben, Martin, Mattes, Morris, Mott, Nichols, Olson, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Wright, Mr. Speaker—73.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Buchanan, Cassel, Clary, Coburn, Conn, Cummings, Davie, Greene, Gregory, Hakes, Hanna, Hart, Head, Koontz, Langan, McCreary, McCulloch, McDole, Manning, Offill, Pritchard, Saylor, Springer, Willson, Wise, Wyland—27.

So the bill passed and the title was agreed to.

Christianson of Hamilton offered the following resolution and moved that the rule be suspended and the resolution be adopted:

WHEREAS, The Hon. Ira H. Tremain, late of Hamilton county, an honorable and respected member of the Seventeenth General Assembly, 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.

#### 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. 342, a bill for an act amending the law as it appears in section 2536 of the supplement to the code, making appropriation for carrying on the work of the veterinary surgeon.

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 to provide for the disposition of unclaimed money left by deceased inmates of State institutions.

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. 117, a bill for an act to authorize the State Board of Control to investigate the extent of tuberculosis in Iowa, and the best means of prevention of the same.

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. 255, a bill for an act relating to road tax and amending sections 1383 and 1533 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. 438, a bill for an act to apportion the State into representative districts and declare the ratio of representation.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Teter of Marion, House file No. 429, a bill for an act authorizing the Executive Council of the State to pay the costs and attorney fees in certain cases brought in Marion county to revoke fraudulent naturalization papers, and to pay the costs incurred by the State in the case of the State vs. William McFarland and others, with reports of committees recommending passage as amended by substitute, was taken up, considered, and the report of the committees adopted.

Mr. Teter moved the adoption of the following substitute amendment recommended by the committee :

A BILL for an act to appropriate money to pay the costs and attorney's fees in certain cases brought in Marion county to revoke fraudulent naturalization papers.

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

Section 1. There is hereby appropriated out of any money in the State treasury not otherwise appropriated the sum of two hundred fifty-six dollars and forty-five cents (\$256.45) with which to pay the witness fees, court costs and attorney's fees incurred by the State of Iowa in the cases brought in the name of the State upon the relation of the Attorney General in Marion county, for the revocation and cancellation of certain fraudulent naturalization papers issued by the district court of that county.

Sec. 2. The Auditor of State is hereby authorized and directed to issue his warrant upon the State Treasurer for the amounts to which the parties are entitled under the provisions of this act and to be delivered when receipts are filed with the Auditor of State acknowledging full payment of the amounts to which such persons are entitled as follows:

The sum of one hundred and twenty dollars and eighty-five cents (\$120.85) to be paid over to the clerk of the district court of Marion county with which to pay the court costs and witness fees in said cases.

The sum of thirty-five dollars and sixty cents (\$35.60) to be paid to Kinkead & Mentzer for their personal expenses incurred in procuring testimony and in the preparation of said cases.

The sum of one hundred dollars (\$100) to be paid to Kinkead & Mentzer for attorney's fees in the prosecution of said cases.

Sec. 3. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa.

**Adopted.**

Mr. Teter moved that the rule 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. Bailey, Bealer, Bixby, Buckingham, Calderwood, Carden, Carstensen, Chassell, Colelo, Conn, Crose, Cummings, Dashiell, Davie, Doran, Dow, English, Flenniken, Freeman, Frudden, Greeley, Greene, Hakes, Hambleton, Hanna, Hart, Hollembeak, Hume, Jacobson, Jepson, Jones, Kennedy, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Olson, Powers, Ritter, Robinson, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Mr. Speaker—72.

The nays were:

Messrs. Geneva, McCreary, Prevo, Sankey—4.

Absent or not voting:

Messrs. Boland, Buchanan, Cassel, Cheney, Christianson, Clary, Cobb, Coburn, DeLano, Gregory, Harris, Head, Heles, Kendall, Kling, Langan, McClurkin, Nichols, Offill, Peet, Pritchard, Saylor, Teachout, Wyland—24.

So the bill passed and the title was agreed to.

Chassell of Plymouth called up the motion to reconsider the vote whereby the House adopted the concurrent resolution fixing the date of adjournment as Saturday, April 9th.

Motion prevailed.

Mr. Chassell moved to amend the resolution by striking out the words "Saturday, April 9th" and substituting in lieu thereof the words "Monday, April, 11th."

Amendment adopted.

Resolution as amended adopted.

On motion of Summers of Van Buren, Senate file No. 151, a bill for an act to amend section 2816 of the code, in relation to reversion of schoolhouse sites, was taken up and considered.

Hambleton of Mahaska moved that the bill be indefinitely postponed.

Motion prevailed.

So the bill was indefinitely postponed.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 135, a bill for an act making provision for the support of the Industrial School for Girls at Mitchellville.

Also, House file No. 210, a bill for an act to amend section four thousand four hundred and eighty-one (4481) of the code, in relation to place of bringing actions, and a taxation of costs therein.

Also, House file No. 247, a bill for an act relating to the payment by the State of the premiums of surety companies on the bond of the State Treasurer and Deputy State Treasurer.

Also, House file No. 322, a bill for an act to appropriate money to pay for metal shelving in the new storage building.

Also, House file No. 394, a bill for an act to legalize the incorporation of the town of Arnold's Park, Dickinson county, Iowa, the notices of election and the election of its officers.

Also, House file No. 358, a bill for an act to legalize the incorporation of the town of Persia, Harrison county, Iowa, the election of its officers, the passage of its ordinances and resolutions, and all acts done by the council of said town.

Also, House file No. 430, a bill for an act to legalize the incorporation of the town of Quasqueton, Buchanan 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.

Also, House file No. 366, a bill for an act to legalize the election held in the incorporated town of Alta, Buena Vista county, Iowa, on the 30th day of March, 1903, and the proposition submitted at said election for the purpose of erecting and maintaining a hot water heating plant for municipal purposes in the town of Alta, Buena Vista county, Iowa.

Also, House file No. 215, a bill for an act providing for the erection of a monument at the site of the Confederate military prison at Andersonville, Georgia, in commemoration of the patriotism, suffering and martyrdom of the Iowa soldiers who were imprisoned and died in such military prison, and creating a commission to have charge of the erection thereof, and providing an appropriation therefor.

Also, substitute for House file No. 318, a bill for an act to enable the State of Iowa to sell and dispose of all abandoned river channels, and all land within such abandoned river channels, and all sand bars or islands in the navigable waters of the State, and authorizing the appointment of a commission to ascertain and establish the boundary lines between the State of Iowa and adjoining states.

Also, substitute for House file No. 165, a bill for an act to repeal the law as it appears in section thirteen hundred and forty-seven-a (1347-a) of the supplement to the code, relating to the vocation of peddlers and to enact a substitute therefor.

Also, House 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 and as a substitute therefor.

Also, House joint resolution No. 6, proposing an amendment to the constitution of the State of Iowa, additional to section eighteen (18) of article one (1) of said constitution.

Also, House file No. 185, a bill for an act in relation to common carriers, additional to section two thousand and seventy-four (2074) of the code.

Also, House file No. 325, a bill for an act to legalize the incorporation of the town of Hamilton, Marion county, Iowa, the election of its officers, and ordinances passed and all official acts of the council of said town.

Also, House file No. 416, a bill for an act to legalize the incorporation of the town of Titonka, Kossuth county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town.

Also, House file No. 266, a bill for an act to require common carriers to issue transportation to owners shipping live stock, additional to chapter seven (7), title X (10) of the code, relating to the regulation of common carriers.

Also, substitute for House file No. 1, a bill for an act providing for the election of delegates of political parties by a primary election and for the nomination of officers by a delegate convention system.

Also, House file No. 393, a bill for an act to provide for the licensing of agents of insurance companies and associations.

Also, House file No. 297, a bill for an act making appropriations to the State Historical Society of Iowa.

Also, House file No. 402, a bill for an act providing for the disposition of State documents, publications and laws, not required for public uses.

Also, House file No. 445, a bill for an act to legalize the acts of Harry C. Wright, a notary public in and for Wayne county, State of Iowa, and the acts of Harry C. Wright, acting defacto as a notary public from July 4, 1900, to December 25, 1902.

H. L. SPAULDING,  
*Chairman.*

April 8, 1904.

Adopted.

Buchanan of Wapello offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved, by the House,* That the Secretary of State, as soon as practical after the adjournment of the Thirtieth General Assembly, compile and print a list of all the bills that have become laws or will become laws under statutory provision, and mail a copy to each member of the Thirtieth General Assembly.

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 Senate was asked:

House file No. 457, a bill for an act requiring a report from the State University, State College of Agriculture and Mechanic Arts and the State Normal School, and appointing a committee to inspect and report upon said institutions.

GEO. A. NEWMAN,  
*Secretary.*

Also:

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

House file No. 437, a bill for an act to amend section 3376 of the code of Iowa, as to distributive share of surviving spouse as affected by will.

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. 156, a bill for an act to amend sections 5663, 5669 and 5716 of the code as amended, to repeal section 5711 thereof and to provide for the appointment of assistant deputy wardens for the penitentiaries.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Jepson of Woodbury, by unanimous consent, Senate file No. 337, a bill for an act to legalize all of the acts and



proceedings of the town of Mapleton, Monona county, Iowa, relative to the construction of permanent sidewalks, was taken up and considered.

Read first and second time.

Whiting of Monona, moved that the rule be suspended, that the bill be read a third time now, which motion prevailed unanimously, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Hakes, Hambleton, Hanna, Harris, Hart, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Mott, Nichols, Olson, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Stoltenberg, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—78.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Christianson, Coburn, Colclo, Cummings, Freeman, Greene, Gregory, Head, Kennedy, Kling, Langan, Morris, Offill, Pritchard, Saylor, Springer, Stanbery, Summers, Teachout, Temple, Willson—22.

So the bill passed and the title was agreed to.

On motion of Mattes of Sac, by unanimous consent, Senate file No. 342, a bill for an act amending the law as it appears in section 2536 of the supplement to the code, making appropria-

tion for carrying on the work of the veterinary surgeon, was taken up and considered.

Read first and second time.

Mr. Mattes moved that the rule be suspended, that the bill be read a third time now, which motion prevailed unanimously, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Bixby, Boland, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Cobb, Colelo, Conn, Crose, Dashiell, Doran, Dow, English, Flenniken, Frud-den, Greeley, Greene, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, Mc-Clurkin, McCulloch, McDole, McElrath, Maben, Manning, Martin, Mattes, Mott, Nichols, Olson, Powers, Ritter, Robinson, Shaffer, Skinner, Spaulding, Stoltenberg, Summers, Temple, Washburn, Weeks, Whiting, Whitmer, Willson, Wise, Wright, Mr. Speaker—69.

The nays were:

Messrs. Sankey, Springer, Teter, Welden, Wyland—5.

Absent or not voting:

Messrs. Bealer, Buchanan, Christianson, Clary, Coburn, Cummings, Davie, DeLano, Freeman, Geneva, Gregory, Hakes, Kennedy, Kling, Koontz, Langan, McCreary, McNie, Morris, Offill, Peet, Prevo, Pritchard, Saylor, Stanbery, Teachout—26.

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 Senaté was asked:

House file No. 371, a bill for an act to create a highway commission for the State of Iowa, and defining the duties of same.

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. 448, a bill for an act to legalize the incorporation of the Farmer's Co-Operative Creamery Association of Tenold, Worth county, Iowa, and to legalize the acts and transactions of said association under defective articles of incorporation, and to legalize the title to the real estate acquired by said association and to authorize its reincorporation and succession to all the rights, privileges, property and assets acquired and possessed under the defective articles of incorporation.

GEO. A. NEWMAN,  
*Secretary.*

Robinson of Emmet offered the following concurrent resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved by the House, the Senate concurring,* That the Secretary of State be requested to have printed in pamphlet form, as soon as possible after the adjournment of the legislature, five thousand (5000) copies of all laws of the State pertaining to drainage.

Adopted.

On request of Dow of Franklin, by unanimous consent, House file No. 69, a bill for an act to amend section 88t of the code, relative to condemnation and purchase of land for sewer outlets and for sewer and garbage disposal plants, with Senate amendments, was taken up and the amendment read and considered.

Mr. Dow moved that the House concur in the Senate amendment.

On the question, Shall the House concur?

The yeas were:

Messrs Bailey, Bealer, Bixby, Boland, Calderwood, Carden, Carstensen, Cassel, Chassell, Clary, Cobb, Coburn, Colelo, Crose, Davie, DeLano, Doran, Dow, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Lamkin, Leech, Lister, Lundt, McAllister, McClurkin, McCulloch, McDole, McElrath, Manning, Martin, Mattes, Mott, Nichols, Olson, Powers, Prevo, Robinson, Sankey, Shaffer,

Skinner, Spaulding, Springer, Summers, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—71.

The nays were:

None.

Absent or not voting:

Messrs. Buchanan, Buckingham, Cheney, Christianson, Conn, Cummings, Dashiell, English, Flenniken, Freeman, Gregory, Kling, Koontz, Laird, Langan, Lowrey, McCreary, McNie, Maben, Morris, Offill, Peet, Pritchard, Ritter, Saylor, Stanbery, Stoltenberg, Teachout, Willson—29.

So the House concurred in the Senate amendment.

On motion of Calderwood of Scott, by unanimous consent, House file No. 189, a bill for an act to repeal section twenty-four hundred and seventy-seven (2477) of the code, relating to the expenses of the Bureau of Labor Statistics, and to enact in lieu thereof the following, with Senate amendments, was taken up and the amendments read and considered.

Mr. Calderwood moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bixby, Boland, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Koontz, Laird, Lamkin, Leech, Lowrey, Lundt, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Manning, Martin, Mattes, Mott, Nichols, Olson, Powers, Prevo, Ritter, Sankey, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—78.

The nays were:

None.

**Absent or not voting:**

Messrs. Bealer, Buchanan, Buckingham, Christianson, Cummings, Greeley, Greene, Gregory, Hakes, Kling, Langan, Lister, McAllister, Maben, Morris, Offill, Peet, Pritchard, Robinson, Saylor, Stanbery, Willson—22.

So the House concurred in the Senate amendments.

On request of Mattes of Sac, by unanimous consent, House file No. 352, a bill for an act in relation to objectionable advertisements in the vicinity of public school buildings, with Senate amendments, was taken up and the amendments read and considered.

Mr. Mattes moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

**The yeas were:**

Messrs. Bailey, Bealer, Bixby, Boland, Calderwood, Carden, Cassel, Chassell, Cheney, Clary, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Freeman, Frudden, Geneva, Greeley, Hakes, Hambleton, Hanna, Hart, Head, Heles, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanberry, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—81.

**The nays were:**

None.

**Absent or not voting:**

Messrs. Buchanan, Buckingham, Carstensen, Christianson, Cummings, Flenniken, Greene, Gregory, Harris, Kling, Koontz, Langan, McNie, Maben, Offill, Peet, Pritchard, Saylor—19.

So the House concurred in the Senate amendments.

On motion of Shaffer of Fayette, by unanimous consent, House file No. 310, a bill for an act amendatory of chapter five-a (5-a) of title III of the supplement to the code, relating to appointment of trustees by district to manage, control and invest cemetery funds, with Senate substitute as amendment therefor, was taken up and substitute amendment read and considered.

Mr. Shaffer moved that the House concur in the Senate amendment.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bixby, Buckingham, Calderwood, Carden, Cassel, Chassell, Clary, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Hakes, Hambleton, Hanna, Harris, Hart, Head, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McCreary, McCulloch, McDole, McElrath, McNie, Manning, Martin, Morris, Mott, Nichols, Olson, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—80.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Boland, Buchanan, Carstensen, Cheney, Christianson, Cummings, Greene, Gregory, Heles, Kling, Koontz, Langan, McClurkin, Maben, Mattes, Offill, Pritchard, Saylor, Summers—20.

So the House concurred in the Senate amendment.

House concurred in Senate amendment to concurrent resolution relating to retaining certain employes after close of the session.

House took up Senate concurrent resolution relative to sending historical exhibit to Louisiana Purchase Exposition.

House concurred.

On request of Temple of Clarke, by unanimous consent, House file No. 438, a bill for an act to apportion the State into representative districts and declare the ratio of representation, with Senate amendment, was taken up and the amendment read and considered.

Mr. Temple moved that the House do not concur in the Senate amendment.

On the question, Shall the House concur?

The yeas were:

Messrs. McNie, Martin, Peet—3.

The nays were:

Messrs. Bailey, Bealer, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carden, Cassel, Chassell, Cheney, Clary, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McClurkin, McCreary, McCulloch, McDole, Maben, Manning, Mattes, Morris, Mott, Nichols, Olson, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—86.

Absent or not voting:

Messrs. Carstensen, Christianson, Cummings, Gregory, Kling, Langan, McAllister, McElrath, Offill, Pritchard, Saylor—11.

So the House refused to concur in the Senate amendment.

On motion of Summers of Van Buren, by unanimous consent, House file No. 117, a bill for an act to establish and maintain a

sanatorium for the treatment and cure of persons afflicted with tuberculosis, with Senate substitute as amendment, was taken up and the substitute amendment read and considered.

Mr. Summers moved that the House concur in the Senate amendment.

On the question, Shall the House concur?

The yeas were:

Messrs. Bixby, Calderwood, Carden, Carstensen, Chassell, Cheney, Clary, Cobb, Colclo, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Greeley, Hakes, Hambleton, Hanna, Harris, Hart, Head, Hollembeak, Hume, Jacobson, Kendall, Kling, Lamkin, Leech, Lister, Lowrey, McAllister, McClurkin, McCulloch, McDole, McNie, Maben, Manning, Martin, Mattes, Mott, Nichols, Olson, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Washburn, Welden, Whiting, Wise, Wright, Wyland, Mr. Speaker—68.

The nays were:

Messrs. Buchanan, Buckingham, Jepson, Powers, Teter, Whitmer—6.

Absent or not voting:

Messrs. Bailey, Bealer, Boland, Cassel, Christianson, Coburn, Conn, Cummings, Geneva, Greene, Gregory, Heles, Jones, Kennedy, Koontz, Laird, Langan, Lundt, McCreary, McElrath, Morris, Offill, Pritchard, Saylor, Weeks, Willson—26.

So the House concurred in the Senate amendments.

On motion of Kendall of Monroe, by unanimitous consent, Senate file No. 340, a bill for an act to legalize the election of the town officers elected March 28, 1904, for the incorporated town of Weldon, Decatur county, Iowa, was taken up and considered.

The bill was read first and second time.



Mr. Kendall moved that the rule be suspended, that the bill be read a third time now, which motion prevailed unanimously, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Bixby, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Coburn, Colclo, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Flenniken, Freeman, Frudden, Geneva, Greeley, Greene, Hakes, Hambleton, Harris, Hart, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Olson, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—82.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Boland, Buchanan, Christianson, Conn, Cummings, Gregory, Hanna, Kendall, Langan, Lundt, Morris, Mott, Nichols, Offill, Pritchard, Saylor, Stanbery—18.

So the bill passed and the title was agreed to.

On motion of Calderwood of Scott, by unanimous consent, Senate file No. 318, a bill for an act to provide for the disposition of unclaimed money left by deceased inmates of State institutions, was taken up and considered.

Read first and second time.

Mr. Calderwood moved that the rule be suspended, that the bill be read a third time now, which motion prevailed unanimously, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were

Messrs. Bailey, Bealer, Bixby, Buchanan, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Clary, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Frudden, Geneva, Greeley, Hakes, Hambleton, Hanna, Harris, Hart, Head, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Lamkin, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Olson, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Welden, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—88.

The nays were:

None.

Absent or not voting:

Messrs. Boland, Christianson, Cummings, Flenniken, Freeman, Greene, Gregory, Heles, Langan, Offill, Pritchard, Saylor—12.

So the bill passed and the title was agreed to.

SENATE MESSAGE CONSIDERED.

Senate joint resolution No. 6, a joint resolution to provide for the appointment of a committee to investigate the workings of the indeterminate sentence and Elmira reformatory systems, and making an appropriation of \$500.00 therefor.

Read first and second time and ordered placed on the Calendar without reference to a committee.

Senate file No. 156, a bill for an act to amend sections fifty-six hundred sixty-three (5653), fifty-six hundred sixty-nine (5669) and fifty-seven hundred sixteen (5716) of the code as amended, to repeal section fifty-seven hundred and eleven (5711) thereof

and to provide for the appointment of assistant deputy wardens for the penitentiaries.

Read first and second time and ordered placed on the Calendar.

Senate file No. 341, a bill for an act requiring all boards, commissioners, departments and officers of State to turn into the State treasury all fees collected, and to file with the Executive Council statements of expenses and per diem allowances to be paid by the State, and repealing all acts or parts of acts inconsistent with this act.

Read first and second time and ordered placed on the Calendar.

MOTION TO RECONSIDER.

The following motion to reconsider was filed :

**MR. SPEAKER**—I move to reconsider the vote by which House file No. 458 passed the House and by which it passed to its third reading.

M. L. TEMPLE.

I second the motion.

C. A. KENNEDY.

On motion of McAllister of Linn the House adjourned until 9 o'clock A. M. tomorrow.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 9, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by Rev. D. D. Proper of Des Moines, Iowa.

Journal of Friday, April 8th, was corrected and approved.

On request of Chassell of Plymouth leave of absence was granted Welden of Hardin.

MOTION TO RECONSIDER.

The following motion to reconsider was filed :

I move to reconsider the vote by which House file No. 458 was passed by the House, and the vote by which the bill was passed to its third reading.

M. L. TEMPLER.

We hereby second the above motion.

MAHLON HEAD.

F. F. JONES.

Temple of Clarke called up the motion to reconsider the vote whereby House file No. 458 passed the House and by which it passed to its third reading.

Motion prevailed.

Temple of Clarke moved that House file No. 458 be recalled from the Senate.

Motion prevailed.

Speaker announced as committee to draft resolutions out of respect to Hon. Ira H. Tremaine: Christianson of Hamilton, Buchanan of Wapello, DeLano of Cass.

## REPORT OF COMMITTEE.

Buchanan of Wapello, from the committee on Municipal Corporations, submitted the following report:

MR. SPEAKER—Your committee on Municipal Corporations, to whom was referred Senate file No. 296, a bill for an act to amend section nine hundred and ninety-nine (999) of the code, relating to the condemnation of land by cities under special charter, beg leave to report that they have 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. W. BUCHANAN.  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

On request of Buchanan of Wapello, by unanimous consent, House file No. 457, a bill for an act requiring a report from the State University, State College of Agriculture and Mechanic Arts, and the State Normal School, and appointing a committee to inspect and report upon said institutions, with Senate amendments, was taken up, and the amendments read and considered.

Mr. Buchanan moved that the House concur in the Senate amendments.

On the question Shall the House concur?

The yeas were:

Messrs. Bailey, Bixby, Boland, Buchanan, Calderwood, Cheney, Christianson, Clary, Coburn, Colclo, Conn, Crose, DeLano, Dow, English, Freeman, Frudden, Hambleton, Hanna, Harris, Head, Heles, Hume, Jacobson, Jones, Kendall, Kling, Koontz, Laird, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McCreary, McCulloch, McElrath, Maben, Morris, Mott, Nichols, Offill, Olson, Powers, Ritter, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Washburn, Weeks, Whiting, Whitmer, Wise, Wright, Wyland, Mr. Speaker—63.

The nays were:

Mr. Hart—1.

Absent or not voting:

Messrs. Bealer, Buckingham, Carden, Carstensen, Cassel, Chassell, Cobb, Cummings, Dashiell, Davie, Doran, Flenniken, Geneva, Greeley, Greene, Gregory, Hakes, Hollembeak, Jepson, Lamkin, McClurkin, McDole, McNie, Manning, Martin, Mattes, Peet, Prevo, Pritchard, Robinson, Saylor, Springer, Teter, Welden, Willson—36.

So the House concurred in the Senate amendments.

On motion of Teter of Marion, Senate file No. 184, a bill for an act to provide for the classification of teachers' certificates and to limit the number thereof, was taken up and considered.

Hart of Allamakee moved to amend by striking out section 5 of the bill and renumbering, consecutively, the following sections.

Lost.

McAllister of Linn moved to amend by striking out section 1 of the bill.

Lost.

Wise of Black Hawk moved to amend by striking out the words "at the discretion of the county superintendent" from section 3 of the bill.

Lost.

Teter of Marion 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, Bixby, Boland, Buchanan, Buckingham, Calderwood, Carstensen, Cassel, Cheney, Christianson, Cobb, Colclo, Conn, Crose, Doran, Dow, Freeman, Geneva, Greene, Hambleton, Harris, Head, Hume, Jacobson, Jones, Kendall, Kennedy, Kling, Laird, Langan, McCreary, Maben, Martin, Morris, Offil, Olson,

Ritter, Spaulding, Teter, Washburn, Whiting, Willson, Wise, Mr. Speaker—44.

The nays were:

Messrs. Clary, Coburn, Hart, Hanna, Jepson, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCulloch, McDole, Mott, Nichols, Peet, Powers, Sankey, Shaffer, Skinner, Springer, Stanbery, Summers, Teachout, Wright, Wyland—26.

Absent or not voting:

Messrs. Bealer, Carden, Chassell, Cummings, Dashiell, Davie, DeLano, English, Flenniken, Frudden, Greeley, Gregory, Hakes, Heles, Hollebeak, Koontz, Lamkin, McElrath, McNie, Manning, Mattes, Prevo, Pritchard, Robinson, Saylor, Stoltenberg, Temple, Weeks, Welden, Whitmer—30.

So the bill, having failed to receive a constitutional majority, was declared lost.

On motion of Kennedy of Lee, Senate file No. 156, a bill for an act to amend sections 5663, 5669, 5716 of the code as amended, to repeal section 5711 thereof and to provide for the appointment of assistant deputy wardens for the penitentiaries, was taken up and considered.

Mr. Kennedy 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, Bealer, Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Dashiell, Doran, Dow, English, Freeman, Frudden, Geneva, Greene, Hakes, Hambleton, Harris, Hart, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Langan, Leech, Lowrey, Lundt, McAllister, McClurkin, McCulloch, McDole, McElrath, Maben, Manning, Martin, Mattes, Mott, Nichols, Offill, Olson, Peet, Powers, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer,

Stoltenberg, Summers, Teachout, Temple, Teter, Whiting, Whitmer, Wilson, Wise, Wright, Wyland, Mr. Speaker—77.

The nays were:

Mr. Head—I.

Absent or not voting:

Messrs. Buckingham, Cummings, Davie, DeLano, Flenniken, Greeley, Gregory, Hanna, Heles, Hollembeak, Lamkin, Lister, McCreary, McNie, Morris, Prevo, Pritchard, Saylor, Stanbery, Washburn, Weeks, Welden—22.

So the bill passed and the title was agreed to.

On motion of Teachout of Polk, House file No. 461 was made a special order for 11:30 A. M. today.

On motion of Temple of Clarke, Senate file No. 341, a bill for an act requiring all boards, commissioners, departments and officers of State to turn into the State treasury all fees collected, and to file with the Executive Council statements of expenses and per diem allowances to be paid by the State, and repealing all acts or parts of acts inconsistent with this act, was substituted for House file No. 460 and was taken up and considered.

Mr. Temple 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. Bixby, Boland, Buchanan, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Colclo, Conn, Crose, Dashiell, Davie, DeLano, Doran, Dow, English, Freeman, Frudden, Greene, Hakes, Hambleton, Hanna, Harris, Hart, Head, Hollembeak, Hume, Jacobson, Jones, Kendall, Kling, Laird, Leech, Lowrey, Lundt, McAllister, McCreary, McCulloch, McElrath, Manning, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Springer, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Weeks, Whiting, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—75.



The nays were:

None.

Absent or not voting:

Messrs. Bailey, Bealer, Buckingham, Coburn, Cummings, Flenniken, Geneva, Greeley, Gregory, Heles, Jepson, Kennedy, Koontz, Lamkin, Langan, Lister, McClurkin, McDole, McNie, Maben, Martin, Pritchard, Saylor, Stanbery, Welden—25.

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 amended and passed the following bill in which the concurrence of the Senate was asked:

House file No. 283, a bill for an act to amend section 835 of the code, relating to refunding the cost of pavement removed by a street railway company.

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. 375, a bill for an act to amend sections 2606 and 2602 of the code, relative to qualifications for admission to the State Soldiers' Home.

GEO. A. NEWMAN,  
*Chairman.*

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 to provide for the regulation of persons, firms, companies, partnerships, associations or corporations, other than building and loan associations and insurance companies and associations, which issue, place, sell or otherwise engage in the business of handling certificates, memberships, shares, contracts, debentures, bonds, stocks,

tontine contracts, or other investment securities or agreements of any kind or character, on the partial payment or installment plan, prescribing the terms and conditions upon which such persons, firms, companies, partnerships, associations or corporations shall be permitted to do business within this State.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Temple of Clarke, House joint resolution No. 9, a resolution fixing the number and compensation of employes in the departments of State at the seat of Government, was taken up and considered.

Buckingham of Buena Vista moved to amend by striking out the figures "1,250" opposite the name of the chief clerk of Secretary of State's office and substituting therefor the figures "1,350"; also by striking out the figures "780" opposite the name of the stenographer in the same office and substituting therefor the figures "900."

Lost.

Buchanan of Wapello moved that the joint resolution be taken up and considered section by section.

Lost.

Temple of Clarke moved to amend by adding after the words "For the office of the Attorney General" the words "one assistant to the Attorney General, \$1,800."

Amend by adding after the 19th line on page 1224, as the resolution appears in the Journal, the words "for the office of the State Pharmacy Commission, one secretary at a salary of \$1,500."

Amendments adopted.

Temple of Clarke moved to amend by striking out the words "and examiner" after the words "chief clerk" under the head of Auditor of State.

Adopted.

Kendall of Monroe in the chair.

Mr. Temple moved that the rule be suspended, that 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 pass?

The yeas were:

Messrs. Bailey, Bixby, Calderwood, Carstensen, Cassel, Chas-sell, Cheney, Clary, Coburn, Crose, Dashiell, Doran, Dow, Eng-lish, Flenniken, Freeman, Greene, Hanna, Harris, Hart, Hollem-beak, Hume, Jacobson, Jones, Kendall, Kennedy, Koontz, Laird, Leech, McClurkin, McDole, McElrath, Maben, Manning, Martin, Mattes, Morris, Mott, Offill, Olson, Robinson, Sankey, Spauld-ing, Springer, Summers, Teachout, Temple, Washburn, Weeks, Wise, Wright, Wyland—52.

The nays were:

Messrs. Bealer, Buchanan, Buckingham, Christianson, Davie, DeLano, Geneva, Hambleton, Heles, Langan, Lundt, McAllister, McCreary, McCulloch, Peet, Powers, Prevo, Ritter, Whiting, Whitmer, Willson—21.

Absent or not voting:

Messrs. Boland, Carden, Cobb, Colclo, Conn, Cummings, Frud-den, Greeley, Gregory, Hakes, Head, Jepson, Kling, Lamkin, Lister, Lowrey, McNie, Nichols, Pritchard, Saylor, Shaffer, Skinner, Stanbery, Stoltenberg, Teter, Welden, Mr. Speaker—27.

So the joint resolution was adopted and the title was agreed to.

#### EXPLANATION OF VOTE.

I desire to submit the following explanation of my vote in favor of House joint resolution No. 9.

The major part of said resolution meets with my approval. There are parts of it, however, that I do not approve, and if the same were presented separately would oppose: And for the reason, that the good in the reso-lution is greater than that part which I would object to, I vote for it.

E. W. WEEKS.

#### REPORT OF COMMITTEE.

English of Polk offered the following report:

MR. SPEAKER—Your special joint committee appointed by the Senate and House to purchase a chair and gavel each for the President of the

Senate and the Speaker of the House, beg leave to report that they have performed that duty and that said chairs and gavels are now installed in their respective places.

Respectfully submitted,

JNO. L. BLEAKLY,  
EMORY H. ENGLISH,  
G. W. KOONTZ,  
*Joint Committee.*

Mr. English moved that the report be adopted and a committee of three be appointed to escort the Speaker to the room and to the chair.

Representative Kendall presiding, appointed as committee, English of Polk, Temple of Clarke, Clary of Chickasaw.

The committee immediately performed the duty assigned them.

Speaker Clarke in the chair.

Mr. Temple in presenting the chair to Speaker Clarke said:

"It is the pleasure of the House that you now by unanimous consent occupy the chair, presented by this House of the Thirtieth General Assembly, as a token of the regard with which it holds its Speaker. It is indeed a thing to be proud of in the life of any citizen in the State of Iowa to be permitted to preside over the deliberations of its law making body for a long working session of these earnest men. I have no doubt, as a member of the committee appointed to present this testimonial to you, that you appreciate to the fullest the high honor, and as a member of the House I desire to say, Mr. Speaker, that this offering from these members, over whose deliberations you have so faithfully and impartially presided, recognize the high honor of co-operating with a leadership which has been so eminently fair, so impartial, so earnest, in this Assembly to further the interest of the people of Iowa.

At the close of this session which is now drawing near its end, I believe that every man will go home with a feeling that there never was a more successful session of the House under the dome of this Capitol and never more satisfactory and harmonious one. As one of the workers on this floor I have become somewhat acquainted with the faithful performance of its duties. I have noted the genuine good fellowship and kindly feeling of members who have shown a disposition to give and take, always ready to compromise a difference.

I have been struck with all this and I believe as a body of one hundred men we can dissolve and go back to our homes with the kindest regards for one another and the most earnest appreciation of the work of the presiding officer. And with the highest appreciation for him, for his painstaking care, and with a renewed confidence in the future of our State, we can feel assured of the security of all its great interests. The Assembly now about to close, as I said, has been one of the most harmonious of the General

Assemblies of Iowa. I believe it is largely due, and I say it without flattery, to the even temper, the great deliberation, and the conscientious discharge of their duties on the part of the officers who have assisted him. And now, Mr. Speaker, permit me to say that as you occupy this chair by your own fireside and home after your term has expired that you will look back and remember that you have made in this House ninety-nine firm and fast friends who have the greatest honor and respect for you in your work."

Speaker Clarke responded as follows:

*Gentlemen of the House of the Thirtieth General Assembly:*

Of course you know that it is very difficult for me to say what would be the eminently proper and just and right thing to say upon an occasion like this. I can only say that I do appreciate, I think, to the very fullest extent, the kindness and generosity that has been extended to me by every member of this House, and I make no exception, from its organization down to this time. Not one single member has at any time shown the slightest disposition to put the very least thing in the way of the discharge of the duties of the office, which I have held but, on the other hand, every member, every day as it seemed to me, has done everything that he could to make the discharge of the duties of this office easy and pleasant, and I want to say to you, gentlemen, that you have succeeded. It has been a pleasant and most agreeable duty to preside over a House such as this, and I want to assure every one of you that you have the very deepest and most sincere friendship on my part extended to you always that it is possible for me to feel, and I think I may say further, that it is possible for me to feel deeply upon an occasion like this, for if there is anything in this world that is to be appreciated above every other thing, it is the esteem and friendship of one's fellowmen, and that you have my esteem, each one of you, and my friendship, you know without my saying it to you. No man it seems to me could have been treated more kindly and generously than you have treated me from the organization of this House until this time.

I want to say to you that as the days, months and years go by, even as they go down to old age, if old age shall be granted to me, and I have this chair in my home and occupy it, always in my mind's eye will be a photograph from this desk of this House as I see it now. The impression and picture of you that I have now from this desk, will never fade from my memory; the time will never come when I cannot locate the place of each one of you in this House. You may think this difficult, but it is not.

I thank you again and again and again for what you have done and the way you have treated me, and for the friendship of each one of you towards me, which I hope I have.

SPECIAL ORDER.

The hour of 11:30 having arrived, on motion of Teachout of Polk, House file No. 461, a bill for an act authorizing cities over 60,000 inhabitants to levy a tax for the purpose of erecting pub-

lic buildings and procuring grounds for the same, being a special order for that hour, was taken up and considered.

Mr. Teachout moved to amend by adding the following as section 4:

Section 4. For the purpose of paying for real estate and the construction of buildings herein contemplated said cities may issue bonds for such amounts as it may be necessary to be paid from the fund created by the levy herein provided

**Adopted.**

Bealer of Linn moved to refer the bill to the Thirty-first General Assembly.

**Lost.**

Mr. Teachout moved that the rule 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. Bailey, Buchanan, Buckingham, Calderwood, Carden, Cassel, Chassell, Cheney, Clary, Colclo, Crose, Doran, Dow, Greeley, Greene, Hakes, Hambleton, Harris, Hart, Head, Hollembeak, Jacobson, Kendall, Kling, Laird, Langan, Leech, Lister, Lowrey, McCreary, McCulloch, McDole, McElrath, Maben, Manning, Martin, Mattes, Morris, Mott, Offill, Olson, Peet, Powers, Prevo, Ritter, Robinson, Shaffer, Spaulding, Stoltenberg, Summers, Teachout, Teter, Washburn, Weeks, Willson, Wise, Wright, Mr. Speaker—59.

**The nays were:**

Messrs. Bealer, Geneva, Hanna, Heles, Hume, Lundt, Whitmer—7.

**Absent or not voting:**

Messrs. Bixby, Boland, Carstensen, Christianson, Cobb, Coburn, Conn, Cummings, Dashiell, Davie, DeLano, Flenniken, Freeman, Frudden, Gregory, Jepson, Jones, Kennedy, Koontz, Lamkin,

McAllister, McClurkin, McNie, Nichols, Pritchard, Sankey, Saylor, Skinner, Springer, Stanbery, Temple, Welden, Whiting, Wyland  
—34.

So the bill passed and the title was agreed to.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 62, a bill for an act to amend section seven hundred twenty-eight (728) and section seven hundred and thirty (730) of the code, relating to library trustees and library treasurer, and to legalize the maintenance and control under joint ownership and control of cities and towns and institutions of learning.

Also, substitute for Senate file No. 148, a bill for an act to amend the law as it appears in section twenty-seven hundred thirty-eight (2738) of the supplement to the code in relation to the publication of reports of county superintendents of schools.

Also, substitute for Senate file No. 149, a bill for an act to amend the law as it appears in section seven hundred and thirty-two (732) of the supplement to the code, relating to the support and maintenance of free public libraries.

Also, Senate file No. 301, a bill for an act to repeal the law as it appears in sections eighteen hundred seventy-five (1875) and eighteen hundred seventy-six (1876) of the code, relating to the appointment, compensation and expenses of Bank Examiners, and providing a substitute therefor.

Also, Senate file No. 313, a bill for an act appropriating the sum of seventy-five hundred dollars (\$7,500) to be paid to Charles B. Fountain Harold Fountain and Amil Hoch in settlement of all claims against the State of Iowa by reason of the death of Mrs. Charles B. Fountain and Mrs. Amil Hoch, who were killed by an accident which occurred in one of the elevators at the State House on the twenty-sixth day of February, 1904.

Also, Senate file No. 317, a bill for an act providing for the appointment of a State agent and defining his duties and making an appropriation therefor.

Also, Senate file No. 325, a bill for an act making an appropriation to defray the mileage and expenses of the members of the various committees sent by the Thirtieth General Assembly to visit the several State institutions, and School for the Deaf, and the grounds of the Louisiana Purchase Exposition at St. Louis, and old Camp McClellan at Davenport, Iowa.

Also, Senate file No. 328, a bill for an act appropriating one thousand dollars (\$1,000) to William Redden to aid him in procuring an education, and providing for the appointment of a trustee to control and disburse the same.

Also, Senate file No. 329, a bill for an act providing for the condemnation of real property for the use of the State.

Also, Senate file No. 335, a bill for an act to legalize the acts of the board of directors, and authorize the issuance of ten thousand dollars (\$10,000) in school building bonds in the independent school district of Center Point in Washington township, Linn county, Iowa.

Also, Senate file No. 336, a bill for an act empowering the Executive Council to authorize the location, construction, maintenance and operation of an electric line of railway over, upon and across certain lands belonging to the State of Iowa.

H. L. SPAULDING,  
*Chairman House Committee.*

D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

REPORT OF COMMITTEE.

Bealer of Linn, 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. 456, a bill for an act to amend the law as it appears in section twenty-seven hundred twenty-seven-c (2727-c) of the supplement to the code relating to the chief executive officer of the industrial school, girls' department at Mitchellville, 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.

E. J. C. BEALER,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

On motion of Jones of Montgomery the House adjourned until 1:30 o'clock P. M.



## AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Clarke in the chair.

On request of Stoltenberg of Scott, by unanimous consent, House file No. 283, a bill for an act to amend section eight hundred and thirty-five (835) of the code, relating to refunding the cost of pavement removed by a street railway company, with Senate amendments, was taken up, and the amendments read and considered.

Stoltenberg moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Buchanan, Buckingham, Calderwood, Carstensen, Cassel, Cheney, Clary, Cobb, Colclo, Crose, Davie, DeLano, Doran, Dow, English, Frudden, Hakes, Hambleton, Harris, Head, Heles, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Laird, Leech, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, Manning, Martin, Mattes, Nichols, Offill, Olson, Powers, Prevo, Ritter, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Washburn, Weeks, Whiting, Whitmer, Wise, Wright, Mr. Speaker—64.

The nays were:

None.

Absent or not voting:

Messrs. Boland, Carden, Chassell, Christianson, Coburn, Conn, Cummings, Dashiell, Flenniken, Freeman, Geneva, Greeley,

Greene, Gregory, Hanna, Hart, Hollembeak, Kennedy, Koontz, Lamkin, Langan, Lister, McNie, Maben, Morris, Mott, Peet, Pritchard, Robinson, Saylor, Springer, Temple, Teter, Welden, Willson, Wyland—36.

So the House concurred in the Senate amendments.

Mott of Audubon moved that 200 copies of the bill known as the juvenile court bill be ordered printed.

Motion prevailed.

Speaker announced that he had signed in the presence of the House, Senate files No. 62, No. 148, No. 149, No. 301, No. 313, No. 317, No. 325, No. 328, No. 329, No. 335, No. 336.

On request of Heles of Dubuque leave of absence was granted Conn of Butler until Monday.

On request of Harris of Poweshiek leave of absence was granted Lamkin of Lyon indefinitely.

On request of Hakes of Pocahontas leave of absence was granted Lister of Grundy until Monday.

#### REPORT OF COMMITTEE.

Koontz of Johnson, from the committee on Public Libraries, submitted the following report:

MR. SPEAKER—Your committee on Public Libraries, to whom was referred Senate file No. 298, a bill for an act to repeal the law as it appears in subdivision four (4) of section eight hundred ninety-four (894) of the code, of the supplement to the code, and to enact a substitute therefor, relating to the levy 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.

G. W. KOONTZ,  
*Chairman.*

On motion of Wise of Black Hawk the report of committee recommending passage was adopted and the bill taken up at once for consideration.

Mr. Wise 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, Bealer, Carden, Carstensen, Cheney, Clary, Colclo, Crose, Davie, DeLano, Doran, Dow, English, Frudden, Hakes, Hambleton, Harris, Head, Heles, Hume, Jacobson, Jepson, Jones, Kennedy, Kling, Laird, Leech, Lundt, McAllister, McClurkin, MCreary, McElrath, Manning, Mattes, Mott, Nichols, Offill, Olson, Powers, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Teachout, Washburn, Weeks, Whiting, Whitmer, Wise, Wright, Mr. Speaker—56.

The nays were:

None.

Absent or not voting:

Messrs. Bixby, Boland, Buchanan, Buckingham, Calderwood, Cassel, Chassell, Christianson, Cobb, Coburn, Conn, Cummings, Dashiell, Flenniken, Freeman, Geneva, Greeley, Greene, Gregory, Hanna, Hart, Hollembeak, Kendall, Koontz, Lamkin, Langan, Lister, Lowrey, McCulloch, McDole, McNie, Maben, Martin, Morris, Peet, Pritchard, Saylor, Springer, Summers, Temple, Teter, Welden, Willson, Wyland—44.

So the bill passed and the title was agreed to.

On motion of Jones of Montgomery, Senate joint resolution No. 6, providing for the appointment of a committee to investigate the workings of the indeterminate sentence and Elmira reformatory system, and making an appropriation of \$500.00 therefor, was taken up and considered.

Mr. Jones 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 pass?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Calderwood, Carden, Cassel, Chassell, Cheney, Clary, Colclo, Crose, Davie, DeLano, Doran, Dow, English, Frudden, Hakes, Hambleton, Harris, Heles, Hume, Jones, Kendall, Kennedy, Kling, Laird, Leech, Lowrey, Lundt, McAllister, McClurkin, McCulloch, Manning, Martin, Mott, Offill, Olson, Prevo, Ritter, Robinson, Sankey, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Washburn, Weeks, Whiting, Whitmer, Wise, Mr. Speaker—56.

The nays were:

Messrs. Buchanan, Teter, Wright—3.

Absent or not voting:

Messrs. Boland, Buckingham, Carstensen, Christianson, Cobb, Coburn, Conn, Cummings, Dashiell, Flenniken, Freeman, Geneva, Greeley, Greene, Gregory, Hanna, Hart, Head, Hollembeak, Jacobson, Jepson, Koontz, Lamkin, Langan, Lister, McCreary, McDole, McElrath, McNie, Maben, Mattes, Morris, Nichols, Peet, Powers, Pritchard, Saylor, Springer, Welden, Willson, Wyland—41.

So the joint resolution was adopted and the title was agreed to.

McAllister of Linn offered the following resolution and moved that the rule be suspended and the resolution be adopted:

In view of the fact that there is still important business before the House, therefore, be it

*Resolved*, That every member be requested to remain until the close of the session unless called away by sickness in his family or some other unavoidable cause.

Adopted.

Robinson of Emmet offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved*, By the House, that as soon as possible after the final adjournment of this House and as soon as the last day's Journal of House and Senate is corrected and complete, that the Secretary of State be instructed

to mail a sufficient number of copies to each member to exhaust the usual supply printed.

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 Senate was asked:

House file No. 458, a bill for an act to amend section 646 of the code.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate declines to return to the House, House file No. 458, a bill for an act to amend section 646 of the code.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Nichols of Muscatine, House took a recess until 2:30 o'clock.

House was called to order at 2:30.

REPORT OF COMMITTEE.

Mattés of Sac, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred Senate file No. 339, a bill for an act making an appropriation for the restoration and repair of the Capitol building on account of damages caused by the fire therein, and for the purpose of providing for needed additional repairs upon said 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 do pass.

JOS. MATTES,  
*Chairman.*

Ordered passed on file, printed in the Journal and placed on the Calendar.

## SENATE FILE NO. 339.

A BILL for an act making an appropriation for the restoration and repair of the Capitol building on account of damages caused by the fire therein, and for the purpose of providing for needed additional repairs upon said building.

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

Section 1. For the purpose for providing for the restoration and repair of the Capitol building and property destroyed by the fire which occurred in said building during the month of January, 1904, and for the purpose of providing additional fire protection for said building, there is hereby appropriated out of any money in the State treasury not otherwise appropriated, the sum of one hundred and twenty-six thousand dollars (\$126,000), or so much thereof as may be necessary.

Of the sum above appropriated, seventy-five thousand dollars (\$75,000.00) is hereby made available for use during the year 1904, and the balance during the year 1905.

For the purpose of recouping the treasury for the expenditures authorized by this section, there shall be levied in the year 1904 a special tax of one-fifth of a mill on the dollar upon the assessed valuation of the taxable property of the State,

Sec. 2. There is hereby appropriated out of any money in the State treasury not otherwise appropriated, the sum of eighty-two thousand seven hundred and forty dollars (\$82,740 00), to be used for the purpose of making needed repairs upon the Capitol building as hereinafter specifically set forth.

For making tunnel waterproof.....	\$ 1,000
For repairing outside doors.....	500
Repair of tile floor in basement.....	1,500
Repairs in attic.....	2,300
Paving alley at power house.....	455
Coal scales.....	300
Grading and sodding around power house and warehouse	165
Completion of floor and walls of engine room.....	500
Electric fixtures for Capitol building.....	5,000
Plumbing.....	16,000
Remodeling steam connections in sub-basement, pipe covering, etc.....	5,500
Coal feeding apparatus, ash elevator, coal storage under alley, skylight in boiler room, etc.....	5,000
Painting and concrete floor in boiler room.....	1,200
To complete certain items ordered under chapter 179, laws of the Twenty-ninth General Assembly.....	39,320
Supervision and contingent.....	4,000

\$ 82,740

The said sum is made available during the year 1905, and for the purpose of partially recouping the treasury for the expenditures authorized in this

section, there shall be levied in the year 1905, a special tax of one-tenth of a mill on the dollar upon the assessed valuation of the taxable property of the State.

Sec. 3. Any unexpended balance of any appropriation set apart for any of the purposes herein referred to may be used if necessary for the completion of any other purpose hereby authorized.

Sec. 4. The appropriations made in sections 1 and 2 of this act shall be expended under the directions of the Capitol commission, appointed under the provisions of chapter 179, acts of the Twenty-ninth General Assembly, and the duties and compensation of such commission shall be as are named in said chapter.

Sec. 5. The Auditor of State is hereby authorized and directed to draw warrants on the State treasury on presentation of vouchers signed and approved by the Governor and president of the commission.

#### 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 refused to concur in the following concurrent resolution in which the concurrence of the Senate was asked:

Concurrent resolution authorizing and recommending the conditional pardon of Sarah Kuhn.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate insists on their amendment to House file No. 438, a bill for an act to apportion the State into representative districts and declaring the ratio of representation.

GEO. A. NEWMAN,  
*Secretary.*

On motion House took a recess until 3 o'clock.

House was called to order at 3 o'clock.

Temple of Clarke moved that House file No. 458 be not now enrolled, but be reserved for further consideration.

Motion prevailed.

Speaker appointed as conference committee on House file No. 238, Temple of Clarke, Maben of Hancock, Wright of Webster, Koontz of Johnson.

On motion of Wise of Black Hawk the House adjourned until Monday morning at 9 o'clock.



HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 11, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by Rev. E. S. Ely of Des Moines, Iowa.

Journal of Saturday, April 9th, was corrected and approved.

Cummings of Marshall in the chair.

#### PETITIONS AND MEMORIALS.

Teter of Marion presented memorial of Buckman Post, No. 330, relative to the purchase of Camp McClellan.

Passed on file.

Jepson of Woodbury presented petition of citizens of Woodbury county relative to the bill known as the Lewis bill.

Passed on file.

#### INTRODUCTION OF BILLS.

House file No. 462, a bill for an act to amend the law as it appears in section 203-b of the supplement to the code, relating to the organization of the Supreme Court and the salary and compensation of the judges thereof.

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

Section 1. That section 203-b of the supplement to the code be and the same is hereby amended by adding thereto the following:

“provided that from and after the passage of this act, each judge of the the Supreme Court receiving a salary not exceeding four thousand dollars

per annum, shall be allowed during the remainder of his term of office compensation for expenses in the amount of two thousand dollars per year; such sum to be in full of all expenses of every character incurred by him in the performance of his official duties, including the hire of secretaries and stenographers."

Sec. 2. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

Read first and second time, ordered printed in the Journal and passed on file.

On motion of Kendall of Monroe, House took a recess until 10:30 o'clock.

House re-convened at 10:30 o'clock.

Speaker Clarke 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. 451, a bill for an act providing for the condemnation of real estate for the use of municipal 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 Senate was asked:

House file No. 423, a bill for an act authorizing the appointment of policemen at certain State 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 House is asked:

Senate file No. 239, a bill for an act to deprive the rights of owners and proprietors of land in respect to surface waters.

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. 429, a bill for an act authorizing the Executive Council of the State to pay the costs and attorneys' fees in certain cases brought in Marion county to revoke fraudulent naturalization papers, and to pay the costs incurred by the State in the case of the State vs. Wm. 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 Senate was asked:

House file No. 459, a bill for an act making an appropriation to pay the costs of the State of Iowa vs. Sioux county.

GEO. A. NEWMAN,  
*Secretary.*

#### REPORT OF COMMITTEE.

Kendall of Monroe, from the committee on Judiciary, submitted the following report:

MR. SPEAKER—Your committee on Judiciary, to whom was referred House file No. 462, a bill for an act to amend the laws it appears in section 203-b of the supplement to the code, relating to the organization of the Supreme Court and the salary and compensation of the judges 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.

N. E. KENDALL,  
*Chairman.*

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 following concurrent resolution in which the concurrence of the Senate was asked:

Concurrent resolution relative to the inspection of gypsum mines of Iowa.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the President of the Senate appoints as conference committee on House file No. 438, on the part of the Senate, Senator Bruce, Senator Courtright, Senator Hasselquist and Senator Lyons.

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. 328, a bill for an act to amend section 852 of the supplement to the code, and sections 853 and 858 of the code, relating to park commissioners, their powers and duties.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Temple of Clarke, House file No. 458, a bill for an act to amend section 646 of the code, relating to the election of councilmen, was taken up and considered.

Mr. Temple moved that the rule 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. Doran, Dow, Powers, Wright—4.

The nays were:

Messrs. Bailey, Bealer, Calderwood, Carden, Carstensen, Cassel, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Davie, Flenniken, Hakes, Hambleton, Hanna, Harris, Head, Heles, Hollembeak, Hume, Jacobson, Jepson, Jones, Kennedy, Kling, Laird, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McCreary, McCulloch, McNie, Manning, Martin, Morris, Mott, Offill, Olson, Peet, Prevo, Ritter, Sankey, Saylor, Stanbery, Stoltenberg, Temple, Teter, Washburn, Weeks, Whitmer, Willson, Mr. Speaker.—58

Absent or not voting:

Messrs. Bixby, Boland, Buchanan, Buckingham, Chas-sell, Cheney, Cummings, Dashiell, DeLano, English, Free-man, Frudden, Geneva, Greeley, Greene, Gregory, Hart, Kendall, Koontz, Lamkin, McClurkin, McDole, McElrath, Maben, Mattes, Nichols, Pritchard, Robinson, Shaffer, Skinner, Spaulding, Springer, Summers, Teachout, Welden, Whiting, Wise, Wyland—38.

So the bill, having failed to receive a constitutional majority, was declared lost.

Kendall of Monroe moved that the rule prohibiting the second and third readings of a bill on the same date be suspended.

Motion prevailed unanimously.

On motion of Kendall of Monroe, unanimous consent having been given, House file No. 462, a bill for an act to amend the law as it appears in section 203-b of the supplement to the code, relating to the organization of the Supreme Court, and the salary and the compensation of the judges thereof, was taken up and considered.

Mr. Kendall moved that the rule 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. Bealer, Calderwood, Carstensen, Cheney, Christianson, Clary, Conn, Crose, Cummings, Doran, Dow, English, Flenniken, Frudden, Hanna, Harris, Hart, Kendall, Kennedy, Laird, Lowrey, McElrath, Manning, Martin, Olson, Robinson, Spaulding, Teter, Weeks, Wise, Wright—31.

The nays were:

Messrs. Carden, Coburn, Colclo, Geneva, Head, Heles, Hume, Jacobson, Jones, Kling, Leech, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McNie, Nichols, Offill, Powers,

Prevo, Ritter, Sankey, Saylor, Stanbery, Summers, Washburn, Whitmer, Willson—30.

• Absent or not voting:

Messrs. Bailey, Bixby, Boland, Buchanan, Buckingham, Cassel, Chassell, Cobb, Dashiell, Davie, DeLano, Freeman, Greeley, Greene, Gregory, Hakes, Hambleton, Hollembeak, Jepson, Koontz, Lamkin, Langan, Lister, Maben, Mattes, Morris, Mott, Peet, Pritchard, Shaffer, Skinner, Springer, Stoltenberg, Teachout, Temple, Welden, Whiting, Wyland, Mr. Speaker—39.

So the bill, having failed to receive a constitutional majority, was declared lost.

SENATE MESSAGE CONSIDERED.

Senate file No. 239, a bill for an act to define the rights of owners and proprietors of land in respect to surface waters.

Read first and second time and passed on file.

On request of Teachout of Polk, by unanimous consent, House file No. 328, a bill for an act to amend section eight hundred and fifty-two (852) of the supplement to the code, and sections eight hundred and fifty-three (853) and eight hundred and fifty-eight (858) of the code, relating to park commissioners, their powers and duties, with Senate amendments, was taken up and the amendments read and considered.

Mr. Teachout moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bixby, Calderwood, Carden, Cassel, Chassell, Cheney, Clary, Cobb, Colclo, Crose, Cummings, Doran, Dow, English, Frudden, Greeley, Hakes, Hambleton, Harris, Hart, Head, Hume, Jacobson, Jepson, Kennedy, Kling, Laird, Leech, Lister, Lowrey, McAllister, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mott, Nichols, Offill, Olson, Peet, Powers, Ritter, Robinson, Sankey, Saylor, Shaffer, Spaulding, Stanbery, Teachout, Temple, Teter, Washburn, Weeks, Wise, Wright, Mr. Speaker—60.

**The nays were:**

Messrs. Bealer, Christianson, Conn, Geneva, Hanna, Lundt, McCreary, Prevo, Willson—9.

**Absent or not voting:**

Messrs. Boland, Buchanan, Buckingham, Carstensen, Coburn, Dashiell, Davie, DeLano, Flenniken, Freeman, Greene, Gregory, Heles, Hollebeak, Jones, Kendall, Koontz, Lamkin, Langan, McClurkin, Mattes, Morris, Pritchard, Skinner, Springer, Stoltenberg, Summers, Welden, Whiting, Whitmer, Wyland—31.

So the House concurred in the Senate amendments.

**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 joint resolution in which the concurrence of the Senate was asked:

Joint resolution No. 9, fixing the number and compensation of employees in the departments of State at the seat of government.

GEO. A. NEWMAN,  
*Secretary.*

**REPORT OF COMMITTEE.**

Temple of Clarke, from the committee on Conference, submitted the following report:

MR. SPEAKER—Your committee on Conference, to whom was referred House file No. 438, a bill for an act to apportion the State into representative districts and declare the ratio of representation, beg leave to report that they have had the same under consideration in conference with the Senate and have instructed me to report the same back to the House with the report that said conference committee unanimously recommend that the Senate recede from its amendment.

M. L. TEMPLE,  
R. M. WRIGHT,  
O. K. MABEN,  
G. W. KOONTZ,  
JAS. E. BRUCE,  
O. B. COURTRIGHT,  
R. A. HASSELQUIST,  
D. A. LYON.

Ordered passed on file.

On motion of Cummings of Marshall, unanimous consent having been given, Senate file No. 239, a bill for an act to define the rights of owners and proprietors of land in respect to surface waters, was taken up and considered.

Teter of Marion moved to amend by striking out all that part beginning with the last word "or" and ending with the word "course" in the third line of section 1 of the printed bill.

Lost.

Mr. Cummings moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed unanimously, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Bixby, Buckingham, Calderwood, Carden, Carstensen, Cassel, Cheney, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Davie, DeLano, Doran, Dow, Hakes, Harris, Head, Heles, Jones, Kling, Koontz, Laird, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Manning, Morris, Mott, Nichols, Offill, Olson, Peet, Prevo, Ritter, Robinson, Sankey, Saylor, Skinner, Spaulding, Stanbery, Summers, Teachout, Temple, Washburn, Weeks, Whitmer, Willson, Wise, Wyland—62.

The nays were:

Messrs. Chassell, Flenniken, Hambleton, Hanna, Hart, Hume, Jepson, Martin, Teter, Wright, Mr. Speaker—11.

Absent or not voting:

Messrs. Bealer, Boland, Buchanan, Christianson, Dashiell, English, Freeman, Frudden, Geneva, Greeley, Greene, Gregory, Hollebeak, Jacobson, Kendall, Kennedy, Lamkin, Langan, Maben, Mattes, Powers, Pritchard, Shaffer, Springer, Stoltenberg, Welden, Whiting—27.

So the bill passed.

Head of Greene, moved to amend by adding the word "Iowa" to the enacting clause.

Adopted.

Title as amended agreed to.



## REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 432, a bill for an act making appropriations for the construction, repair, improvement and contingent funds for the State hospitals, penitentiaries, industrial schools, Institution for Feeble-Minded Children, College for the Blind, School for the Deaf, Iowa Soldiers' Home and Iowa Soldiers' Orphans' Home, and authorizing a change in the use of certain other appropriations heretofore made.

Also, House file No. 150, a bill for an act to amend the law as it appears in section five hundred eighty-six (586) of the supplement to the code, relating to the powers of township trustees.

Also, House file No. 142, a bill for an act requiring registration of motor vehicles and regulating their use or operation upon highways or streets.

Also, House file No. 389, a bill for an act to provide for the approval of policies or contracts of life insurance companies contemplated by chapter six (6) of title IX of the code.

Also, substitute for House file No. 281, a bill for an act relating to fish and game, and making appropriation for the fish and game commission of the State of Iowa.

Also, House file No. 353, a bill for an act to amend sections fifty-five (55), fourteen hundred and nineteen (1419), fourteen hundred and forty-one (1441), fourteen hundred ninety-five (1495), eighteen hundred and forty-two (1842), eighteen hundred and forty-three (1843), twenty-three hundred and eighty-eight (2388), thirty hundred and seventy-four (3074), thirty-one hundred and nine (3109), thirty-one hundred and thirty-one (3131), thirty-two hundred and eighty-four (3284) and forty-four hundred and seventy-four (4474) of the code and the law which appears as section sixteen hundred and eighteen (1618) of the supplement to the code, relating to the publication of legal notices.

Also, House file No. 255, a bill for an act relating to road tax, and amending sections thirteen hundred and eighty-three (1383) and fifteen hundred thirty-three (1533), of the code.

Also, House file No. 130, a bill for an act providing punishment for the larceny of domestic fowl or poultry in the nighttime from buildings, sheds, coops or enclosed premises.

Also, House file No. 452, a bill for an act to amend section four hundred thirty (403) of the code, relating to county bonds.

Also, substitute for House file No. 310, a bill for an act amendatory to the law as it appears in chapter five-a (5-a) of title III of the supplement to the code, relating to appointment of trustees by district court to manage, control and invest cemetery funds.

Also, House file No. 449, a bill for an act to provide for the disposition of canvas, furniture and other property used temporarily in the hall of the House of Representatives.

Also, House file No. 450, a bill for an act to establish and maintain pumping stations or plants in levee districts of the State, presenting the method of so doing, additional to title X (10), chapter two (2) of the code and code supplement.

Also, House file No. 455, a bill for an act to provide for the maintenance of a bacteriological laboratory at Iowa City, Iowa, in connection with the medical department of the State University. Additional chapter sixteen (16) title XII of the code.

Also, House file No. 69, a bill for an act to amend section eight hundred and eighty-one (881) of the code, relative to condemnation and purchase of land for sewer outlets and for sewer and garbage disposal plants.

Also, House file No. 439, a bill for an act legalizing the acts and proceedings of the council of the incorporated town of Schaller, Iowa, in granting a franchise to the Schaller Gas Light and Fuel Company and contracting with said gas light and fuel company for lights, and legalizing the ordinance granting such franchise and the franchise so granted, and the contract made between said town and the Schaller Gas Light and Fuel Company, and the levy of a tax by said town to defray the expense of lighting the streets thereof.

Also, House file No. 352, a bill for an act in relation to objectionable advertisements in the vicinity of public school buildings.

Also, House file No. 383, a bill for an act to amend the law as it appears in section eight hundred and sixty (860) of the supplement to the code, in relation to the creation and improvement of parks, and to provide for the issuing of bonds therefor in cities and towns having a population of twelve thousand five hundred and less.

Also, substitute for House file No. 216, a bill for an act additional to and amendatory of the law as it appears in chapter one (1) of title IX of the code and supplement to the code, relative to the State military force and Iowa National Guard.

Also, substitute for House file No. 437, a bill for an act to amend section three thousand three hundred and seventy-six (3376) of the code of Iowa, as to distributive share of surviving spouse as affected by will.

Also, substitute for House file No. 117, a bill for an act to authorize the State Board of Control to investigate the extent of tuberculosis in Iowa and the best means of prevention of the same.

Also, substitute for House file No. 277, a bill for an act relating to the meandered lake beds in the State, and authorizing the Executive Council to survey and sell the same.

Also, House file No. 387, a bill for an act to amend section twenty-five hundred and thirty-eight-i (2538-i) of the supplement to the code, and provide for registering without examination veterinaries registered in other states or in foreign countries.

H. L. SPAULDING.  
*Chairman.*

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 432, a bill for an act making appropriations for the construction, repair, improvement and contingent funds for the State hospitals, penitentiaries, industrial schools, Institution for Feeble-Minded Children, College for the Blind, School for the Deaf, Iowa Soldiers' Home and Iowa Soldiers' Orphans' Home, and authorizing a change in the use of certain other appropriations heretofore made.

Also, House file No. 150, a bill for an act to amend the law as it appears in section five hundred eighty-six (586) of the supplement to the code, relating to the powers of township trustees.

Also, House file No. 142, a bill for an act requiring registration of motor vehicles and regulating their use or operation upon highways or streets.

Also, House file No. 389, a bill for an act to provide for the approval of policies or contracts of life insurance companies contemplated by chapter six (6) of title IX of the code.

Also, substitute for House file No. 281, a bill for an act relating to fish and game, and making appropriations for the fish and game commission of the State of Iowa.

Also, House file No. 353, a bill for an act to amend sections fifty-five (55), fourteen hundred and nineteen (1419), fourteen hundred and forty-one (1441), fourteen hundred and ninety-five (1495), eighteen hundred and forty-two (1842), eighteen hundred and forty-three (1843), twenty-three hundred and eighty-eight (2388), thirty hundred and seventy-four (3074), thirty-one hundred and nine (3109), thirty-one hundred and thirty-one (3131), thirty-two hundred and eighty-four (3284) and forty-four hundred and seventy-four (4474) of the code and the law which appears as section sixteen hundred and eighteen (1618) of the supplement to the code, relating to the publication of legal notice.

Also, House file No. 255, a bill for an act relating to road tax, and amending sections thirteen hundred eighty-three (1383), and fifteen hundred thirty-three (1533) of the code.

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Also, House file No. 452, a bill for an act to amend section four hundred three (403) of the code, relating to county bonds.

Also, substitute for House file No. 310, a bill for an act amendatory to the law as it appears in chapter five-a (5-a) of title III of the supplement to the code, relating to appointment of trustees by district court to manage, control and invest cemetery funds.

Also, House file No. 449, a bill for an act to provide for the disposition of canvas, furniture and other property used temporarily in the hall of the House of Representatives.

Also, House file No. 450, a bill for an act to establish and maintain pumping stations or plants in levee districts of the State, presenting the method of so doing, additional to title X (10) chapter two (2) of the code and code supplement.

Also, House file No. 455, a bill for an act to provide for the maintenance of a bacteriological laboratory at Iowa City, Iowa, in connection with the medical department of the State University, additional to chapter sixteen (16), title XII (12) of the code.

Also, House file No. 69, a bill for an act to amend section eight hundred and eighty-one (881) of the code, relative to condemnation and purchase of land for sewer outlets and for sewer and garbage disposal plants.

Also, House file No. 439, a bill for an act legalizing the acts and proceedings of the council of the incorporated town of Schaller, Iowa, in granting a franchise to the Schaller Gas Light and Fuel Company and contracting with said gas light and fuel company for lights, and legalizing the ordinance granting such franchise and the franchise so granted, and the contract made between said town and the Schaller Gas Light and Fuel Company, and the levy of a tax by said town to defray the expense of lighting the streets thereof.

Also, House file No. 352, a bill for an act in relation to objectionable advertisements in the vicinity of public school buildings.

Also, House file No. 383, a bill for an act to amend the law as it appears in section eight hundred and sixty (860) of the supplement to the code, in relation to the creation and improvement of parks, and to provide for the issuing of bonds therefor in cities and towns having a population of twelve thousand five hundred and less.

Also, substitute for House file No. 216, a bill for an act additional to and amendatory of the law as it appears in chapter one (1) of title IX of the code and supplement to the code, relative to the State military force and Iowa National Guard.

Also, substitute for House file No. 437, a bill for an act to amend section three thousand three hundred and seventy-six (3376) of the code of Iowa, as to distributive share of surviving spouse as affected by will.

Also, substitute for House file No. 117, a bill for an act to authorize the State Board of Control to investigate the extent of tuberculosis in Iowa and the best means of prevention of the same.

Also, substitute for House file No. 277, a bill for an act relating to the meandered lake beds in the State, and authorizing the Executive Council to survey and sell the same.

Also, House file No. 387, a bill for an act to amend section twenty-five hundred and thirty-eight-i (2538-i) of the supplement to the code, and provide for registering without examination veterinarians registered in other states or in foreign countries.

H. L. SPAULDING,  
*Chairman House Committee.*

D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

On motion of Carden of Henry the House adjourned until  
2 P. M.

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## AFTERNOON SESSION

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House met pursuant to adjournment.

Speaker Clarke in the chair.

### REPORT OF COMMITTEE.

Mattes of Sac, from the committee on Appropriations, submitted the following report:

MR. SPEAKER—Your committee on Appropriations, to whom was referred House file No. 304, a bill for an act to appropriate five thousand dollars for the purchase of chemical fire extinguishers for the use of State buildings, and to authorize the Board of Control of State Institutions to purchase and place 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.

JOS. MATTES,  
*Chairman.*

Adopted, and the bill was indefinitely postponed.

Speaker announced that he had signed in the presence of the House, House files No. 432, No. 150, No. 142, No. 389, No. 281, No. 353, No. 255, No. 130, No. 452, No. 310, No. 449, No. 450, No. 455, No. 69, No. 439, No. 352, No. 383, No. 216, No. 437, No. 117, No. 277, No. 387.

On request of Temple of Clarke, by unanimous consent, House joint resolution No. 9, fixing the number and compensation of employees in the departments of State at the seat of government, with Senate amendments, was taken up, and the amendments read and considered.

Mr. Temple moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bixby, Calderwood, Carden, Carstensen, Chassell, Cheney, Clary, Coburn, Crose, Cummings, Dashiell, Doran, Dow, English, Flenniken, Frudden, Hanna, Hart, Jacobson, Kennedy, Koontz, Lowrey, McClurkin, McDole, Maben, Manning, Mott, Olson, Robinson, Sankey, Spaulding, Springer, Summers, Temple, Washburn, Willson, Wise, Wright, Mr. Speaker—39.

The nays were:

Messrs. Bailey, Buchanan, Buckingham, Christianson, Cobb, Conn, Davie, DeLano, Hakes, Hambleton, Head, Heles, Hume, Jepson, Jones, Kendall, Kling, Laird, Langan, Leech, Lister, Lundt, McAllister, McColloch, McElrath, McNie, Nichols, Offill, Peet, Powers, Prevo, Pritchard, Ritter, Skinner, Stanbery, Stoltenberg, Teter, Whitmer, Wyland—39.

Absent or not voting:

Messrs. Bealer, Boland, Cassel, Colclo, Freeman, Geneva, Greeley, Greene, Gregory, Harris, Hollembeak, Lamkin, McCreary, Martin, Mattes, Morris, Saylor, Shaffer, Teachout, Weeks, Welden, Whiting—22.

So the House refused to concur in the Senate amendment.

Kendall of Monroe in the chair.

## MOTION TO RECONSIDER.

The following motion to reconsider was filed:

I move to reconsider the vote by which the House refused to concur in the Senate amendments to House joint resolution No. 9.

WM. COBB.

I second the motion.

J. I. NICHOLS.

The motion was taken up at once and considered.

Motion prevailed.

Temple of Clarke moved that the Senate be requested to return House joint resolution No. 9.

Motion prevailed.

## 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. 418, a bill for an act to require the registration of births and deaths in 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 final adjournment of the Thirtieth General Assembly.

## CONCURRENT RESOLUTION.

*Resolved by the Senate, the House of Representatives concurring, That the Thirtieth General Assembly do adjourn sine die on Tuesday, April 12, 1904, at 12 o'clock noon.*

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 printing of 5,000 copies of all laws of the State pertaining to drainage.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate herewith returns House joint resolution No. 9 as requested.

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 furnishing code and supplement to the code to Temple of Clarke in lieu of those lost.

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. 461, a bill for an act authorizing cities over 60,000 inhabitants to levy a tax for the purpose of erecting public buildings and procuring grounds for the same.

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. 312, a bill for an act to regulate the removal of persons sick with infectious and contagious diseases from one city, town or township, additional to chapter 16, title XII 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 Senate was asked:



House file No. 444, 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.*

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 342, a bill for an act amending the law as it appears in section two thousand five hundred and thirty-six (2536) of the supplement to the code, making appropriation for carrying on the work of the veterinary surgeon.

Also, Senate joint resolution No. 6, providing for the appointment of a committee to investigate the workings of the indeterminate sentence and Elmira reformatory systems, and making an appropriation of five hundred dollars therefor.

Also, Senate joint resolution No. 7, providing for the appointment of a joint committee to investigate the system of management and affairs of the State educational institutions of Iowa, and for the payment of the expenses of such investigation and defining the powers of the committee.

Also, Senate file No. 340; a bill for an act to legalize the election of the town officers elected March 28, 1904, for the incorporated town of Weldon, Decatur county, Iowa.

Also, Senate file No. 104, a bill for an act making appropriation for the purchase and improvement of a permanent camp ground for Iowa National Guard.

Also, Senate file No. 318, a bill for an act to provide for the disposition of unclaimed money left by deceased inmates of State institutions.

Also, Senate file No. 156, a bill for an act to amend sections fifty-six hundred sixty-three (5663), fifty-six hundred sixty-nine (5669) and fifty-seven hundred sixteen (5716) of the code as amended, to repeal section fifty-seven hundred eleven (5711) thereof and to provide for the appointment of assistant deputy wardens for the penitentiaries.

Also, Senate file No. 298, a bill for an act to repeal the law as it appears in sub-division four (4) of section eight hundred and ninety-four (894) of the code and of the supplement to the code and to enact a substitute therefor, relating to the levy of taxes for library purposes.

Also, Senate file No. 337, a bill for an act to legalize all the acts and proceedings of the town of Mapleton, Monona county, Iowa, relative to the construction of permanent sidewalks.

Also, Senate file No. 341, a bill for an act requiring all boards, commissions, departments and officers of the State to return into the State treasury all fees collected, and to file with the Executive Council statements of

expenses and per diem allowances to be paid by the State, and repealing all acts or parts of acts inconsistent with this act.

Also, Senate file No. 338, a bill for an act repealing chapter eight (8) of title II (2) of the code, relating to the census, and enacting in lieu thereof a substitute providing for the taking of the census, and making an appropriation therefor.

Also, substitute for Senate file No. 15, a bill for an act relating to levees, drains, ditches and water courses, and to the apportionment, assessment, levy, reassessment, relevy and collection of taxes therefor, and issuance of drainage bonds, and to amend section one thousand nine hundred and forty-six (1946) of the code.

Also, substitute for Senate file No. 235, a bill for an act to amend the law as it appears in sections thirteen hundred forty-two-b (1342-b) and thirteen hundred forty-two-d (1342-d) of the supplement to the code, relating to the taxation of freight line equipment companies.

Also, Senate file No. 230, a bill for an act relating to islands in the the waters of the State, and authorizing the Executive Council to sell or lease the same.

Also, substitute for Senate file No. 16, a bill for an act to promote the public health, convenience and welfare, by leveeing, ditching and draining the lands of the State, and providing for the establishment of levees, drainage districts, or for the changing of natural water courses to secure better drainage, and providing for the construction of ditches, drains and water courses and prescribing the method of so doing, and providing for the assessment and collection of the costs add expenses of the same, and issuing improvement certificates, or issuing and selling bonds therefor, additional to title X (10), chapter two (2) of the code and code supplement.

H. L. SPAULDING,  
*Chairman House Committee.*

D. W. TURNER,  
*Chairman Senate Committee.*

Chassell of Plymouth offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*Resolved,* That chairmen of committees are hereby instructed to see that the record books of their committees and all bills in their possession be delivered to the Chief Clerk of the House.

Adopted.

Clary of Chickasaw offered the following resolution and moved that the rule be suspended and the resolution be adopted:

*Be it Resolved by the House of Representatives of the State of Iowa:*

That we extend our thanks and best wishes to Speaker Clarke for his kindness, impartiality and universal fairness as Speaker of this House.

Speaker pro tem Cummings in the chair.

Chassell of Plymouth moved that a committee of two be appointed to conduct Speaker Clarke to the chair.

Motion prevailed.

Speaker pro tem Cummings appointed as such committee, Chassell of Plymouth and Kendall of Monroe.

Jepson of Woodbury moved that the speeches made upon the resolution be printed in the Journal.

Motion prevailed.

Wise of Black Hawk spoke as follows:

MR. SPEAKER—Ninety days ago we met here to organize this House. The selection of a Speaker was the most important duty then devolving upon us.

By unanimous vote the gentleman from Dallas was selected for this honor. The wisdom of that action has been proven by the results of this session.

Although, by the calamity which occurred at the time of our convening, several weeks of our time was lost, still, at this time, just three months from the organization of this legislature we are ready for adjournment, having transacted the large volume of business in a shorter period of time than any of the past sessions of recent years. For this we are indebted to the splendid business ability, executive power and parliamentary skill of our presiding officer. As a man, we all hold him in the highest esteem, always fair, always courteous and discreet, we have not only learned to respect him, but every member now delights to call him *friend*. I heartily endorse the resolution.

Martin of Pottawattamie spoke as follows:

MR. SPEAKER—As one of the new members I would like to add my tribute of admiration and respect to those already voiced by other members of this House, of the manner in which the Speaker has so ably presided over this body during the session just drawing to a close. The eminent fairness, the impartiality with which each and every member has been treated, without regard to party faction, or party affiliation, has been manifest to every member present. And at no time during this session has the decisions or ruling of the chair been seriously called in question. In every act and every turn he has shown himself a man, and so far as my knowledge extends I believe every member of this body will heartily concur with the sentiment expressed in this resolution and its adoption.

Cummings<sup>o</sup> of Marshall spoke as follows:

MR. SPEAKER—I desire to heartily second the motion to adopt the resolution just submitted.

It places of record upon the Journal of the House what is already recorded in our hearts.

We who served with George W. Clarke in the 29th General Assembly knew that no mistake would be made in choosing him as Speaker of the House of the present session.

Now as we reach the closing hours all alike realize and appreciate the wisdom of our choice.

From the commencement of the session and the appointment of the various committees to the present moment, we have all been most deeply impressed with his eminent fairness, discretion and justness, in meeting every emergency.

As an individual we love and admire him for genial and manly qualities. As an official we are proud of him and of his record. He has made the session a source of pleasure and satisfaction to us all.

I most heartily endorse the resolution.

Hamilton of Mahaska spoke as follows:

MR. SPEAKER—I cannot let this occasion pass without vocally expressing in words what I most sincerely feel in my heart. My sincere appreciation as one of the new and verdant members coming from the ranks of the business men to the Legislature, of the unvarying, impartial, courteous, kind and considerate treatment of our honorable Speaker, Mr. George W. Clarke.

If in addition to what has been more eloquently said than I could say, I should endeavor to give expression to further or higher encomiums, it would be that I believe that for myself as well as the whole membership of this House, including minority as well as majority in political faith, I can say the fact which I think has been fully demonstrated that, until recorded, the side which our Speaker has taken was not known by indication of his rulings on the various questions before us, is and should be the highest praise we can express for his high character as our presiding officer.

Weeks of Guthrie said:

MR. SPEAKER— I desire to pay my tribute of praise and approval of the acts of our Speaker.

I have had the privilege of knowing George Clarke personally for the last fifteen years. In all the affairs of life, whether small or large, George Clarke has been faithful, honest and diligent, and when opportunity offered, he who had been faithful over small things was called to rule in large things. I am sure the resolutions voice the feelings of every heart. I heartily unite in their adoption.

Jepson of Woodbury spoke as follows:

MR. SPEAKER—I, too, desire to pay a tribute to our presiding officer, Mr. Clarke.

It is an easy matter to say flattering things of one, but when we do so, knowing that they are true, it gives us a great and infinite satisfaction.

Mr. Clarke has made an ideal presiding officer. He has been fair and painstaking to see that he discharged his duties with an eye single to the public good, and certainly to the utmost satisfaction of this membership. We were indeed fortunate to have his services in the chair. Under his directing hand business was expedited, and affairs were never allowed to drag.

He arose above petty things, and it must be said that never by word or act has he sought to impress his personal views or desires on matters before the House for deliberation. Justness and fairness have been his chief characteristics and it is these qualities that have made for him so many friends and gained him our unbounded confidence, respect and esteem.

Jones of Montgomery said:

MR. SPEAKER—I wish to add my tribute of respect and confidence to the remarks already made with reference to Speaker Clarke as Speaker of this House and as a man.

So far, I have heard no word of criticism or whisper of doubts as to his ability or honesty of purpose as Speaker of this House. On the other hand, I have heard continual commendation of his rulings and conduct of business. I have no sympathy with "short cuts" in business or politics or legislation. I like men with snap and go and force of character. Speaker Clarke "fills the bill" along these lines to such a degree that he becomes to me "A man after my own heart." I heartily support the resolution.

Geneva of Keokuk spoke as follows:

MR. SPEAKER—The days of the Thirtieth General Assembly are drawing to a close. Its opportunities are fast passing away. The good we have done for State or constituent and the mistakes we have made are a matter of history. The impress of our individuality is stamped upon this Assembly. Our friendships are formed and I believe they are of the character that will wear. I prefer to believe that every member of this Assembly has done his best to make it worthy of a place beside of its twenty-nine predecessors. I believe that our charity for each other will outweigh our difference of opinion, and I believe, with Owen Meredith, that no person can be firm in purpose and strong in strife without all life being purer and stronger thereby, and I know you will all agree with me in saying that the fair, wise, business-like, patient manner in which our Speaker has presided over this body has much to do with the harmony and good will that prevails among us at this time, therefore I earnestly urge the adoption of the resolution.

Chassell of Plymouth spoke as follows :

It would be impossible for me to pay a higher compliment to our Speaker, than to say that I endorse all good things that have been said about him and his administration by the score of eloquent gentlemen who have preceded me. From the most secret chamber of my heart comes the strongest possible approval of the sentiments that have been expressed.

"He who legislates least, legislates best," was the keynote set by our honored Speaker. While the Thirtieth General Assembly goes down to history, with an enviable and distinctive record for original and advanced legislation, the members are probably entitled to stronger approval by their own consciences and by the people of Iowa, for the legislation which they have prevented.

We, who occupy positions on the floor of the House, do not always appreciate the trying position occupied by the presiding officer who exhibits the many sides of his character like facets of a diamond to the critical gaze of ninety-nine pairs of watchful eyes. Speaker Clarke has stood this test well and with a master-hand has moulded the work of the session with fairness and impartiality, but always in harmony with the key note of the session.

This session has been marked by the entire absence of partyism and factional strife. We have met beneath the canvas on a tented field of parliamentary conflict. In this respect the session has been distinctive from all its predecessors. While the snows of winter have drifted against the outside of windows of this legislative chamber, we who were inside have painted on memory's canvas a panorama of perpetual summer which will be a delight to each of us so long as we may live. To whatever clime or under whatever circumstances fate may guide our footsteps, the scenes of our pleasant associations here will rise before us as a bright vista.

The committee appointed to escort the Speaker to the chair here appeared, and the Speaker took the chair.

The resolution was adopted.

On request of Jones of Montgomery, by unanimous consent, House file No. 418, a bill for an act to require the registration of births and deaths in Iowa, with Senate amendments, was taken up, and the amendments read and considered.

Mr Jones moved that the House concur in the Senate amendments.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bixby, Buchanan, Calderwood, Carden, Carsten-en, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Colclo, Conn, Crose, Daniell, Dav e, D Lano, Doran, Dow, English, Flenniken, Frudden, Geneva, Greeley, Hambleton,

Hanna, Harris, Hart, Head, Heles, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McCreary, McDole, McNie, Maben, Manning, Martin, Mattes, Mott, Nichols, Offill, Olson, Powers, Prevo, Pritchard, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Whiting, Willson, Wyland, Mr. Speaker—76.

The nays were:

None.

Absent or not voting:

Messrs. Bealer, Boland, Buckingham Coburn, Cummings, Freeman, Greene, Gregory, Hakes, Hollembeak, Kennedy, Lamkin, McClurkin, McCulloch, McElrath, Morris, Peet, Sankey, Springer, Weeks, Welden, Whitmer, Wise, Wright—24.

So the House concurred in the Senate amendments.

House took up consideration of Senate concurrent resolution relative to adjournment April 12th at 12 o'clock noon.

House concurred in the resolution.

On motion of Mattes of Sac, House files No. 241, No. 240, No. 261, were indefinitely postponed.

Cobb of Taylor moved that the House concur in Senate amendments to House joint resolution No. 9.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bixby, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Crose, Cummings, Dashiell, Doran, Dow, English, Flenniken, Frudden, Geneva, Hanna, Harris, Hart, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Leech, Lister, Lowrey, McAllister, McClurkin, McCreary, McCulloch, McDole, McNie, Maben, Manning, Martin, Mattes, Mott, Nichols, Olson, Peet, Prevo, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stoltenberg, Summers, Teachout, Temple, Washburn, Wise, Wright, Wyland, Mr. Speaker—65.

The nays were:

Messrs. DeLano, Hakes, Hambleton, Head, Hume, Langan, Lundt, Offill, Pritchard, Teter—10.

Absent or not voting:

Messrs. Bealer, Boland, Buchanan, Buckingham, Coburn, Colclo, Conn, Davie, Freeman, Greeley, Greene, Gregory, Heles, Hollembeak, Lamkin, McElrath, Morris, Powers, Springer, Stanbery, Weeks, Welden, Whiting, Whitmer, Willson—25.

So the House concurred in the Senate amendments.

Speaker announced that he had signed in the presence of the House, Senate files No. 342, No. 340, No. 104, No. 318, No. 156, No. 298, No. 337, No. 341, No. 338, substitutes for Senate files No. 15, No. 16, No. 235, Senate file No. 230, Senate joint resolutions No. 6, No. 7.

#### 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. 343, a bill for an act amending section 2727-a-1, chapter 11-b of the supplement to the code.

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. 404, a bill for an act to amend section 1313 of the code, relating to the place of listing personal property for taxation by administrators, guardians and 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 Senate was asked:



House file No. 44, a bill for an act to amend section 2340 of the code, relating to damage done by dogs.

GEO. A. NEWMAN,  
*Secretary.*

On motion of Mattes of Sac, Senate file No. 339, a bill for an act making an appropriation for the restoration and repair of the Capitol building on account of damages caused by the fire therein and for the purpose of providing for needed additional repairs, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Chassell of Plymouth moved to amend section 1 by striking out the last paragraph which begins with the words "for the purpose of recouping the treasury."

Amend section 2 by striking out of the last paragraph thereof all of the words "except the said sum is made available during the year 1905" and by placing a period after the figures "1905" thus left remaining in said paragraph.

Adopted.

Head of Greene moved to amend by striking out all of section 2 and by striking out the letter "s" in section 4, at the end of the word "sections," the word "and" and the figure "2" in the first line of said sections.

Adopted.

Head of Greene moved to amend by striking out the words "one hundred and twenty-six" and the figures "126,000" in the sixth line of section 1, and that the words "seventy-five" and the figures "\$75,000" be substituted therefor. That all of paragraph three be stricken out and "the sum appropriated is hereby made available for use during the year 1904" substituted therefor.

Adopted.

Mattes of Sac 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, Bixby, Buchanan, Buckingham, Calderwood, Carstensen, Cassel, Cheney, Christianson, Cobb, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Frudden, Geneva, Greeley, Hakes, Hambleton, Hanna, Harris, Hart, Head, Heles, Hume, Jacobson, Jepson, Jones, Kennedy, Kling, Koontz, Laird, Langan, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mott, Nichols, Offill, Olson, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Summers, Teter, Washburn, Whiting, Whitmer, Wright, Wyland, Mr. Speaker—76.

The nays were:

Messrs. Bealer, Chassell, Flenniken, Kendall, Mattes, Powers, Temple, Wise—8.

Absent or not voting:

Messrs. Boland, Carden, Clary, Coburn, Freeman, Greene, Gregory, Hollembeak, Lamkin, Morris, Peet, Springer, Teachout, Weeks, Welden, Willson—16.

So the bill passed and the title was agreed to.

Head of Greene moved that Senate file No. 343 be indefinitely postponed.

Motion prevailed.

On motion of Temple of Clarke House adopted the report of the conference committee on House file No. 438.

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 authorizing the Auditor of State to make an examination of the insurance laws of this and other states.

## CONCURRENT RESOLUTION.

*Be it Resolved by the Senate, the House Concurring:*

That the Auditor of State be and is hereby directed to make a careful examination of the insurance laws of this and other states, with special reference to determining the manner and method of taxing the insurance companies and associations and the revenue derived from such taxation, also, as to how and in what manner insurance companies and associations of this State are affected by the reciprocal or retaliatory provisions of law relating to taxation; and is directed to report fully in regard to these matters at the next session 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 House is asked:

Senate file No. 344, a bill for an act to make appropriations for the payment of State and judicial officers, State and other expenses.

GEO. A. NEWMAN,  
*Secretary.*

## SENATE MESSAGES CONSIDERED.

Senate file No. 344, a bill for an act to make appropriations for the payment of State and judicial officers, State and other expenses.

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

Section 1. There is hereby appropriated out of any money in the State treasury not otherwise appropriated, an amount sufficient to pay the salaries of the various officers whose salaries are fixed by law, and payable from the State treasury, and the Auditor of State shall draw warrants therefor in favor of the officers entitled thereto in monthly installments when not otherwise provided for by law.

Sec. 2. There is further appropriated from the State treasury for a term of two years and three months, ending June 30th, 1906, the following sums, or so much thereof as shall be necessary, to wit: Provided that on the first day of July succeeding the meeting of the regular session of the General Assembly all moneys appropriated in this act and remaining unexpended, shall be and are hereby covered into the State treasury.

Sec. 3. For the office of Auditor of State, for the period ending July 1, 1906, as per joint resolution No. 9, twenty-four thousand four hundred fifty-seven dollars and fifty cents (\$24,457.50).

2. For the office of Attorney General, for the period ending July 1, 1906, as per joint resolution No. 9, seven thousand eight hundred seventy-five dollars (\$7,875.00).

3. For the office of State Mine Inspector, for the period ending July 1, 1906, as per joint resolution No. 9, one thousand seven hundred fifty-five dollars (\$1,755).

4. For the Railroad Commission for clerical help, for the period ending July 1, 1906, as per joint resolution No. 9, the sum of five thousand one hundred thirty dollars (\$5,130.00); for traveling expenses, one thousand six hundred eighty-eight dollars (\$1,688.00); for maps seven hundred dollars (\$700.00); for all other expenses, one thousand four hundred eighty-two dollars (\$1,482.00).

5. For the historical department, for the period ending July 1, 1906, as per joint resolution No. 9, nine thousand one hundred eighty dollars (\$9,180.00).

6. For the geological survey, for the period ending July 1, 1906, as per joint resolution No. 9, two thousand twenty-five dollars (\$2,025.00.)

7. For the office of clerk of the Supreme Court, for the period ending July 1, 1906, as per joint resolution No. 9, six thousand three hundred forty-five dollars (\$6,345.00).

8. For the incidental expenses of the chief justice of the Supreme Court, for the period ending July 1, 1906, the sum of six thousand (\$6,000.00) dollars; also, for bailiff, messenger and stenographic service, for the period ending July 1, 1906, as per joint resolution No. 9, five thousand four hundred dollars (\$5,400.00).

9. For expenses of the dairy commissioner, assistant commissioner and deputy, and for milk inspection, for the period ending July 1, 1906, twelve thousand three hundred twenty-five (\$12,325.00) dollars.

10. For the office of Treasurer of State, for the period ending July 1, 1906, as per joint resolution No. 9, for salaries and incidental expenses, eleven thousand three hundred seventeen dollars and fifty cents (\$11,317.50).

11. For the office of Superintendent of Public Instructions, for the period ending July 1, 1906, as per joint resolution No. 9, four thousand seven hundred seventy dollars (\$4,770.00).

12. For the office of State librarian, for the period ending July 1, 1906, as per joint resolution No. 9, five thousand nine hundred forty dollars (\$5,940.00).

13. For the office of Supreme Court reporter, for the period ending July 1, 1906, as per joint resolution No. 9, one thousand six hundred twenty dollars (\$1,620.00).

14. For the office of Secretary of State, for the period ending July 1, 1906, as per joint resolution No. 9, twenty-three thousand one hundred sixty-seven dollars and fifty cents (\$23,167.50).

15. For the office of Governor, for the period ending July 1, 1906, nineteen thousand two hundred eighty-five dollars (\$19,285.00); for the expenses of employing additional counsel when necessary, under the provisions of sections sixty-three (63) and sixty-four (64) of the code, two thousand two hundred fifty dollars (\$2,250.00); for investigation of applications for pardon

and parole and for return of paroled prisoners, one thousand seven hundred dollars (\$1,700.00); for house rent for the Governor, one thousand three hundred fifty dollars (\$1,350.00).

16. For employes under the custodian, for the biennial period, as per joint resolution No. 9, the sum of fifty-nine thousand eight hundred three dollars and seventy-five cents (\$59,803.75).

17. For providential contingencies fifty thousand dollars (\$50,000.00), to be expended in accordance with the provisions of section one hundred seventy (170) of the code, the said amount to be under control of the Executive Council and all payments from said sum shall first receive its unanimous approval. Any expenditures under this section shall be reported in detail by the Auditor of State in his biennial report.

18. There is hereby appropriated the sum of eighty-five thousand five hundred dollars (\$85,500.00), to be expended under the direction of the Executive Council, under the provisions of section one hundred sixty-five (165) of the code, for furniture, stores, and supplies, and the further sum of twenty-two thousand dollars (\$22,000.00), or so much thereof as shall be necessary, for the purchase of fuel.

19. There is hereby appropriated twelve thousand five hundred dollars (\$12,500.00), to be expended under the direction of the Executive Council, under the provisions of section one hundred sixty-four (164) of the code.

20. There is hereby appropriated for the payment of mail carrier for the capitol, two thousand seven hundred dollars (\$2,700 00), for the period ending July 1, 1906.

21. For the office of secretary of the Executive Council, for the period ending July 1, 1906, as per joint resolution No. 8, eleven thousand one hundred fifteen dollars (\$11,115.00).

22. There is hereby appropriated for the purpose of advertising laws, to be expended under the provisions of section thirty-six (36) of the code, one thousand dollars (\$1,000 00).

23. There is hereby appropriated for the purpose of paying freight, express and drayage, ten thousand dollars (\$10,000.00), for the period ending July 1, 1906.

24. To the members of the Executive Council for extra services for the years 1904 and 1905 to July 1, 1906, the sum of one thousand one hundred twenty-five dollars (\$1,125.00) each, and warrants shall be issued monthly therefor at the end of each month.

Sec. 4. Each of the foregoing named officers shall furnish vouchers therefor, containing the items of such expenditures, to the Auditor of State before any warrants shall issue therefor, and the amounts thereof, and to whom paid, shall be reported to the next general assembly.

Sec. 5. For the purpose of paying the interest on the indebtedness of the State to the permanent school fund, the sum of one thousand six hundred forty dollars and fifty-eight cents (\$1,640.58), which is to be in full of such interest on such indebtedness, and the Auditor of State shall draw warrants for the above appropriation as said interest shall become due.

Sec. 6. To John Herriott, Lieutenant Governor, as President of the Senate one thousand one hundred dollars (\$1,100.00.)

Sec. 7. To G. W. Clarke as Speaker of the House of Representatives, the sum of five hundred fifty dollars (\$550.00), which shall be in addition to his salary as member of the House.

Sec. 8. For Chaplains of the Senate and of the House the sum of six hundred ninety dollars (\$690.00), or so much thereof as shall be necessary; warrants therefor to be drawn in favor of the persons entitled thereto, who shall be determined by the Auditor of State upon the certified statement of the President of the Senate and the Speaker of the House.

Sec. 9. For United State Supreme Court reports and Rose's notes for Attorney General's office, the sum of four hundred three dollars and forty cents (\$403.40), or so much thereof as shall be necessary, the same to be paid upon the order of the Executive Council of the State.

Sec. 10. For the payments of the claims due sundry parties for the publications of notices of application for pardon under the provision of section five thousand six hundred and twenty six (5626) of the code, the sum of two hundred and seventy-eight dollars and sixty-four cents (\$278.64) to be paid on a statement approved by the Governor.

Sec. 11. To W. W. Hyser, for services as temporary mail carrier for the Thirtieth General Assembly from January 7, 1904, to January 12, 1904, the sum of fifteen dollars (\$15.00).

Sec. 12. For services of an assistant curator for the historical department, five hundred dollars (\$500.00) to be drawn by authority of Board of Trustees.

Sec. 13. For the support fund of the wardens of the penitentiaries at Anamosa and Ft. Madison, five hundred and sixty-two dollars and fifty cents (\$562.50) each, for the period ending July 1, 1906, payable quarterly.

Sec. 14. For warden's house fund at the penitentiary at Ft. Madison two hundred and eighty-one dollars and twenty-five cents (\$281.25), for the period ending July 1, 1906.

Sec. 15. To the employes of the House and Senate for services required after adjournment, one hundred and thirty-five dollars (\$135.00) or so much thereof as shall be necessary.

Sec. 16. To the Mutual Telephone Company, for telephones in the House and Senate cloak rooms for the Thirtieth General Assembly, forty dollars (\$40.00), and for telephone in Senate cloak room for the Twenty-ninth General Assembly, twenty dollars (\$20.00).

Sec. 17. To reimburse the custodian, T. E. McCurdy, for employment of additional engineers to operate the new heating plant, five hundred twenty-six dollars and sixty-six cents (\$526.66).

Sec. 18. To Matt Parrott & Sons, for printing abstract in the case of the State of Iowa vs. Jerome Hoot, twenty-seven dollars and seventy-five cents (\$27.75).

Sec. 19. To Drysdale & Hall, for two gold plated badges for the sergeants-at-arms, one gold plated badge for the chief doorkeeper, nineteen badges for assistant doorkeepers, eight badges for messengers and fourteen badges for pages, forty-three dollars and seventy-five cents (\$43.75).

Sec. 20. For the rent of storage rooms for the Adjutant General for the period ending July 1, 1906, the sum of two thousand two hundred fifty dollars (\$2,250).

Sec. 21. To W. F. Giessman, for engrossing two albums of memorial resolutions (Mrs. Cummins and ex-Governor Drake), forty dollars (\$40.00).

Sec. 22. To L. Harbach, for two chairs and two gavels, one hundred two dollars (\$102).

Sec. 23. To the Executive Council, to pay excess of cost of paving Walnut street between East Fourteenth and Fifteenth streets, across Governor's Square, over and above the appropriation made by the Twenty-ninth General Assembly, the sum of three hundred seventy-eight dollars and twenty-six cents (\$378.26).

Sec. 24. To the Executive Council, to pay cost of sewer across block 27, Stewart's addition to Des Moines, on Walker street, the sum of two hundred twenty-five dollars and three cents (\$225.03).

Sec. 25. To the Executive Council, to meet necessary expenses for which no appropriation is made, the sum of three thousand dollars (\$3,000), to be disbursed on claims approved by the Executive Council, and the Auditor of State shall draw warrants therefor.

Sec. 26. To L. Harbach, for two gavels for the General Assembly, one dollar and sixty cents (\$1.60).

Sec. 27. To Baker-Trisler Company, to pay for two Densmore typewriters for enrolling bills for the Senate and House of Representatives, at \$96.00 each, two files for the Secretary of the Senate at \$1.00 each, and for two copies of Cushing's Manual of Parliamentary Law at \$5.70 each, the sum of two hundred five dollars and ninety cents (\$205.90).

Sec. 28. To the Art Metal Construction Company of Jamestown, N. Y., for two steel filing cases for the General Assembly, the sum of two hundred eighty dollars (\$280.00).

Sec. 29. To Drysdale & Hall, for four police badges for legislative employes, the sum of four dollars (\$4.00).

Sec. 30. To cover the deficit in the office of the State Board of Health for the biennial period, seven hundred sixty-two dollars and thirty-four cents (\$762.34).

Sec. 31. To P. H. Powers for mileage and expenses for visiting the Industrial School for Girls at Mitchellville, the sum of one dollar and seventy cents (\$1.70).

Sec. 32. To John Cownie, for money expended for repairs to the Industrial Home for the Blind at Knoxville, the sum of eight dollars and seventy cents (\$8.70).

Sec. 33. To the Secretary of State for indexing Journals for the House and Senate of the Thirtieth General Assembly, in addition to the amount provided by law, the sum of two hundred dollars (\$200.00).

Sec. 34. For the purchase of the Huebinger map of Iowa by the Executive Council, said map to be loaned to the Louisiana Purchase Exposition Commission, the sum of one thousand eight hundred dollars (\$1,800.00).

Sec. 35. For additional janitor service for the State library, the sum of two hundred dollars (\$200.00).

Sec. 36. To Chas. Aldrich, curator, for a bronze memorial tablet for Revolutionary soldiers buried in Iowa, the sum of one hundred dollars (\$100.00).

Sec. 37. For expenses of State superintendent of weights and measures for attending national convention of State sealers of weights and measures, the sum of one hundred dollars (\$100.00).

Sec. 38. For reinforcing vault crowns in the offices of the Secretary of State and Auditor of State, the sum of one thousand five hundred dollars (\$1,500.00).

Sec. 39. For the salary of assistant adjutant general, for the period ending July 1, 1906, the sum of three thousand three hundred and seventy-five dollars (\$3,375.00).

Sec. 40. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

Read first and second time and passed on file.

#### INTRODUCTION OF BILLS.

By Chassell of Plymouth, House file No. 463.

A BILL for an act to amend section thirteen (13) of the code, relating to the employees of the General Assembly and the compensation thereof.

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

Section 1. Amend section thirteen (13) of the code by striking out the words "six dollars" from the third line, and inserting in lieu thereof the words "eight dollars."

Read first and second time.

Ordered printed in the Journal and placed upon the Calendar without reference to a committee.



## MOTION TO RECONSIDER.

The following motion to reconsider was filed:

I move to reconsider the vote by which Senate file No. 339 passed the House and the vote by which it passed to its third reading.

EMORY H. ENGLISH.

I second the motion.

C. N. JEPSON.

The motion was taken up at once and considered.

Motion prevailed.

Bealer of Linn moved to reconsider the vote by which the last amendment was adopted.

Motion prevailed.

Bealer of Linn moved to substitute in the amendment offered by Head, \$100,000 for \$75,000.

Motion prevailed.

Original amendment as amended adopted.

Jones of Montgomery 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, Bealer, Bixby, Buchanan, Calderwood, Cars-tensen, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Crose, Cummings, Dashiell, Doran, Dow, English, Flen-niken, Greeley, Hakes, Hambleton, Hanna, Harris, Hart, Jacob-son, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Leech, Lister, Lowrey, McAllister, McCulloch, McDole, McEl-rath, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Prevo, Pritchard, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Summers, Teachout, Teter, Wash-burn, Whitmer, Willson, Wise, Wright, Mr. Speaker—69.

The nays were:

Messrs. Colclo, Davie, DeLano, Frudden, Head, Heles, Hume, Langan, Lundt, McCreary, McNie, Powers, Sankey, Stoltenberg, Wyland—15.

Absent or not voting:

Messrs. Boland, Buckingham, Carden, Conn, Freeman, Geneva, Greene, Gregory, Hollembeak, Lamkin, McClurkin, Springer, Stanberry, Temple, Weeks, Welden, Whiting—16.

So the bill passed and the title was agreed to.

On motion of Mattes of Sac, unanimous consent having been given, Senate file No. 344, a bill for an act to make appropriations for the payment of State and judicial officers, State and other expenses, was read first and second time and by unanimous consent was taken up and considered.

Mattes of Sac, moved that the rule be suspended, that the bill be read a third time now, which motion prevailed unanimously, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Calderwood, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Crose, Cummings, Dashiell, Davie, Doran, Dow, Flenniken, Greeley, Hakes, Hambleton, Hanna, Harris, Hart, Head, Hume, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Koontz, Laird, Leech, Lister, Lowrey, Lundt, McAllister, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Prevo, Pritchard, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Stoltenberg, Summers, Teachout, Temple, Teter, Washburn, Whitmer, Willson, Wise, Wright, Wyland, Mr Speaker—76.

The nays were:

None.

Absent or not voting:

Messrs. Boland, Buchanan, Buckingham, Carden, Carstensen, Conn, DeLano, English, Freeman, Frudden, Geneva, Greene, Gregory, Heles, Hollembeak, Lamkin, Langan, Powers, Sankey, Springer, Stanbery, Weeks, Welden, Whiting—24.

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 recedes from Senate amendment to House file No. 438, a bill for an act to apportion the State into representative districts and declare the ratio of representatives.

GEO. A. NEWMAN,  
*Secretary.*

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 432, a bill for an act making appropriations for the construction, repair, improvement and contingent funds for the State hospitals, penitentiaries, industrial schools, Institution for Feeble-Minded Children, College for the Blind, School for the Deaf, Iowa Soldiers' Home and Iowa Soldiers' Orphans' Home, and authorizing a change in the use of certain other appropriations heretofore made.

Also, House file No. 150, a bill for an act to amend the law as it appears in section five hundred eighty-six (586) of the supplement to the code, relating to the powers of township trustees.

Also, House file No. 142, a bill for an act requiring registration of motor vehicles and regulating their use or operation upon highways or streets.

Also, House file No. 389, a bill for an act to provide for the approval of policies or contracts of life insurance companies contemplated by chapter six (6) of title IX of the code.

Also, substitute for House file No. 281, a bill for an act relating to fish and game, and making appropriations for the fish and game commission of the State of Iowa.

Also, House file No. 353, a bill for an act to amend sections fifty-five (55), fourteen hundred and nineteen (1419), fourteen hundred and forty-one (1441), fourteen hundred and ninety-five (1495), eighteen hundred and forty-two (1842), eighteen hundred and forty-three (1843), twenty-three hundred and eighty-eight (2388), thirty hundred and seventy-four (3074), thirty-one hundred and nine (3109), thirty-one hundred and thirty-one (3131), thirty-two hundred and eighty-four (3284) and forty-four hundred and seventy-four (4474) of the code, and the law which appears as section sixteen hundred and eighteen (1618) of the supplement to the code, relating to the publication of legal notices.

Also, House file No. 255, a bill for an act relating to road tax, and amending sections thirteen hundred eighty-three 1383, and fifteen hundred thirty-three (1533) of the code.

Also, House file No. 130, a bill for an act providing punishment for the larceny of domestic fowl or poultry in the night-time from buildings, sheds, coops or enclosed premises.

Also, House file No. 452, a bill for a act to amend section four hundred three (403) of the code, relating to county bonds.

Also, substitute for House file No. 310, a bill for an act amendatory to the law as it appears in chapter five-a (5-a) of title III of the supplement to the code, relating to appointment of trustees by the district court to manage, control and invest cemetery funds.

Also, House file No. 449, a bill for an act to provide for the disposition of canvas, furniture and other property used temporarily in the hall of the House of Representatives.

Also, House file No. 450, a bill for an act to establish and maintain pumping stations or plants in levee districts of the State, presenting the method of so doing, additional to title X (10) chapter two (2) of the code and code supplement.

Also, House file No. 455, a bill for an act to provide for the maintenance of a bacteriological laboratory at Iowa City, Iowa, in connection with the medical department of the State University, additional chapter sixteen (16), title XII of the code.

Also, House file No. 69, a bill for an act to amend section eight hundred and eighty-one (881) of the code, relative to condemnation and purchase of land for sewer outlets and for sewer and garbage disposal plants.

Also, House file No. 439, a bill for an act legalizing the acts and proceedings of the council of the incorporated town of Schaller, Iowa, in granting a franchise to the Schaller Gas Light and Fuel Company and contracting with said gas light and fuel company for lights, and legalizing the ordinance granting such franchise and the franchise so granted, and the contract made between said town and the Schaller Gas Light and Fuel Company, and the levy of a tax by said town to defray the expense of lighting the streets thereof.

Also, House file No. 352, a bill for an act in relation to objectionable advertisements in the vicinity of public school buildings.

Also, House file No. 383, a bill for an act to amend the law as it appears in section eight hundred and sixty (860) of the supplement to the code, in relation to the creation and improvement of parks, and to provide for the issuing of bonds therefor in cities and towns having a population of twelve thousand five hundred and less.

Also, substitute for House file No. 216, a bill for an act additional to and amendatory of the law as it appears in chapter one (1) of title IX of the code and supplement to the code, relative to the State military force and Iowa National Guard.

Also, substitute for House file No. 437, a bill for an act to amend section three thousand three hundred and seventy-six (3376) of the code of Iowa, as to distributive share of surviving spouse as affected by will.

Also, substitute for House file No. 117, a bill for an act to authorize the State Board of Control to investigate the extent of tuberculosis in Iowa and the best means of prevention of the same.

Also, substitute for House file No. 277, a bill for an act relating to the meandered lake beds in the State, and authorizing the Executive Council to survey, and sell the same.

Also, House file No. 387, a bill for an act to amend section twenty-five hundred and thirty-eight-i (2538-i) of the supplement to the code and provide for registering without examination veterinaries registered in other states or in foreign countries.

April 11, 1904.

H. L. SPAULDING,  
*Chairman.*

**Adopted.**

On motion of McAllister of Linn the House adjourned until tomorrow at 9 o'clock A.M.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 12, 1904. }

House met pursuant to adjournment.

Speaker Clarke in the chair.

Prayer was offered by Rev. C. W. Sweet of Des Moines, Iowa.

Journal of Monday, April 11th, was corrected and approved.

Senate concurrent resolution relative to examination of insurance laws of other states by the State Auditor, was taken up and considered.

English of Polk moved that the House concur.

Motion prevailed.

On motion of Chassell of Plymouth, House file No. 463, a bill for an act to amend section 13 of the code, relating to the employes of the General Assembly and the compensation thereof, was taken up and considered.

Mr. Chassell 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 Bealer, Chassell, Clary, Doran, Dow, English, Freeman, Greeley, Hanna, Hart, Hume, Jacobson, Jepson, Jones, Kendall, Kling, McAllister, McElrath, Maben, Manning, Mattes, Mott, Saylor, Spaulding, Weeks, Willson, Wright, Wyland, Mr. Speaker—29.

The nays were:

Messrs. Bailey, Bixby, Carden, Cobb, Coburn, Colclo, Conn, Crose, Davie, Geneva, Hambleton, Harris, Head, Heles, Hollembeak, Laird, Leech, Lister, Lundt, McClurkin, McCreary, McCulloch, McDole, McNie, Morris, Nichols, Olson, Peet, Powers, Prevo, Ritter, Sankey, Shaffer, Skinner, Stanbery, Summers, Washburn—38.

Absent or not voting:

Messrs. Boland, Buchanan, Buckingham, Calderwood, Carstensen, Cassel, Cheney, Christianson, Cummings, Dashiell, DeLano, Flenniken, Frudden, Greene, Gregory, Hakes, Kennedy, Koontz, Lamkin, Langan, Lowrey, Martin, Offill, Pritchard, Robinson, Springer, Stoltenberg, Teachout, Temple, Teter, Welden, Whiting, Whitmer, Wise—33.

So the bill, having failed to receive a constitutional majority, was declared lost.

Speaker pro tem Cummings in 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 President of the Senate has appointed as committee on the part of the Senate on joint resolution No. 6, Senator Saunders.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the President of the Senate has appointed as committee on the part of the Senate on joint resolution No. 7, Senators Whipple, Turner and Lambert.

GEO. A. NEWMAN,  
*Secretary.*

Also:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has receded from its amendments and passed the following bill in which the concurrence of the Senate was asked:

House file No. 438, 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. 345, a bill for an act to provide for the general levy for State purposes for the years 1904 and 1905.

GEO. A. NEWMAN,  
*Secretary.*

#### SENATE MESSAGE CONSIDERED.

Senate file No. 345, a bill for an act to provide for the general levy for State purposes for the years 1904 and 1905.

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

Speaker Clarke in the chair.

Speaker appointed, on the part of the House, as members of committee for the purpose of inquiring into and the advisability of changing the present system of management of the State educational institutions of Iowa, Representatives Kendall, Wright and Langan.

Speaker appointed on the part of the House as members of committee to inquire into and investigate the workings of the "Indeterminate Sentence" and "Elmira Reformatory Systems" in the states where the same are now in force, as provided for in Senate joint resolution No. 6, Representatives Temple and Jones.

#### REPORT OF COMMITTEE.

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 Senate file No. 345, a bill for an act to provide for the general levy for State purposes for the years 1904 and 1905, beg leave to report that they



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.*

Adopted.

On motion of Temple of Clarke, unanimous consent having been given, Senate file No. 345, a bill for an act to provide for the general levy for State purposes for the years 1904 and 1905, with report of committee recommending passage, was taken up, and considered.

Mr. Temple moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed unanimously, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Buchanan, Buckingham, Calderwood, Carstensen, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dashiell, Davie, DeLano, Doran, Dow, English, Freeman, Geneva, Greeley, Hakes, Hambleton, Hanna, Harris, Hart, Hollembeak, Jacobson, Jepson, Jones, Kendall, Kennedy, Kling, Laird, Langan, Leech, Lister, Lowrey, Lundt, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Nichols, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Sankey, Saylor, Shaffer, Skinner, Spaulding, Stanbery, Stoltenberg, Teachout, Temple, Washburn, Weeks, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—80.

The nays were:

None.

Absent or not voting:

Messrs. Boland, Carden, Cassel, Chassell, Flenniken, Frudden, Greene, Gregory, Head, Heles, Hume, Koontz, Lamkin, McAlister, Robinson, Springer, Summers, Teter, Welden, Whiting  
--20.

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 amended and passed the following bill in which the concurrence of the Senate was asked:

House file No. 374, a bill for an act to amend the law as it appears in sections 430 and 433 of the code.

GEO. A. NEWMAN,  
*Secretary.*

Crosey moved that the Chief Clerk be authorized and instructed to correct today's Journal.

Motion prevailed.

On request of Hart of Allamakee, by unanimous consent, House file No. 374, a bill for an act to amend the law as it appears in sections 430 and 433 of the code, with Senate substitute as amendment, was taken up, and the substitute amendment read and considered.

Mr. Hart moved that the House concur in the Senate substitute amendment.

On the question, Shall the House concur?

The yeas were:

Messrs. Bailey, Bealer, Bixby, Buckingham, Calderwood, Chassell, Cheney, Christianson, Clary, Coburn, Colclo, Conn, Crosey, Cummings, Davie, DeLano, Doran, Dow, English, Freeman, Geneva, Greeley, Hambleton, Hanna, Harris, Hart, Head, Heles, Hollembek, Hume, Jacobson, Jepson, Kendall, Koontz, Laird, Langan, Leech, Lister, Lowrey, Lundt, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Manning, Martin, Morris, Mott, Offill, Olson, Peet, Powers, Prevo, Pritchard, Ritter, Robinson, Sankey, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Teachout, Temple, Weeks, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—75.

The nays were:

None.

### Absent or not voting:

Messrs. Boland, Buchanan, Carden, Carstensen, Cassel, Cobb, Dashiell, Flenniken, Frudden, Greene, Gregory, Hakes, Jones, Kennedy, Kling, Lamkin, McAllister, McClurkin, Mattes, Nichols, Summers, Teter, Washburn, Welden, Whiting—25.

So the House concurred in the Senate substitute amendment.

Jepson of Woodbury offered the following resolution and moved its adoption:

*Be it Resolved by the House of Representatives of the Thirtieth General Assembly of Iowa, That we hereby extend our thanks and best wishes to Speaker pro tem B. F. Cummings, for his ability, universal fairness and impartiality as Speaker pro tem of this House during this session.*

### 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 refuses to concur in House amendments to Senate file No. 339, a bill for an act making an appropriation for the restoration and repair of the capitol building.

GEO. A. NEWMAN,  
*Secretary.*

Kendall of Monroe moved that the House insist upon all its amendments to Senate file No. 339, except the one reducing the amount appropriated in section 1 from \$126,000 to \$100,000.

Head of Greene and Offill of Jasper demanded a roll call.

### The yeas were:

Messrs. Bailey, Bealer, Bixby, Buckingham, Calderwood, Carstensen, Cassel, Chassell, Christianson, Clary, Conn, Crose, Cummings, DeLano, Doran, English, Flenniken, Greeley, Hakes, Hambleton, Hanna, Hart, Hollebeak, Hume, Jacobson, Jepson, Jones, Kendall, Kling, Laird, Leech, Lister, Lowrey, Lundt, McAllister, McCreary, McCulloch, McDole, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Olson, Prevo, Pritchard, Ritter, Robinson, Saylor, Shaffer, Skinner, Spaulding, Springer, Stanbery, Stoltenberg, Teachout, Temple, Teter, Weeks, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—67.

The nays were:

Messrs. Coburn, Colclo, Davie, Dow, Freeman, Geneva, Harris, Head, Heles, Peet, Powers, Sankey—12.

Absent or not voting:

Messrs. Boland, Buchanan, Carden, Cheney, Cobb, Dashiell, Frudden, Greene, Gregory, Kennedy, Koontz, Lamkin, Langan, McClurkin, McElrath, Nichols, Offill, Summers, Washburn, Welden, Whiting—21.

So the House insisted upon its amendments.

Jones of Montgomery moved that the House recede as to the amount in paragraph one of section 1.

Motion prevailed.

Speaker appointed as conference committee on the part of the House: Temple of Clarke, Crose of Page, Laird of Fremont and Koontz of Johnson.

Chassell of Plymouth offered the following resolution and moved its adoption:

*Resolved*, That the business of the House of the Thirtieth General Assembly has been especially well served by the clerical force, therefore the thanks of the House are hereby tendered to Chief Clerk Benedict and his efficient and able corps of associates.

Adopted.

#### MESSAGE FROM THE SENATE.

The following message was from the Senate:

MR. SPEAKER—I am directed to inform your honorable body that the Senate has adopted the report of the joint conference committee on Senate file No. 339.

GEO. A. NEWMAN,  
*Secretary.*

#### REPORT OF COMMITTEE.

Temple of Clarke, from the committee on Conference, submitted the following report:

MR. SPEAKER—Your committee on Conference, to whom was referred Senate file No. 339, a bill for an act making an appropriation for the restoration and repair of the Capitol building on account of damages caused by the fire therein, and for the purpose of providing for needed additional repairs on such 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 they recommend that the Senate concur in the House amendment striking out of section 1 the words following: "for the purpose of recouping the treasury for the expenditures authorized by this section, there shall be levied in the year 1904 a special tax of one-fifth of a mill on the dollar upon the assessed valuation of the taxable property of the State."

That the Senate further concur in the House amendment placing a period after the figures 1905 in section 2 of said bill and striking out all of said section following said figures 1905.

That the House recede from all other amendments made by it to the said bill.

M. L. TEMPLE,  
C. G. SAUNDERS,  
WARREN GARST,  
W. C. STUCKSLAGER,  
C. F. CROSE,  
R. C. STIRTON,  
G. W. KOONTZ,  
F. M. LAIRD,

*Committee.*

Teter of Marion and McElrath of Woodbury demanded a roll call on the adoption of the joint Conference committee report.

The yeas were:

Messrs. Bealer, Bixby, Calderwood, Cassel, Chassell, Clary, Coburn, Crose, Cummings, Doran, English, Flenniken, Geneva, Hart, Hollebeak, Jacobson, Jepson, Kendall, Koontz, Laird, Leech, Lowrey, Lundt, McDole, Maben, Manning, Martin, Mattes, Mott, Olson, Prevo, Robinson, Saylor, Spaulding, Springer, Teachout, Temple, Weeks, Whitmer, Wise, Wright Wyland, Mr. Speaker—43.

The nays were:

Messrs. Buchanan, Buckingham, Carstensen, Cheney, Christianson, Colclo, Davie, DeLano, Freeman, Hakes, Hambleton, Hanna, Harris, Head, Heles, Hume, Jones, Kling, Lister, McAllister, McCreary, McElrath, McNie, Morris, Peet, Powers, Pritchard, Ritter, Sankey, Shaffer, Stoltenberg, Teter, Willson—

Absent or not voting:

Messrs. Bailey, Boland, Carden, Cobb, Conn, Dashiell, Dow, Frudden, Greeley, Greene, Gregory, Kennedy, Lamkin, Langan, McClurkin, McCulloch, Nichols, Offill, Skinner, Stanbery, Summers, Washburn, Welden, Whiting—24.

So the House agreed to the report of the joint Conference committee.

Chassell of Plymouth moved that the rule 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, Bixby, Buckingham, Calderwood, Carstensen, Cassel, Chassell, Christianson, Clary, Coburn, Conn, Crose, Cummings, Doran, English, Flenniken, Geneva, Hakes, Hambleton, Hanna, Hart, Hollebeak, Jacobson, Jepson, Jones, Kendall, Kling, Koontz, Laird, Leech, Lowrey, Lundt, McDole, McElrath, McNie, Maben, Manning, Martin, Mattes, Morris, Mott, Olson, Prevo, Ritter, Robinson, Sankey, Saylor, Shaffer, Spaulding, Springer, Stoltenberg, Teachout, Temple, Weeks, Whitmer, Willson, Wise, Wright, Wyland, Mr. Speaker—60.

The nays were:

Messrs. Cheney, Davie, Freeman, Head, Heles, Hume, McAllister, Peet, Powers, Pritchard—11.

Absent or not voting:

Messrs. Bailey, Boland, Buchanan, Carden, Cobb, Colclo, Dashiell, DeLano, Dow, Frudden, Greeley, Greene, Gregory, Harris, Kennedy, Lamkin, Langan, Lister, McClurkin, McCulloch, Nichols, Offill, Skinner, Stanbery, Summers, Teter, Washburn, Welden, Whiting—29.

So the bill passed and the title was agreed to.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 239, a bill for an act to define the rights of owners and proprietors of land in respect to surface water.

Also, Senate file No. 344, a bill for an act to make appropriations for the payment of State and judicial officers, State and other expenses.

Also, Senate file No. 345, a bill for an act to provide for the general levy for State purposes for the years nineteen hundred and four (1904) and nineteen hundred and five (1905).

H. L. SPAULDING,  
*Chairman House Committee.*

D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 457, a bill for an act requiring a report from the State University, State College of Agriculture and Mechanic Arts and the State Normal School, and appointing a committee to inspect and report upon said institutions.

Also, House file No. 371, a bill for an act to create a highway commission for the State of Iowa, and defining the duties of same.

Also, House file No. 448, a bill for an act to legalize the incorporation of the Farmer's Co-operative Creamery Association of Tenold, Worth county, Iowa, and to legalize the acts and transactions of said association under defective articles of incorporation, and to legalize the title to the real estate acquired by said association and to authorize its reincorporation and succession to all the rights, privileges, property and assets acquired and possessed under the defective articles of incorporation.

Also, House file No. 424, a bill for an act empowering the Governor to execute quitclaim deeds to all right, title and interest of the State of Iowa in and to lot six (6) of block eight (8); lot eight (8) of block fourteen (14); lot six (6) of block fifteen (15); and lot two (2) of block thirty-five (35); all in Railroad addition to Cedar Falls, Iowa.

Also, House file No. 436, a bill for an act to legalize the election of the town council of the incorporated town of Minburn, Dallas county, Iowa, and all the acts thereof during the ten (10) years last past.

Also, House file No. 336, a bill for an act to legalize the acts and proceedings of the Brookfield Creamery Association of Worth county, Iowa, and legalize the title to the real estate acquired by such creamery association and to authorize its incorporation under the provisions of chapter one (1), title IX (9) of the code and the supplement to the code.

Also, substitute for House file No. 189, a bill for an act to repeal section twenty-four hundred and seventy-seven (2477) of the code, relating to the expenses of the Bureau of Labor Statistics, and to enact in lieu thereof the following.

Also, House file No. 425, a bill for an act to provide for the regulation of persons, firms, companies, partnerships, associations or corporations, other than building and loan associations and insurance companies and associations, which issue, place, sell or otherwise engage in the business of handling certificates, memberships, shares, contracts, debentures, bonds, stocks, tontine contracts, or other investment securities or agreements of any kind or character, on the partial payment or installment plan, prescribing the terms and conditions upon which such persons, firms, companies, partnerships, associations or corporations shall be permitted to do business within this State.

Also, House file No. 283, a bill for an act to amend the law as appearing in section eight hundred and thirty-five (835) of the code, relating to refunding the cost of pavement removed by a street railway company.

Also, House file No. 451, a bill for an act providing for the condemnation of real estate for the erection of court houses and jails.

Also, House file No. 459, a bill for an act making an appropriation to pay the costs of the case of State of Iowa vs. Sioux county.

Also, House file No. 328, a bill for an act to amend section eight hundred and fifty-two (852) of the supplement to the code, and sections eight hundred and fifty-three (853) and eight hundred and fifty-eight (858) of the code, relating to park commissioners, their powers and duties.

Also, House file No. 423, a bill for an act authorizing the appointment of policemen at certain State institutions.

Also, House file No. 461, a bill for an act authorizing cities over sixty thousand (60,000) inhabitants to levy a tax for the purpose of erecting public buildings and procuring grounds for the same.

Also, substitute for House file No. 429, a bill for an act to appropriate money to pay the costs and attorney's fees in certain cases brought in Marion county to revoke fraudulent naturalization papers.

Also, substitute for House file No. 312, a bill for an act to regulate the removal of persons sick with infectious and contagious diseases from one city, town or township to another city, town or township. Additional to chapter sixteen (16), title XII (12) of the code.



Also, House file No. 438, a bill for an act to apportion the State into representative districts and declare the ratio representation.

Also, House file No. 444, a bill for an act making appropriations to the Iowa State College of Agricultural and Mechanic Arts, the State University and the State Normal School.

Also, House file No. 418, a bill for an act to require the registration of births and deaths in Iowa.

Also, House file No. 44, a bill for an act to amend section twenty-three hundred and forty (2340) of the code, relating to damage done by dogs.

Also, House joint resolution No. 9, fixing the number and compensation of employees in the departments of State at the seat of government.

Also, substitute for House file No. 374, a bill for an act to amend the law as it appears in sections four hundred and thirty (430) and four hundred and thirty-three (433) of the code, relative to the power and duty of the boards of supervisors with regard to indigent soldiers, sailors and marines.

H. L. SPAULDING,  
*Chairman.*

Adopted.

Speaker announced that as Speaker of the House, in the presence of the House, he had signed House files Nos. 457, 371, 448, 424, 436, 336, 189, 425, 283, 451, 459, 328, 423, 461, 429, 312, 438, 444, 418, 44, 374 and House joint resolution No. 9, and Senate files Nos. 345 and 349.

#### 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 amendments to Senate file No. 339, a bill for an act making an appropriation for the restoration and repair of the Capitol building.

GEO. A. NEWMAN,  
*Secretary.*

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 457, a bill for an act requiring a report from the State University, State College of Agriculture and Mechanic Arts and the State Normal School, and appointing a committee to inspect and report upon said institutions.

Also, House file No. 371, a bill for an act to create a highway commission for the State of Iowa, and defining the duties of same.

Also, House file No. 448, a bill for an act to legalize the incorporation of the Farmers' Co-operative Creamery Association of Tenold, Worth county, Iowa, and to legalize the acts and transactions of said association under defective articles of incorporation, and to legalize the title to the real estate acquired by said association and to authorize its reincorporation and succession to all the rights, privileges, property and assets acquired and possessed under the defective articles of incorporation.

Also, House file No. 424, a bill for an act empowering the Governor to execute quitclaim deeds to all rights, title and interest of the State of Iowa in and to lot six (6) of block eight (8), lot eight (8) of block fourteen (14), lot six (6) of block fifteen (15), and lot two (2) of block thirty-five (35), all in Railroad addition to Cedar Falls, Iowa.

Also, House file No. 436, a bill for an act to legalize the election of the town council of the incorporated town of Minburn, Dallas county, Iowa, and all the acts thereof during the ten (10) years last past.

Also, House file No. 336, a bill for an act to legalize the acts and proceedings of the Brookfield Creamery Association of Worth county, Iowa, and legalize the title to the real estate acquired by such creamery association and to authorize its incorporation under the provisions of chapter one (1), title IX (9) of the code, and of the supplement to the code.

Also, substitute for House file No. 189, a bill for an act to repeal section twenty-four hundred and seventy-seven (2477) of the code, relating to the expenses of the Bureau of Labor Statistics, and to enact in lieu thereof the following.

Also, House file No. 425, a bill for an act to provide for the regulation of persons, firms, companies, partnerships, associations or corporations, other than building and loan associations and insurance companies and associations which issue, place, sell or otherwise engage in the business of handling certificates, memberships, shares, contracts, debentures, bonds, stocks, option contracts, or other investment securities or agreements of any kind or character, on the partial payment or installment plan, prescribing the terms and conditions upon which such persons, firms, companies, partnerships, associations or corporations shall be permitted to do business within this State.

Also, House file No. 283, a bill for an act to amend the law as appearing in section eight hundred and thirty-five (835) of the code, relating to refunding the cost of pavement removed by a street railway company.

Also, House file No. 451, a bill for an act providing for the condemnation of real estate for erection of court houses and jails.

Also, House file No. 459, a bill for an act making an appropriation to pay the costs of the case of State of Iowa vs. Sioux county.

Also, House file No. 328, a bill for an act to amend section eight hundred and fifty-two (852) of the supplement to the code, and sections eight hundred and fifty-three (853) and eight hundred and fifty-eight (858) of the code, relating to park commissioners, their powers and duties.

Also, House file No. 423, a bill for an act authorizing the appointment of policemen at certain State institutions.

Also, House file No. 461, a bill for an act authorizing cities over sixty thousand (60,000) inhabitants to levy a tax for the purpose of erecting public buildings and procuring grounds for the same.

Also, substitute for House file No. 429, a bill for an act to appropriate money to pay the costs and attorney's fees in certain cases brought in Marion county to revoke fraudulent naturalization papers.

Also, substitute for House file No. 312, a bill for an act to regulate the removal of persons sick with infectious and contagious diseases from one city, town or township to another city, town or township. Additional to chapter sixteen (16), title XII (12) of the code.

Also, House file No. 438, a bill for an act to apportion the State into representative districts and declare the ratio of representation.

Also, House file No. 444, a bill for an act making appropriations to the Iowa State College of Agriculture and Mechanic Arts, the State University and State Normal School.

Also, House file No. 418, a bill for an act to require the registration of births and deaths in Iowa.

Also, House file No. 44, a bill for an act to amend section twenty-three hundred and forty (2340) of the code, relating to damage done by dogs.

Also, House joint resolution No. 9, fixing the number and compensation of employes in the departments of State at the seat of government.

Also, substitute for House file No. 374, a bill for an act to amend the law as it appears in sections four hundred and thirty (430) and four hundred and thirty-three (433) of the code, relating to the power and duty of boards of supervisors with regard to indigent soldiers, sailors and marines.

April 12, 1904.

H. L. SPAULDING,  
*Chairman.*

### Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Spaulding of Howard, 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. 339, a bill for an act making an appropriation for the restoration and repair of the Capitol building on account of damages caused by the fire therein and for the purpose of providing for needed additional repairs upon said building.

H. L. SPAULDING,  
*Chairman Senate Committee.*

D. W. TURNER,  
*Chairman Senate Committee.*

Adopted.

Kendall of Monroe moved that a committee of three be appointed to inform the Governor and that a committee of three to notify the Senate that the House is now ready to adjourn.

**Carried.**

The Speaker appointed as committee to notify the Governor, Coburn of Cherokee, Olson of Worth, McCreary of Appanoose; as committee to notify the Senate, Kendall of Monroe, Doran of Boone, Prevo of Davis.

Committees performed their duties at once, reported and were discharged.

Committee from the Senate appeared and notified the House that the Senate was ready for adjournment.

Speaker announced that he had signed in the presence of the House, Senate file No. 339.

The hour having arrived for final adjournment, the Speaker declared the House of Representatives of the Thirtieth General Assembly adjourned *sine die*.

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## Memorial Resolutions

Adopted by the House of Representatives of the Thirtieth General Assembly and ordered printed in the Journal, together with such remarks as were made upon the subjects of the resolutions.

HON. J. R. BOYD.

MR. SPEAKER—Your committee appointed to draft resolutions of respect in memory of Hon. J. R. Boyd, respectfully report as follows:

WHEREAS, Dr. J. R. Boyd, an honored member of this House, in the Twenty-seventh General Assembly, and an honored veteran of the War of the Rebellion, passed to his long rest at Cleveland, Ohio, January 5, 1904, therefore be it

*Resolved by this General Assembly*, That in his death this State and Nation has lost one of its honored and valued citizens.

*Be it further resolved*, That we extend to the family and friends of the deceased our heartfelt sympathy and regret, and

*Be it further resolved*, That this resolution be spread upon the Journal of the House, and the Chief Clerk be directed to send an engrossed copy of this resolution to the widow of deceased.

O. P. WYLAND,

L. L. DELANO,

E. W. WEEKS,

*Committee.*

Adopted February 18th.

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HON. JOHN F. DUNCOMBE.

MR. SPEAKER—Your committee, appointed to draft resolutions on the death of Hon. John F. Duncombe, respectfully submit the following:

WHEREAS, An all wise Providence has suffered to remove from among us Hon. John F. Duncombe of Webster county, Iowa, an honored member of the General Assembly of the State of Iowa, in the years 1860, 1864, 1872 and 1880, who took a prominent part in the Revision of the Code of 1860,

(1373)

was a regent of the State University from the year 1872 until the year 1890, and was for many years a law lecturer therein; and who was a man of commanding ability and held in high esteem by all his associates without regard to party affiliations—a grand and noble man who lent his aid to every good work—a true patriot and a model citizen, widely known and universally respected and honored. Although when he died he had reached the allotted span of human life, we could have wished that his life might have been prolonged for the sake of those who were near and dear to him and for our own profit and pleasure. We, however, realize that our loss is his gain; therefore be it

*Resolved*, That in the death of Hon. John F. Duncombe we have lost a most judicious and upright man, and the State has lost a man who was a wise and conservative legislator and a true patriot; his family has lost a devoted husband and an affectionate father, and the community has lost a kind neighbor and a valued citizen; and,

*Be it further resolved*, That these resolutions be spread on the Journal of the House and that the Chief Clerk be instructed to forward an engrossed copy of the same to the bereaved wife and family.

R. M. WRIGHT,

R. M. PEET,

WM. WELDEN,

*Committee.*

Adopted February 25th.

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#### HON. L. R. WOLFE.

MR. SPEAKER—Your committee, appointed to draft resolutions commemorating the life and public services of the Hon. L. R. Wolfe of Johnson county, respectfully submit the following report:

WHEREAS, The Hon. Louis R. Wolfe, an honored member of this House in the Eighteenth and Nineteenth General Assemblies, a gallant soldier of the Civil War and a most highly respected citizen in the county in which he resided, passed from his earthly labors on the 16th day of September, 1903:

WHEREAS, The life and character of the deceased were such as to entitle him to the respect and esteem of all who knew him, and his services to the State and nation were of such a character as to command the confidence and gratitude of his fellow citizens; therefore be it

*Resolved*, That in the death of this patriotic citizen, soldier and legislator, this State has lost an influential and upright citizen, his family is bereft of a kind and loving father, his friends of an honest and esteemed man.

*Resolved*, That we extend to his children and to those nearest to him, whose sorrow is so much greater, our sincere sympathy in their sorrow and affliction; and the Clerk of the House is hereby instructed to transmit an engrossed copy of these resolutions to the bereaved family and to enter the same upon the Journal of the House.

G. W. KOONTZ,

C. A. WISE,

E. J. C. BEALER,

*Committee.*

Adopted.

**HON. F. M. KNOLL**

MR. SPEAKER—Your committee appointed to present resolutions relative to the life and public services of F. M. Knoll, of Dubuque, Iowa, respectfully submit the following resolutions.

WHEREAS, The Hon. F. M. Knoll an honored and able member of the Ninth, Seventeenth, and Twenty-third General Assembly, and also an able and honored member of the Tenth, Eleventh, Twelfth and Thirteenth Senate of Iowa, died at his home June 11, 1903, at Dubuque, Iowa, therefore, be it

*Resolved*, That his death has caused sorrow to fill the hearts of his family, and the community in which he has so long resided has lost a patriotic, kind and generous neighbor and the State a useful, honest, upright, capable citizen.

*Resolved*, That to the bereaved family we extend our sympathy in their sad affliction, and the Clerk of the House is hereby instructed to mail an engrossed copy of these resolutions to them and have same entered upon the Journal of the House.

PHILIP HELES,  
T. C. CLARY,  
J. C. FLENNIKEN.

*Committee.*

Adopted.

**HON. JOHN B. LONGUEVILLE.**

MR. SPEAKER—Your committee appointed to draft resolutions of respect to the memory of the Hon. John B. Longueville, respectfully submit the following:

WHEREAS, Hon. John B. Longueville, an honored member of the Twelfth General Assembly, of Iowa, from Dubuque county, died at his home there on the 7th day of December, 1902; and

WHEREAS, The life and character of the deceased were such as to command our love and esteem, and his public services to his county and State were of such distinction as to demand the respect and gratitude of his fellow citizens, therefore be it

*Resolved*, That on his death his county and State has lost an able, conscientious citizen, a man who suffered the inconvenience of a pioneer life, but who met all reverses with a cheerful countenance, that we extend to his family 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 family.

A. F. FRUDDEN,  
THEODORE CARSTENSEN,  
P. H. POWERS,

*Committee.*

Adopted February 9th.

## REMARKS BY MR. FRUDDEN.

MR. SPEAKER—It is not my intention to take up much of the valuable time of this House, but permit me to say a few words in behalf of the deceased, as his life of usefulness to his county and State should not be passed without some little comment, besides, a number of us who are here today landed under like circumstances on this side of the Atlantic, and it might refresh the memory of our earlier days.

Among the beautiful hills of France, in the little village of Thill, there was born on the 25th day of November, A. D. 1833, Jean Baptiste Longueville. Here among some of the most picturesque scenery in the world he was reared until nine years of age, when the family moved to the old maternal home at Niederkorn, in the Grand Duchy of Luxemburg.

While living here the parents heard and read much of the "Land of the Free" and the great opportunities the United States of America afforded to the people of other countries. They finally decided to make the trip and endure the hardships of the long and tedious voyage.

Through the Rev. Bishop Loras they had heard of Dubuque, which then was in its infancy, and concluded that this was the place to go and grow up with the country. They finally landed at their destination on the 1d day of September, 1846. Three weeks after their arrival the father died.

In the summer of 1847 the mother bought a piece of land in Mosalem township, Dubuque county, and thereon erected the old log house which afterwards became known all over this and the surrounding counties as one of the most hospitable homes in the country. After moving onto the farm the struggle for existence, incident to a pioneer life began, and John, being the oldest in the family, much of the burden of providing for the family fell on him. Here he grew to manhood, and near the spot where stood the old log house he breathed his last breath on Monday, September 7, 1902, being nearly seventy years of age, after an illness of over five years duration.

John had many friends and shortly after arriving of age he was elected Justice of the Peace which office he held continuously for over thirty years. Few cases were ever tried before him. His mode of procedure was simple and yet effective. It is known that if anyone made complaint to him against his neighbor he would set a time when to come back. He then would send word to the other party to be at his house at the appointed time and would then listen to their statements, and if the parties were disposed to quarrel he would let them have their way, but to put them in a good and a different humor he would tell a story or sing a song appropriate to the occasion. Being both a good story teller and a singer he very seldom failed to put them in good humor and to bring about an amicable settlement, and to show his good intentions never taxed up any costs.

In the early sixties he was elected a member of the board of supervisors which office he filled until the end of 1867, in which year he was elected representative to the Legislature from his county, and sat in the Twelfth General Assembly serving to the end of his term, after which he sought no further political honors, but devoted his time to the cultivation of his farm near the foot of Flint Hill.



Generous almost to a fault, he never turned a deaf ear to those who applied to him for assistance, and no traveler, not even a tramp, was ever turned away when seeking shelter.

Through his death there has passed away one of the old landmarks of his county, one of the sturdy pioneers who assisted in making of the wilderness a land of plenty, covered with beautiful farms and comfortable homes.

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**HON. WILLIAM McCORMICK.**

MR. SPEAKER—Your committee, appointed to draft resolutions of respect to the memory of Hon. William McCormick, respectfully submit the following:

WHEREAS, The life and character of the deceased was such as to command our respect and esteem, and his public services to the State of such distinction as to command the gratitude of his fellow citizens; therefore, be it

*Resolved*, That the State has lost an able, conscientious citizen; a man who has suffered the inconveniences of pioneer life, and that we extend to his children our sincere sympathy.

*Resolved*, That these resolutions be entered at length in the Journal of the House and the Chief Clerk be instructed to present an engrossed copy of these resolutions to the family of the deceased.

A. W. BUCHANAN,  
M. A. DASHIELL,  
H. H. WILLSON,

*Committee.*

Adopted February 5th.

REMARKS BY MR. BUCHANAN.

Wm. McCormick was born in Gallatin county, January 13, 1814; died at Highland Center, Wapello county, Iowa, September 8, 1902. He removed from Gallatin county, Kentucky, to Wapello county, Iowa, in 1848, settling in Highland township.

He held various township offices and was a member of the Seventh General Assembly of the State of Iowa. It is said of him that he never had a law suit and never sat upon a jury. He was a member of the Baptist Church. His political affiliations were Democratic, although he was not a strong partisan nor was he swayed by strong party feeling.

Most of his life was spent as a humble citizen. He was a kind neighbor; many came to him for counsel, and none were turned away unaided. There was never a flaw or taint of suspicion of evil in his private life, and certainly none in his public life. He was a never-failing friend. The clasp of his hand was always warm.

His business was always that of a farmer. He came to Iowa in the early pioneer days, when the life of a farmer was not to be envied. He was sturdy, industrious and economical, and attained a goodly amount of property. He reared a large family who are prominent in business and social

circles. He lived his declining years in comfort, seeing vast prairies around him converted into gardens and fields of waving grain. He sat in his chair at the window of his homestead, made beautiful by the labors of his early manhood, and watched the the palace railroad trains of the nineteenth century pass his door.

With the passing away of Wm. McCormick, the pioneer law makers of Wapello county became almost extinct, as only one of his compeers of that early day remain.

Iowa is great; her fame is known throughout all the States, and why? Because the early laws we live under were made by such men as William McCormick—made for future generations—made with care and faithfulness and backed by sterling, honest character.

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### HONORABLE HUGH LANGAN.

MR. SPEAKER—Your committee appointed to draft resolutions relative to the death of the Hon. Hugh Langan, of Crawford county, beg leave to report the following:

WHEREAS, The Hon. Hugh Langan, a member of the Twenty-ninth General Assembly, departed this life on the 10th day of June, 1902, at Clinton, Iowa, and,

WHEREAS, The life, character and public services of the deceased are worthy of the recognition of this body, therefore, be it

*Resolved*, That in the death of the Hon. Hugh Langan the State has lost an upright, worthy and conscientious citizen, a man of recognized ability and character, who has left behind him an honored career both as a private citizen and public servant, 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 same to the family of deceased.

W. A. DAVIE,  
ROBT. A. GREENE,  
W. M. GREELEY,  
*Committee.*

Adopted.

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### HON. A. H. KUHLMIEIER.

MR. SPEAKER—Your committee, appointed to draft resolutions commemorating the life-work and public services of A. H. Kuhlmeier of Des Moines county, Iowa, most respectfully submit the following:

WHEREAS, The Hon. A. H. Kuhlmeier, an honored member of this House in the Nineteenth General Assembly, and for several years an honest, efficient and faithful official of the Nation, recently passed away at his home in Burlington, Iowa; and,

WHEREAS, The public and private life of the deceased were of such a character as to entitle him to our confidence, love and esteem, and his

services to the Nation, his State and city were such that the community in which he lived today mourn the loss of an honest, upright and patriotic citizen, and his family a loving husband and father; therefore be it

*Resolved*, That we extend to the sorrowing wife and children our sympathy in this their great affliction, and the Clerk of this House is instructed to mail an engrossed copy of these resolutions to the family of the deceased, and to have the same entered upon the Journal of the House.

HENRY RITTER,  
G. W. KOONTZ,  
A. H. STOLTENBERG,  
*Committee.*

Adopted February 5th.

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### HON. JAMES R. BURGESS.

MR. SPEAKER—Your committee appointed to draft resolutions of respect to the memory of the Hon. James R. Burgess respectfully submit the following:

WHEREAS, The Ruler of the Universe has, in His infinite wisdom, removed from our midst our esteemed citizen, James R. Burgess, therefore

*Resolved*, That the wisdom and ability which he exercised as a member of the Twenty-first and Twenty-second General Assemblies will be held in grateful remembrance.

*Resolved*, That we deeply sympathize with the family and relatives of the deceased. We express our earnest hope that even so great a bereavement may be overruled for their greatest good.

*Resolved*, That these resolutions be entered at length in the Journal of the House and the Chief Clerk be instructed to furnish the family of the deceased an engrossed copy of these resolutions.

A. W. BUCHANAN,  
A. F. CASSEL,  
G. R. WHITMER,  
*Committee*

Adopted January 29th.

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### HON. ALEXANDER RUNYON, SR.

MR. SPEAKER—Your committee appointed to draft resolutions of respect to the memory of Hon. Alexander Runyon, Sr., respectfully submit the following:

WHEREAS, The Hon. Alexander Runyon, Sr., an honored member of the House from eighteen hundred sixty-four (1864) to eighteen hundred sixty-six (1866), from Benton county, departed this life Sunday, August 2, 1903, in the seventieth year of his life; therefore be it

*Resolved*, That in his death his family are bereft of a kind and loving husband and father, and the State loses a valued and upright citizen.

*Resolved*, That we share and deeply sympathize with his family in their great bereavement, trusting that our kind Heavenly Father, who doeth all things well, will sustain them in their sorrow and that they have the assurance that this separation be permitted in love and pity.

*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.

M. F. MCNIE,  
H. H. WILLSON,  
WM. CARDEN.

*Committee.*

Adopted.

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### HON. T. P. WALDEN.

MR. SPEAKER—Your committee appointed to draft resolutions of respect to the memory of Hon. T. P. Walden, respectfully submit the following:

WHEREAS, The Hon. T. P. Walden, an honored member of the Twenty-ninth General Assembly of Iowa, from Wayne county, departed this life at his home in Allerton, September 16, 1902, and

WHEREAS, The life and character of the deceased were such as to command our respect and esteem, and his services to the State and county and his home town, Allerton, were such as to demand the respect and gratitude of his fellow citizens; therefore be it

*Resolved*, That in his death the State has lost a citizen who was ever honorable and upright, and one whose valuable services were noted for the patriotism and fidelity to all public interest.

*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 the Allerton News.

GEO. MCCULLOCH,  
W. M. MCCREARY,  
MALCOLM F. MCNIE,

*Committee.*

Adopted March 10th.

### REMARKS BY MR. M'CULLOCH.

MR. SPEAKER—It is not my intention to take the time of this House in a long eulogy of the late T. P. Walden, yet I think it is but fitting that I, living in the county he represented in General Assembly two years ago, should give my contribution to his worth as a citizen of the county and State.

Hon. T. P. Walden was born June 13, 1846, in Adams county, Ohio; moved to Lee county, Iowa, when a small boy, where he grew to manhood. In 1868 he came to Corydon and in the spring of 1873 moved to Allerton, Wayne county, receiving the position of cashier of an Allerton bank, which he retained until 1898.

Hon. T. P. Walden was quite successful in business accumulations, amassing a goodly fortune, yet he was not ambition's tool, nor had he any of the vices of ambition.

The rude conflicts of life which is the lot of such business men to encounter often tend to check the sensibilities of the heart, as their intercourse with the world is to a great extent in the circle of business, and as the favors of fortune are not coolly wooed or lightly won, not unfrequently are they purchased at the sacrifice of every noble principal and generous sentiment, for the cold and calculating spirit of worldly policy is apt to harden the heart and paralyze the affections. Not so with the Hon. T. P. Walden (deceased), his ennobling energies would bring forth that joyous laugh, ringing merrily in the ear of his associates, awakening in their hearts responsive tones of gladness. Thus he had the faculty of ingratiating himself with his fellowman by mutual complacency and respect with them in judgment and practice—this is what made his society pleasant and friendship durable, which can never be the case when man's principal and disposition are opposite and not adapted for unity. For we must be moved by the same passions, governed by the same inclinations and moulded by the same morals before we can please or be pleased in any community. No community, no place can make a man happy who is not furnished with a frame and temper of mind to relish the rules and regulations thereof. This he aimed to do by cultivating that generous principal of the soul which respects the human specie as one family, created by an Allwise Being and placed on this earth for the mutual assistance of each other, for as in the sight of God we are all equally His children, having the same common parent and preserver, so we in like manner should look upon all men as our brother, not regarding where he was born nor where he was educated, or what position in life he occupied, provided he was a good man, an honest man, yes, an honest man, which is the noblest work of God, honored and approved by all; even the corrupt swindler respects an honest man and stands abashed in his presence. Therefore, it can be truly said, the world is better off for T. P. Walden having lived and having played a part on the stage of life.

REMARKS BY MR. M'NIE.

MR. SPEAKER AND GENTLEMEN OF THE HOUSE—I desire to add a word or two to what has already been said in regard to the life and character of the late T. P. Walden of Wayne county.

My acquaintance with Mr. Walden commenced with the first day's session of the Twenty-ninth General Assembly. It so happened that we drew seats together, and as the days came and went I came to know him very intimately. I found him to be an honorable, upright man—a man of character and worth—a man whom it was a pleasure to know.

He often spoke of his business life, of the many years he had been connected with the bank in his home town; that he had aimed to do what was right toward his fellow man, and I believe that to be true.

As a member of the House he was honest, careful, and sincere, endeavoring always to work and vote for such laws as would be beneficial to all the people.

He left behind him a good name, as a lawmaker of Iowa. He expected to return as a member of this body, for the last thing he said to me upon parting, was, "that he would meet me here two years hence," but a kind Providence ruled otherwise, and his death admonishes us of the uncertainty of life and the certainty of the great change that sooner or later will come to all of us.

I think I voice the sentiment of the members of the Twenty-ninth General Assembly when I say we are glad to have known in life the noble and lovable character known as T. P. Walden, and with one accord we say, peace to his ashes.

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**HON. SAMUEL B. DOWNING.**

**MR. SPEAKER**—Your committee appointed to present resolutions on the life, public character and services to his State and Nation of the late Samuel B. Downing of Davis county, Iowa, beg leave to submit the following report:

**WHEREAS**, The life and character of the said decedent were such as to command the love and esteem of his friends, neighbors and the community in which he lived for so many years; and his services to his State and nation as a veteran of the Mexican war, and also the war for the preservation of the Union entitled him to the respect and gratitude of his fellow-citizens; therefore, be it

*Resolved*, That in his death the community in which he resided mourns the loss of an honest, patriotic citizen, and his State the loss of a useful, conscientious and faithful public servant.

*Resolved*, That in his death his family have been bereft of a kind and affectionate father, and we hereby extend to the sorrowing children our sincere sympathy in this their great affliction; and the Clerk of this 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.

T. J. PREVO,  
G. W. KOONTZ,  
L. F. SPRINGER,  
*Committee*

Adopted March 18th.

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**HON. S. H. MALLORY.**

**MR. SPEAKER**—Your committee appointed to draft resolutions on the life, character and public services of Hon. S. H. Mallory, respectfully submit the following:

Hon. Smith Henderson Mallory, who was an honored and trusted member of this House in the Seventeenth General Assembly, departed this life at his home in Chariton, Iowa, on the 26th day of March, A. D. 1903.

A native of the Empire State, in his boyhood he became an adopted son of our sister State, Illinois, and in his young manhood he cast in his lot

with the hardy pioneers of our own beloved State, where he lived and labored for its highest development on the lines of material and intellectual progress, until he had reached the allotted three score and ten, becoming a commanding character of more than State wide interest and affection.

He was an educated gentleman himself, and an earnest friend of education, and of all that education and cultured intellect implies.

Devoting his life to the work of building up the material prosperity of the great West, endowed with constructive genius and executive ability, in a degree that was equalled by few men of his day and generation; in his death progress and material growth has lost a potent and powerful worker.

Patriotic and public spirited, loyal and true, liberal yet positive, conservative, yet progressive, the public service has lost in him a wise counselor, an earnest and honest worker, in all matters of public and political import.

Unflinching in his devotion to the interests of the local community in which he lived, his friends and neighbors have suffered an irreparable loss, and mourn the dispensation that removed from them the strong will, the trained mind and sympathetic heart, on which they were wont to rely and to which they were accustomed to appeal, and to which they instinctively turned for advise, counsel, aid and sympathy in times of emergency.

An indulgent, loving, yet wise and just head of a happy home, his death is a bereavement to a family whose grief cannot be assuaged or even lessened by an offering of ours, yet we venture to offer to them our feeble and inadequate tribute and token of our respect for our honored dead, therefore, be it

*Resolved by the House of the Thirtieth General Assembly of the State of Iowa,* That this memorial be adopted, spread at length upon our Journal, and that an engrossed copy hereof, attested by the Speaker and Clerk of the House, be presented with our profound sympathy to the family of our honored and trusted brother and fellow-worker.

ELI MANNING,  
N. E. KENDALL,  
M. L. TEMPLE,

*Committee.*

Adopted March 31st.

REMARKS BY MR. MANNING.

MR. SPEAKER—I can not refrain from making a few remarks on the life and character of Smith Henderson Mallory. The highest eulogy that can be paid any man, is to truthfully say that he was universally respected and honored by all with whom he lived. Such a man was Smith Henderson Mallory. For over a third of a century he was a citizen of the little town of Chariton, Iowa. During all this time he was my neighbor and my friend. Like all strong characters, he was a very modest, unassuming man, an active, thorough business man; honest, upright, capable, ambitious and worthy; an indefatigable worker; he succeeded far beyond his highest expectations in the financial world. Millionaire though he was, he was always the same plain, kind-hearted, level-headed, considerate man, loyal

and true to his friends, ever ready to speak a kind and encouraging word to the unfortunate or afflicted, ready and willing to extend a helping hand to the deserving, no matter how poor; and what I say of him personally and knowingly, is voiced by all who knew him best.

Honored and respected, always ready and willing with an open hand to contribute liberally to whatever would advance the interest of his county or city, yet it was in social intercourse that he succeeded in endearing himself to all, aided and assisted by his most gracious wife and daughter. Smith H. Mallory was born at Croton Mills, Yates county, N. Y., December 2, 1835. He died at Chariton, Iowa, March 26, 1903. He was a descendant of fighting stock—he was the son of Smith L. and Jane Henderson Mallory. His grandfather, Meredith Mallory, having been a lieutenant in the war of 1812, and afterwards a member of Congress in 1838. Smith H. Mallory received a common school education at Pan Yan, N. Y., and entered the Academy of Danbury, Conn. At the age of fifteen, to make his own way in the world, he emigrated to Batavia, Ill., where he secured a position as clerk in a store, and by faithful attendance to business he attracted the attention soon after of the engineer of the Galena & Chicago Union Railroad, who gave him a position as rod man on the Aurora branch. This business being more to his liking, he was promoted from time to time, until in 1853 he held the position of engineer in charge. He retained this position until the several divisions were merged into what is now the C. B. & Q. R. R. in 1855 and until 1857, when he resigned to engage in other pursuits. In this humble way he laid the foundation that in after years made him the successful railroad contractor, manager and general business man that he proved to be. On March 22, 1858, he was united in marriage at Pan Yan, N. Y., to Annie Louisa Ogden, one of that city's fairest daughters. Soon after he returned with his beautiful and accomplished bride to Fairfield, Iowa, again being appointed to a very responsible position by the B. & M. R. R. and being promoted from time to time. In 1867 he located at Chariton, where he built a beautiful residence, in which he had continually resided. He was associated with John Fitzgerald, under the name of Mallory, Fitzgerald Construction Company, and built thousands of miles of railroad in the west and southwest. Was largest stockholder, the President and General Manager of the Fulton county, Illinois, narrow gauge. He was equally as successful as a banker and farmer, owning the greater portion of some half dozen banks, his particular pride being the First National Bank at Chariton, which he organized in 1870, today carrying deposits to the amount of \$1,000,000, and well known for its cautious and conservative management. While Mr. Mallory was generally looked upon as a railroad man, yet he might as justly be termed a farmer. He was cultivating a large tract in California, he owned and operated several large farms in Iowa, and his home farm upon which his handsome residence is built, and in which his most estimable wife and daughter now reside, contains 1,000 acres, and is well stocked with blooded horses and cattle. He was among, if not the first, importer of thoroughbred cattle and draft horses in Lucas county. It is mainly through his enterprise in this direction that the county stands to-day at the front in the bluegrass regions for the superiority of horses raised within its borders. Although Mr. Mallory held



many positions of honor and trust, political and otherwise, such as President of the Iowa Centennial Commission at Philadelphia in 1876, Commissioner of Iowa at the Columbian Exposition at Chicago in 1893, yet what he seemed to appreciate more than any one thing was the confidence reposed in him as expressed by his fellow-citizens in electing him in 1877 a member of the Seventeenth General Assembly, he being a democrat and from a county largely republican. He was a very domestic man and a lover of home and family, finding time in the midst of his multiple of business duties to make several trips to Europe accompanied by his wife, daughter and other relatives. It is through the efforts of such men as Smith H. Mallory that the State of Iowa holds the enviable position among the sisterhood of states that she does today.

## REMARKS BY MR KENDALL.

MR. SPEAKER—In the year 1880, as a barefoot country boy on a Lucas county farm, I first became acquainted with S. H. Mallory, now the subject of these exercises, then in the full sweep of his enterprising and useful career. I knew him for a while only as uninformed youth can know experienced maturity; but as the years elapsed and our contact became somewhat more intimate, I gradually grasped the large proportions of the man. He was originally from the older soil of the Empire State, transplanted by choice to the fertile prairies of Iowa. He identified himself with the interests of the State when it was in its infancy, and he remained its honored citizen until his death. He witnessed its development from a scattered frontier settlement into the proudest commonwealth in all the American Union. He saw its population, its wealth, its manufactures, its mining industries, its agricultural products, its educational facilities multiply and remultiply into colossal magnitude, and his latest glance at the beloved State with whose history he was so conspicuously connected, revealed her at the very climax of her national prestige and power. It is difficult for us of this generation to 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 purpose of civilization. There were giants in those primitive days, and one of the strongest, ablest and worthiest of them was S. H. Mallory. He had no ambition for the preferments of public station, but his countrymen compelled his election to this body, and while here he discharged every duty with unqualified acceptability to his constituents. His religion was wholesome and expansive, too liberal to be comprehended within the definitions of any specific creed; but it was deep and earnest, not exploited in empty profession, but exemplified in his daily walk and conversation. His politics was Jacksonian democracy of the old school, but it never degenerated into bigotry.

For thirty years he was engaged most strenuously in business activities, and his success was so uniform and phenomenal that for the past two decades he has been the most influential private citizen in southern Iowa. Every project which included the general good commanded his undivided support. His laborious life is ended; and it is modest eulogy to say that all his days were days of usefulness, and all his paths were paths of honor.

**HON. GEORGE W. WAGNER.**

MR. SPEAKER—Your committee heretofore appointed to draft and present suitable resolutions respecting the life, work and public service of Hon. George W. Wagner of Johnson county, beg leave to submit the following:

WHEREAS, The Hon. George W. Wagner, an honored and distinguished member of this House in the Twenty-second General Assembly, rested from his labors and passed away at his home in Johnson county, Iowa, on the 16th day of December, 1903, and

WHEREAS, We recognize the fidelity and integrity with which he discharged his duty in every station of life; his efficient career, honorable and able; his private life and character without a stain, and his manly bearing and courteous manners gave him the confidence, respect and esteem of his legislative colleagues, his devoted constituents, friends and neighbors; therefore, be it

*Resolved*, That in his death his family suffer the loss of a kind and affectionate husband and father, and his county must mourn the loss of a useful, honorable and patriotic citizen.

*Resolved*, That we extend to his wife and children, whose sorrow is so great, our sympathy in this their sad affliction; and the Clerk is requested to transmit an engrossed copy of this resolution to the bereaved widow, and to enter same in this Journal of the House as part of the record thereof.

G. W. KOONTZ,  
M. H. CALDERWOOD,  
E. J. C. BEALER,

*Committee*

Adopted April 1st.

**HON. W. K. BARKER.**

MR. SPEAKER—Your committee appointed to draft resolutions relative to the life and public services of the late Hon. W. K. Barker, beg leave to submit the following:

WHEREAS, This body has learned with profound sorrow and regret of the death of Hon. W. K. Barker, an honored member of the Twenty-ninth General Assembly as the representative from Howard county, and a gallant soldier in the War of the Rebellion, which occurred at his home in Cresco, Iowa, on November 11, 1902; and

WHEREAS, The life and character of deceased were such as merit our affection and esteem and his public services to the State and Nation entitle his memory to the gratitude of his fellow citizens; therefore, be it

*Resolved*, That in his death the State loses an able, worthy and conscientious citizen; that we extend to the bereaved family our sympathy in their affliction.

*And be it further resolved,* That these resolutions be spread upon the Journal of the House and that the chief clerk be directed to send an engrossed copy to the family of deceased.

H. L. SPAULDING,  
T. C. CLARY,  
M. L. TEMPLE,  
*Committee.*

Adopted April 7th.

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**HON. HOYT SHERMAN.**

Born November 1, 1827, died January 25, 1904, aged 76 years.

Emigrated from Ohio to Iowa, 1848.

Appointed Postmaster Des Moines, Iowa, 1849.

Clerk of District Court Polk county, 1852.

Organized State Bank of Iowa, 1855.

Appointed Paymaster U. S. Army, 1861.

Member of the Eleventh General Assembly, 1866.

Organized Equitable Insurance Company, 1863.

One of the founders of Pioneer Lawmakers, 1866.

President of Board of Charities, 1898.

President of Pioneer Lawmakers, 1900.

A valuable and honored citizens all his long and useful life.

MR. SPEAKER—Your special committee, appointed to draft resolutions commemorating the life, character and public services of Major Hoyt Sherman of Polk county, respectfully submit the following report:

WHEREAS, The Hon. Hoyt Sherman, one of the pioneers of central Iowa, a gallant soldier of the War of the Rebellion, the last of a family of brothers all of whom conferred distinction upon American life, and an honored member of this body in the Eleventh General Assembly, passed away at his home in Des Moines, on Monday, January 25, 1904; and

WHEREAS, The life and character of deceased were such as to entitle him to the respect and esteem of all who knew him, his attainments and success so conspicuous as to be an incentive to all men to be upright, pure and true, and his services to the State and Nation of such a character as to command the confidence and gratitude of his fellow citizens; therefore, be it

*Resolved,* That in the death of this patriotic citizen, soldier and legislator, this State has lost an influential and upright citizen, his family is bereft of a kind and loving father and his friends of an honored and esteemed man.

*Resolved,* That we extend to his family and to those friends nearest to him in life, whose personal sorrow is so much greater, our sincere sympa-

thy in their sorrow and affliction; and the clerk of the House is hereby instructed to transmit an engrossed copy of these resolutions to the bereaved family and to enter the same upon the Journal of the House.

EMORY H. ENGLISH,  
C. A. KENNEDY,  
R. C. LANGAN,

*Committee.*

Adopted April 8.

REMARKS BY MR. ENGLISH.

MR. SPEAKER—I desire at this time to pay a humble tribute to the memory of the subject of the resolutions now presented.

Hoyt Sherman was born in Lancaster, Ohio, on November 1, 1827. He departed from this life on January 25, 1904. His days on earth embraced almost four score years—permitting a witnessing of the transferring of the real seat of government from the Atlantic seaboard to the Mississippi Valley.

Those who were near to him knew him as a man of strong character, sterling integrity, earnest in his convictions, strong and forceful, yet withal, charitable. The gentle courtesy and kindly manner that were his by nature, retained for him the companionship and enjoyment of a rare circle of friends who bear in cherished memory the virtues of the deceased. Those who knew him only the last years of his long residence in the capital city of our State, can have but an inadequate conception of the high sense of personal honor and the unsullied private life and noble character of this man whose tall manly form has been a familiar one upon the streets and avenues and at the public gatherings of Des Moines for half a century.

Major Sherman was the youngest child of a family of eleven children. The father, Charles R. Sherman, emigrated from Connecticut to Lancaster, Ohio, in 1810. In 1823 the legislature of the State of Ohio elected Charles R. Sherman a judge of the supreme court. He died on the 24th of June, 1829, in the full fruition of his well-matured intellectual powers, loved, honored and lamented. I do not wish in any unseemly way to call your attention to the distinguished family of which the deceased was a member, but the Hon. Charles R. Sherman, Jr., who became one of the leading jurists of Ohio, was his brother. Gen. W. T. Sherman, who became so noted as one of our generals, and John Sherman, the Ohio statesman, were also his brothers. I simply desire to incidentally state his relationship to that distinguished family for which all Americans have a reverence and which has illumined and honored the pages of our national history. The parentage of these brothers was indeed fortunate. Surmounting obstacles, enduring hardships, triumphing over rude environments, developing thereby all that is noblest and manliest in man, a spirit of manhood, independence and liberty was handed down to a generation of capable and active children who have wrestled with life and have in honor helped in a material way to solve its most sacred and mighty problems. There is nothing more wonderful or mysterious in our present life than the effect of ancestral influence upon it, and I have often thought how little importance we give to environment in our estimate of this an-

cestral influence. We construct our genealogical trees with interest and pride. We are proud of our blood as if it were blood alone to which we are indebted, often forgetting that ancestral character as transmitted to us was built up little by little, slowly, steadily, but surely by the surroundings amid which our ancestors wrought and fought and died, so that as generation succeeded generation each took on something which it derived from nature and the struggle with nature.

In 1848, Hoyt Sherman came to Des Moines, before he was twenty-one years of age. He came to Iowa a poor, young man, full of vigor and with a determination to do his part and to make this section of our state noted for intelligence, industry and material growth. In 1849 he was appointed postmaster. In 1850 he built the first post office building that was erected in Des Moines. It was not large but it was a substantial structure as measured by the days which it served the public. It evidenced the spirit of the young man, who, in all his after life succeeded in keeping fully abreast of the times in which he lived, and equal to every demand made upon him.

In 1853 he was elected clerk of the district court, which office he filled with honor to himself and credit to those who conferred the place upon him. In 1855 he was one of the leaders in establishing a branch of the Iowa State Bank in Des Moines, and because of his natural ability to organize successfully financial affairs the bank became one of the strongest institutions of that character in the State of Iowa.

In 1861 he was appointed paymaster in the United States Army with the rank of major, by President Lincoln. This arduous and difficult position he held during the War of the Rebellion, receiving and disbursing several million dollars, and at the close of the war the Secretary of War commended him for the fidelity with which he discharged his duties.

In 1866 he was elected a member of the Eleventh General Assembly. He served in this body as chairman of the committee on Railroads, and also as a member of the committee on Ways and Means. The committee on Railroads at that early day, as now, was one of the important committees. Mr. Sherman became one of the leading members, not especially on the republican side of the House, but of the General Assembly. He was not a man given to frequent speech making, but when he addressed himself to the distinguished body of pioneers of which he was a member, he held their close and respectful attention.

In 1868 he was one of the active men that organized the Equitable Life Insurance Company, which today ranks among the strongest insurance companies of the Union. To this company Major Sherman gave almost twenty years of his earnest and active business energies.

For the past fifteen years Major Sherman had devoted his time and energies to his general business and property affairs. No man in Des Moines—I might say no man in Iowa—was more devoted to establishing the best of schools in this city and this State. He was ever active in favoring the establishing of colleges in Iowa, and being a man of means he always gave liberally to upholding of institutions of learning.

All types of men find field for activity in our growing Western cities, and it is well that it is so. Men of commanding intellect, genius, eloquence

and brilliancy are here both needed and found, but other men equally useful, and oftentimes more successful, who do not attract popular enthusiasm by reason of any unusual or striking gifts, bear the burdens of life with singular fidelity and endurance—men of strong minds and good sense, men of affairs, of great industry, and unswerving devotion to the interests of the home, the church, the State and the nation; men whose general characteristics can best be described by three grand words—sturdy, faithful and true. Hoyt Sherman was such a man. Sometimes I think I would rather it should be written upon my tombstone, "He was sturdy, faithful and true," than "He was eloquent, learned and great."

The work which his hands found to do in this life may not have been heralded in the press; it may not have been of such character as to dazzle the eyes of the young; it may not have won the plaudits and cheers of the assembled multitude; but it is nevertheless woven into the history of our capital city and our State and becomes a part of their fame and glory.

Major Sherman was a devoted member of St. Paul's Episcopal Church. His love for devotional service was equal to his love of country. He never allowed business or anything else to interfere with his duty to his God. He was a great lover of devotional music and to him belongs the credit of the splendid devotional music today in St. Paul's church in Des Moines. He died as he had lived—a noble, pure-hearted, true Christian man, a devoted husband, a loyal patriot and an honored citizen.

Further words, relative to this busy, faithful life, now ended, seem superfluous except in eulogy. His monument is the work of his well spent and active life—an essential and potential part of Iowa's history; wherein may be found his real eulogy, which shall endure so long as the State itself shall endure.

Mr. Speaker, I move the adoption of the resolutions.

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#### HON. JOSHUA G. NEWBOLD.

MR. SPEAKER—Your committee appointed to prepare appropriate resolutions of respect to the memory of Hon. Joshua G. Newbold, late of Henry county, beg leave to report as follows:

WHEREAS, The Hon. Joshua G. Newbold, an honored member of the Thirteenth, Fourteenth and Fifteenth General Assemblies and later President of the Senate, and then having filled the honored position of Governor of our State, departed this life at his home in Mount Pleasant, Henry county, on the 10th day of June, 1903, and

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 family has been bereaved of an affectionate husband and father, the community of his residence deplores the passing of a loved and honored citizen, and the State loses the services, valued counsel and exemplary life of one who was noted for patriotism and fidelity to all public interests.

*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.

Adopted April 8th.

REMARKS BY MR. CARDEN.

*Mr. Speaker and Members of the Thirtieth General Assembly:*

GENTLEMEN—It is with a sense of sadness and regret that I seem called upon at this time to speak to you concerning the life and character of one of our most honored and distinguished pioneer legislators, Joshua G. Newbold, who died at his home in Mount Pleasant, Iowa, on the 10th of June, 1903.

Mr. Newbold was born in Fayette county, Pennsylvania, May 12, 1830; lived on a farm; when eight years of age, the family moved to Westmorland county, where he was educated in the common school and academy. At the age of sixteen he returned with the family to Fayette county and remained eight years, assisting his father in running a flouring mill, when not teaching; when about nineteen, commenced the study of medicine, reading a year or more while teaching, and then abandoning the notion of being a physician. In March, 1854, Mr. Newbold removed to Iowa, locating on a farm, now partly in the corporation of Mount Pleasant; removed to Cedar township, Van Buren county, where he engaged in merchandising and farming; in 1860 removed to Hillsboro, Henry county, and pursued the same calling. In 1862, at the call of President Lincoln for six hundred thousand men to finish the work of crushing the rebellion, he left his farm in the hands of his family, and his store in charge of his partner, and went into the army as a captain of Company "C", twenty-fifth regiment, Iowa volunteer infantry; served nearly three years; resigned just before the war closed, on account of disability; during the last two or three months at the South, he served as judge advocate, with headquarters at Woodville, Alabama.

On returning to Iowa he continued in the mercantile trade at Hillsboro for three or four years, then sold out and gave his whole attention to agriculture, stock raising and stock dealing. He was a member of the Thirteenth, Fourteenth and Fifteenth General Assemblies from Henry county and chairman of the school committee in the fourteenth, and of the committee on appropriations in the Fifteenth General Assemblies; in the Fifteenth, was temporary Speaker during the deadlock in organizing the House; in 1875 he was elected Lieutenant Governor of the State, serving as President of the Senate in the session of 1876; Governor Kirkwood being elected United States Senator during that session, Mr. Newbold became Governor, taking the chair on the first of February, 1877, and served until January 1878, on the election of Hon. John H. Gear.

At the close of Governor Newbold's term as chief executive he returned to Mount Pleasant, where he located and made his home. By a constant call from his many friends and associates, to look after matters of public and private interest, he became conversant with the code and was later ad-

mitted to the bar; he did not enter largely into the practice of law, but simply used his knowledge in this line in the matter of settling estates and adjusting differences which were often brought before him; he was twice elected Mayor of Mount Pleasant, which position he filled with honor to himself and to the fullest measure of satisfaction to the people who imposed that trust in him.

Governor Newbold was a man of more than ordinary ability; he possessed a great mind, and had he entered the practice of law during his early manhood, he had the necessary qualifications for the position of judge, which was shown by his record during the close of the war as Judge Advocate in the South, which proved him to be pre-eminently adapted for a position of this kind. In business affairs he was ever found fair and honorable; while firm, he yielded to clemency rather than to provoke discord; he was ever interested in the welfare of his town and county, and carefully sought the interest of his people with devotion to their best needs; his time was theirs. Being a man of considerable means he gave freely to public and private enterprises that would build up and stimulate his home town interests; he took great interest in the College and assisted materially in its welfare, both at home and abroad.

The name of Governor Newbold is synonymous with Republicanism in Henry county, as his affiliations were always with that party, and a county convention, during his life, was not complete without his presence, and not infrequently was he made its chairman. He was one of the honored pioneers, who, during the trials incident to those times, materially assisted in paving the way for the consummation of the grand success which has been attained by the State. He was in close touch, in those days, with the leading men, who afterward brought fame and distinction to our State and Nation; he was ever faithful to all trusts imposed in him, and in his death Henry county, and the State of Iowa, sustained a loss which was most deeply felt.

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#### HON. W. H. H. MYERS.

MR. SPEAKER—Your committee, heretofore appointed to draft suitable resolutions respecting the life-character, and public service of Hon. W. H. H. Myers, of Dickinson county, beg leave to submit the following:

WHEREAS, The Hon. William Henry Harrison Myers, an honored and respected member of the Twenty-eighth General Assembly, departed this life at his home in Milford, Dickinson county, Iowa, January 23, 1903, and

WHEREAS, We recognize the fidelity and integrity with which he discharged his duty in every station in life; his efficient, honorable and able public career; his private life and character above reproach, his manly bearing and courteous manners gained for him the confidence, respect and esteem of his comrades, neighbors, friends, and those most closely associated with him in every walk of life; therefore, be it

*Resolved*, That in his death the family are bereaved of a kind and affectionate husband and father, the community in which he lived has lost



an efficient, upright and trusted member, and the State and Nation a useful, honorable and patriotic citizen and soldier.

*Resolved*, That we extend to the family of the deceased, who are bowed with grief and sorrow, our earnest and heartfelt sympathy, in this their sad affliction; and request the Clerk of this House to transmit an engrossed copy of these resolutions to the bereaved widow and family, and that the same be spread upon the Journal of this House as a part of the records thereof.

B. F. ROBINSON.  
M. L. TEMPLE.  
G. W. KOONTZ.

Adopted April 8th.

REMARKS OF MR. ROBINSON.

Hon. William Henry Harrison Myers died at his home in Milford, Saturday, January 24, 1903, of Bright's disease. He was born in Clinton county, Ind., December 14, 1839, and moved with his parents to Fayette county in 1851. He attended Upper Iowa University at Fayette at the beginning of the Civil War, and left school August 12, 1862, to enlist in Company "H," Thirty-eighth Iowa regiment as first sergeant, and was discharged at Houston, Texas, August 15, 1865. He was married to Miss Mary E. Shannon, May 15, 1866, at Toulon, Ill., and located in Polk county, Iowa. He has resided in Iowa continually to the time of his death except two years in Kansas and five years in Nebraska. In 1895 he located at Milford, which has since been his home. In 1898 he was elected as representative from the eighty-first district to fill vacancy, and in 1899 was elected a member of the Twenty-eighth General Assembly, which place he filled with credit to himself and to the satisfaction of those whom he represented. He was a member of the G. A. R. Post at Milford, Iowa, and of the Masonic fraternity.

During a short acquaintance with the subject of this sketch, I was profoundly impressed with his manly bearing, personal worth, integrity and strength of character; being a man of great personal magnetism, cordial and courteous manners, he instinctively drew every one close to him and made very close and intimate friends.

He was a good citizen; kind and obliging neighbor; a faithful and patriotic soldier; a wise and safe counselor; an intelligent and painstaking legislator; a devoted lover of his family and home and a true and sincere friend. Though not long a member of this house, yet long enough, I am sure to gain the confidence and respect of the membership of this body and it is entirely appropriate that we should at this time pause for a few brief moments from our legislative duties and labors and record this slight tribute to his memory.

Life is indeed a book. We read it page by page and day by day. While the page of today may bring the shout of laughter to the lips, the page of tomorrow will be blurred with tears. The road of today may lead into a dark foreboding tomorrow, but ere tomorrow's sun shall set we may pitch our tents within sight of the spires and domes of a friendly city. I think, Mr. Speaker, one of the happiest times in life is when holding a fresh,

new soul with in our arms, one fresh from the great immortality of the past; and the saddest hour is when holding some loved one by the hand, he steps down into the valley of the shadow we call death. We turn to earth and it is barren, to the sky and it is lead. The rift in the clouds only is the hope of immortality born within us and testified to by every line of nature that lies about us like an open book. With this light in our eyes we turn again to the earth, and it is no longer barren, again to the sky and it is no longer leaden, for we read the same voice in the storm or in the breaking wave, and in the quiet nook around the sunny bank, the same voice of faith—be patient. God reigns, and immortality is the jewel of the soul.

“There's a wideness in God's mercy like the wideness of the sea;  
There's a kindness in His justice that is more than charity.  
For the love of God is broader than the measure of man's mind;  
And the heart of the Eternal is most wonderfully kind.”

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#### HON. WM. C. GARRETT.

MR. SPEAKER—Your committee appointed to draft resolutions commemorating the life and work of Hon. Wm. C. Garrett, respectfully submit the following:

WHEREAS, The Hon. Wm. C. Garrett, an honored member of the Tenth General Assembly of the State of Iowa, an honored and respected citizen in the community in which he lived, departed this life on the 22d day of March, 1904. He was born in Highland county, Ohio, July 1, 1823. Removed to Van Buren county, Iowa, in October, 1851. Served in the Tenth General Assembly which convened in Des Moines, January 11, 1864, and adjourned March 29, 1864. He declined a renomination. He located in Decatur county in 1832, where he resided until his death, and

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, his friends an honorable, upright Christian gentleman, and the State an influential citizen. That our hearts are touched with sadness because of his death and we extend our sympathy to his family in their bereavement.

*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.

E. J. SANKEY,  
L. F. SUMMERS,  
WM. COBB,

*Committee.*

April 8, 1904.

**GENERAL FRANCIS MARION DRAKE.**

*To the General Assembly of the State of Iowa:*

Your committee, appointed to prepare and submit resolutions in memory of the late Governor Francis Marion Drake, beg leave to submit the following:

WHEREAS, Gen. Francis Marion Drake, Governor of Iowa during the years 1896 and 1897, departed this life at his home in Centerville, Iowa, on the 20th day of November, A. D. 1903; therefore, be it

*Resolved*, That the General Assembly of the State of Iowa has learned with profound sorrow and regret of the death of Iowa's distinguished son and former Governor, and that in his death the State has lost one of her best and ablest citizens.

As a soldier, he was valiant and patriotic, serving his country in her hour of peril with a rare devotion to fidelity and duty; as a citizen, he was true to the highest ideals, and ever ready to give with a munificent hand of his time and purse for the welfare of his countrymen and his fellows; as Governor of Iowa he met every question with the broad, comprehensive grasp of a statesman, and his fairness and ability won the confidence of all.

This General Assembly especially recalls with gratitude the great service General Drake has rendered to the youth of Iowa by his liberal contributions to the institutions of higher learning, and especially to Drake University, which he founded and liberally endowed.

That the General Assembly joins with his neighbors and friends in their sorrow at his loss, and hereby tenders to his family its sincere sympathy in this their hour of bereavement.

*Be it further Resolved*, That a copy of these resolutions be spread upon the records of the Senate and House of Representatives, and that a properly engrossed copy, authenticated by the President and Secretary of the Senate and the Speaker and Clerk of the House, and also by the Governor of Iowa, be sent to the members of his family.

L. L. TAYLOR,  
JOHN L. WILSON,  
C. G. SAUNDERS,  
*Senate Committee.*

N. E. KENDALL,  
H. E. TEACHOUT,  
A. F. FRUDDEN,  
*House Committee.*

Adopted April 8th.

**HON. IRA H. TREMAINE.**

MR. SPEAKER—Your committee appointed to draft resolutions of respect to the memory of Hon. Ira H. Tremaine, respectfully submit the following:

WHEREAS, The Hon. Ira H. Tremaine, an honored member of the Seventeenth General Assembly, from Hamilton county, died on the 5th day of December, 1903.

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 father, and the State loses the services, valuable counsel and exemplary life of an honored, upright and representative citizen.

*Resolved*, That we share this loss and deeply sympathize with his family in their great bereavement.

*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.

GEO. P. CHRISTIANSON,  
A. W. BUCHANAN,  
L. L. DELANO,  
*Committee.*

**HON. AUGUSTUS ANDERSON.**

MR. SPEAKER—Your committee appointed to draft resolutions of respect to the memory of Hon. Augustus Anderson, respectfully submit the following:

WHEREAS, The Hon. Augustus Anderson, an honored member of the House of the Twentieth and Twenty-first General Assemblies, from Hamilton county, has departed this life, therefore be it

*Resolved*, That in his death the State has lost a patriotic, faithful and worthy citizen, the community in which he lived an upright and respected man, his family a kind and loving father, and all who knew him a generous and unselfish friend.

*Resolved*, That we share and deeply sympathize with his family in their bereavement, trusting that "He who tempers the wind" will assuage their sorrow with 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.

GEO. P. CHRISTIANSON,  
J. D. SHAFFER,  
R. M. WRIGHT,  
*Committee.*

Adopted April 11.

**MR. NATHAN MIDDLETON.**

**MR. SPEAKER**—Your committee, appointed to draft resolutions of respect to the memory of Nathan Middleton, respectfully submits the following:

**WHEREAS**, Nathan Middleton, for many years a faithful attendant in the cloak-room in the hall of the House of Representatives, has departed this life since the adjournment of the Twenty-ninth General Assembly; and,

**WHEREAS**, The life and character of the deceased, and his services to the State and country, were such as to command the respect and gratitude of his fellow citizens; therefore,

*Resolved*, That in his death his family is bereft of a kind husband and an indulgent father; and the State, a citizen faithful, earnest and true.

*Resolved*, That these resolutions be printed in the Journal of the House, and that the Chief Clerk transmit an engrossed copy of the same to the family of the deceased.

N. E. KENDALL,

M. L. TEMPLE,

R. C. LANGAN,

*Committee.*



SPEECHES MADE ON THE OCCASION OF THE VISIT  
OF THE PIONEER LAW MAKERS' ASSOCIATION  
TO THE HOUSE OF REPRESENTATIVES.

BY REPRESENTATIVE BIXBY.

MR. SPEAKER, HONORED GUESTS AND GENTLEMEN OF THE HOUSE—  
I esteem it a privilege and honor, in behalf of this House, to extend to the Pioneer Law Makers of Iowa, a most sincere and cordial greeting. We honor the living, we revere the memory of the departed, and we applaud the noble deeds of all those whose lives now form a part of the history of our beloved commonwealth.

From time to time during this session we have passed resolutions of respect, as we have been informed of the passing away of a former member. In this all have united with a sincerity not to be mistaken. But, Mr. Speaker, as heartily as I approve of these acts, it gives me infinitely greater satisfaction today to look upon animate forms and speak to listening ears.

“You'd better buy a cheap bouquet,  
And give to your friend this very day,  
Than purchase roses white and red,  
To place on his grave when he is dead!”

Gentlemen, your duties differed from those which confront the legislator of today. The most delicate and difficult problems of a formative period were thrust upon you; primitive conditions surrounded you; the disaster of others appalled you; warring factions threatened you; while the menace of that unholy institution, human slavery, was ever present.

In your extremity you turned to that chart which warns nations as well as individuals of impending dangers. You read: “No structure resting upon a foundation of sand can withstand the assaults of storm and flood.” With the warning sinking deep into your very souls, you turned again to the chart which directs as well as warns.

A gleam of revelation, and you clearly behold the granite foundation of universal freedom and eternal justice.

With more of wisdom than you were then aware, you built up these principles. The storms came.

The demand of exigencies which inspiration alone could have foretold, flooded and surged around and over all; the Nation itself was rent with civil strife, yet the work of your hands remained “for it was founded upon a rock.”

As the foundations of the institutions of our beloved State were thus being wisely laid, distractions of a national character divided your attention. This afternoon, as we go back in fancy to those days, we see Whittier in his study, and listen to his songs of freedom; we see Mrs. Stowe educating with "Uncle Tom" in his cabin; we note Garrison forging thunderbolts in his Liberator; we find old Gamaliel Bailey with his National Era; we see Sumner fall by a bludgeon in the Senate; we hear the eloquent thunderings of Hale, and bluff old Ben Wade, and Giddings, and Julien, and Chase; we see Lovejoy fall by the hand of an assassin; we hear the guns of the patriotic John Brown as he began "marching on"; we see the opposing hosts marshaled for the contest which led up to the election of the Martyr President, and we behold the crowning victories which redeemed the greatest nation upon which the sun shines from the curse of human slavery. The little buttons I notice upon the breasts of many of your members, speak in the eloquence of their brazen silence of the part you had in that conflict. Other lands may produce private citizens of worth and character; other nations may have their statesmen of marked ability and be defended by brave soldiers, but in America alone is found the successful combination of the three in one, and nowhere in our own country, can better representatives of that illustrious type be found than among the Pioneer Law Makers of Iowa. It is not to correct errors that were committed by you that the General Assembly continues to meet biennially, but to provide for demands arising from ever-changing conditions. Vexing problems are presented for solution even in these days; we search history in vain for parallel requirements. In our perplexity we turn with confidence to the constitutional provisions with which you have endowed posterity, and which we religiously safeguard, and upon these basic principles we endeavor to enact wise and just legislation. While we greet you as lawgivers from the Sinai of the past, we do not forget your heroic acts as private citizens. You tactfully dealt with savages; successfully defended your rights from the attacks of unprincipled outlaws; beat back the wild beasts from the circle of your home-life, and with persistent effort subdued the wilderness. I count it my good fortune to have been born in pioneer Iowa. My parents left their Green Mountain home while this State was yet a territory. Coming by way of the canal and great lakes, they continued the journey across Wisconsin with a horse and buggy that had made the entire trip with them. I have not the time to tell; I do not need to relate to you their experiences. In my early memories I see by the side of my industrious, loyal, Christian father, my loving, patient, and devoted mother. And I do not detract from the honor that we gratefully and gladly lay at your feet, when I bring with it the tribute of esteem and love, that this generation cherishes for the memory of the motherhood of those trying times.

We welcome you, our honored guests, to the sacred precincts of this spacious tent. Others have welcomed you amid more pretentious surroundings. In the future you will be gladly received with the splendor of destroyed beauty fully restored.

To the House of Representatives of the Thirtieth General Assembly alone is accorded the privilege of extending to you the hospitality of our canvas home. With the pride of the Bedouin of the Orient we jealously guard

our right to this distinction. And why not? We have been saved from the humility of sackcloth and ashes, and the expanse above and around us, mercifully veils from sight the blackened evidence of frightful disaster. Gentlemen, I again assure you of the most cordial welcome of each member of this House.

BY REPRESENTATIVE COLCLO.

MR. PRESIDENT—It is with feelings of profound respect that I attempt to address so honorable a body of men as the Pioneer Law Makers of the State of Iowa. Many of those who were associated with you during the pioneer days in the State have passed away, and how well they did their part to solve the great problem of life must be answered by the God who gave it in their hands for keeping, for he alone can know.

The length of life at best is but a span, yet there are those living in this State to whom this span has been lengthened out until in their memory they bind the early history of our State with the present—those who have seen the camping grounds of the red man converted into great centers of industrial activity—those who have seen the warpath and the Indian trail give way to the great arteries of commerce that cross and recross our State. During the few brief years that are allotted to man those changes have taken place, for it is less than three score years and ten since first you consecrated Iowa as free soil to the upbuilding of an empire in the heart of a vast wilderness.

Standing as we do today in the presence of our distinguished guests and looking down the vista of these few years we see a steady procession passing before us. Into the new empire of the West the order states have poured a constant stream of humanity. As this restless tide passes before us we see plain, practical men and women coming to our borders to build homes for themselves and for future generations. They were the immediate descendants of an aristocracy whose blood has consecrated every foot of our free soil, baptized every battlefield of the revolution and sent a thrill of liberty pulsating round the world. They were men of brains and brawn and nerve, who faltered at no undertaking but left the imprint of their individuality and independence in the Constitution and the laws you have handed down to us as an inheritance.

You who laid deep and strong the foundations of our State for future greatness did well to mould into life your keen regard for the individual rights of man. The blighting influence of sumptuary laws and class legislation have never laid their palsied hand upon the material development of our State, or fanned into life the smouldering flames of anarchy or rebellion. Here capital has found a safe and sure investment, and honest labor its reward. We feel justly proud of the record of our State, whether in peace or war, of our soldiers and our generals, of our statesmen and our orators, but above all, of the brain and brawn of our people that has developed our agricultural resources, our mines and our industrial interests, until in many respects the name of Iowa leads all the rest. The busy hum of their contented industry allays our fears and leads us on to greater activity, creating conditions whereby it is possible for millions to live in comfort and hope, where thousands dwelt in poverty and despair.



When we look for the source from whence came these ideals and these aspirations, we must not be unmindful of those women who so nobly did their part during the pioneer days in the West.

Gentlemen, permit me to say that I know of no way in which I can better express my regard for you today than by departing from the time-honored custom and paying a passing tribute to those women who were your guiding star and led you on to higher and nobler deeds—to those wives who shared in your sorrows and rejoiced in your triumphs—to those mothers who pillowed on their bosoms so noble a race of men I have sometimes found myself thinking and believing that those good old pioneer women were the best mothers the sun ever shone upon. It is the mother's influence that lingers last and longest in our hearts and comes to us o'er and o'er in memory's dream; that "knits up the raveled sleeve of care" and builds God's noblest temple here on earth—the home.

"The mothers of our Western land,  
Stout-hearted dames were they,  
With nerve to wield the battle brand  
And join the border fray.  
In all our rough land there were no braver,  
In those days of blood and strife,  
Aye, ready for severest toil,  
Aye, free to peril life."

"The mothers of our Western land,  
On Iowa's free soil,  
How shared they with each dauntless band  
War's tempest and life's toil.  
They shrank not from the foeman,  
They quailed not in the strife,  
They cheered their husbands through the day  
And soothed them through the night."

"The mothers of our Western land,  
Their bosoms pillowed men,  
And proud were they by such to stand  
In hammock, fort or glen  
To load the sure old rifle,  
And mould the leaden ball,  
And watch the fighting husband's place  
And fill it should he fall."

"The mothers of our Western land,  
Such were their daily deeds,  
Their monument—where does it stand?  
Their epitaph—who reads?  
No nobler dames had Sparta,  
No nobler matrons Rome,  
But in our hearts we'll cherish them  
Since God has called them home."



# HOUSE BILLS.

## INTRODUCTION AND ACTION.

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1—By English. To provide for primary elections for the purpose of ascertaining the choice of members of political parties for the nomination of candidates for elective offices and the selection and instruction of delegates to convention.	
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Referred .....	88
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Amended and passed senate.....	1076
House concurs.....	1081, 1082
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Signed .....	1270
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2—By Geneva. To amend section 2103 of the code relating to transfer tracks on railroads.	
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3—By Greene. Providing for the nomination of officers and the election of delegates to convention of political parties or organizations by a primary election.	
Introduced and referred.....	88
Reported unfavorably.....	1086
Indefinitely postponed .....	238
4—By McClurkin. To amend chapter 14 of title 13 of the code of Iowa relating to common schools.	
Introduced and referred.....	88
Reported unfavorably.....	238
Indefinitely postponed.....	238
5—By Wright. To repeal section 4136 and section 4137 relating to assignments of error in appeals to the supreme court and to enact a substitute therefor.	
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6—By DeLano. To establish the rights and define the duties of express companies.	
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7—By DeLano. Defining the duties of railroad companies in the shipment of live stock.	
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	451, 471, 501, 502, 567
8—By Frudden. Legalizing the resolutions, acts and proceedings of the city council and city officers in the city of Dubuque, relating to the improvement of the streets and alleys in said city.	
Introduced and referred.....	94
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9—By Frudden. To amend section 3688 of the code of 1897 and relating to jurors in suits and proceedings where counties, cities and towns are parties, or interested.	
Introduced and referred.....	94
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10—By Hanna. To regulate and require common carriers to issue free transportation to persons shipping live stock, amendatory of chapter 7, title X, of the code, relating to the regulation of common carriers.	
Introduced and referred.....	94
Reported unfavorably .....	631
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11—By Hart. To amend section 700 of the code of Iowa.	
Introduced and referred.....	94
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12—By Jepson. To amend section 1641 of chapter 1 of title IX of Code of 1897, relating to ownership of real property by corporations organized in this or any other state for pecuniary profit.	
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13—By Jepson. To amend section 2942-F, of supplement to the code, relating to conveyances of real estate by husband or wife.	
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Enrolled.....	635, 636
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14—By Powers. To amend section 1272, relating to the filling of vacancies in office.	
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Recalled and referred.....	146
Reported with amendments.....	336
Amended and passed.....	340
Title amended.....	341
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15—By Stoltenberg. Making appropriations for the Iowa Soldiers' Orphans' Home at Davenport.	
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16—By Crose. In relation to the county levy for bridge purposes.	
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17—By Hambleton. To amend section 4808 of the code, relative to obstructing and defacing of roads.	
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18—By Bailey. To close rural schools and for the transportation of children.	
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19—By Buchanan. Repealing part of section 2540 of the code supplement relating to fishing in the waters of the state.	
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20—By Cobb. To amend section 1306-B, of the supplement to the code of Iowa, section 2, chapter 41 of the acts of the Twenty-eighth General Assembly, relating to the limit of indebtedness of political and municipal corporations.	
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21—By Cobb. To provide for the compiling and publishing of a roster of all Iowa soldiers and sailors.	
Introduced and referred.....	102
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22—By Doran. To establish a uniform primary and caucus system for the nomination of candidates for state office and the various officers in the towns, cities, townships, counties, and representative, senatorial and judicial districts of Iowa.	
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Referred.....	103
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23—By Greeley. To provide for the levy of a special tax of one-tenth of a mill on the dollar of assessed valuation of the taxable property of the state for the support of experiment station work.	
Introduced and referred to committee on Ways and Means.....	103
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24—By Hart. Requiring the licensing of honorably discharged soldiers, sailors and marines to vend, hawk or peddle goods, wares or merchandise in cities and towns without cost, and providing penalties for violation of same.	
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25—By Head. To amend section 1889 of chapter 12 of the code in relation to savings and state banks and loan and trust companies, and the capital and examination thereof.	
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Reported with amendments.....	220
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Title amended.....	262
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26—By Jones. Relating to the construction of permanent sidewalks, and providing for the assessment and collection of the cost thereof.	
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27—By Laird. To amend section 1418 of the code, relating to the time for which real estate may be sold for taxes.	
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28—By Lowrey.	Legalizing the organization of the independent school district of Somers, located in Calhoun county, Iowa.	
	Introduced and referred.....	103
	Recalled.....	108
	Amended and passed.....	114, 115
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	Enrolled.....	302, 303
	Signed.....	306
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29—By Lundt.	To prevent epidemics of contagious and infectious diseases.	
	Introduced.....	103
	Referred.....	104
	Reported unfavorably.....	301
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30—By Lundt.	To place the ballot on a higher and more moral level.	
	Introduced and referred.....	104
	Reported unfavorably.....	313
	Indefinitely postponed.....	313
31—By McElrath.	Requiring boards of supervisors to make yearly estimates of the revenue and income in county funds and limiting county expenditures to such estimates.	
	Introduced and referred.....	104
	Reported unfavorably.....	204
	Indefinitely postponed.....	204
32—By Offill.	To amend section 2022 of the code, relating to private crossings or passways under the railways, for horses and cattle.	
	Introduced and referred.....	104
	Reported unfavorably.....	274
	Indefinitely postponed.....	274
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33—By Powers.	Providing for the closing of schools and for the transportation of children to adjoining rural schools.	
	Introduced and referred.....	104
	Reported unfavorably.....	295
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34—By Powers.	Providing for state aid to rural schools.	
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35—By Pritchard.	To amend section 1946 of the code relating to the apportionment and assessment of the costs of levees, drains, ditches and water courses.	
	Introduced and referred.....	104
	Recalled and re-referred.....	108
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36—By Pritchard.	To promote the public health, convenience and welfare, by providing for the location, establishment and construction of ditches, drains or water courses and prescribing a method for so doing.	
	Introduced and referred.....	104
	Substitute reported.....	1057-1074
	Passed on file.....	1074
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	S. F. 16, substituted for.....	1193
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38—By Sankey.	To amend section 2022 of the Code of 1897, relating to private crossings.	
	Introduced and referred to committee on Railroads and Commerce.....	105
39—By Stanbery.	Providing for the erection of grain warehouses and grain elevators, on or near the right of way of railways, and providing for condemnation proceedings in connection therewith.	
	Introduced and referred.....	105
	Withdrawn.....	359
40—By Weeks.	Relating to highways and providing for the establishment of a state highway department, by the appointment of a state highway commissioner and assistant, and defining the powers and duties thereof.	
	Introduced and referred.....	105
	Reported with amendments.....	383
	Amendments adopted.....	384
	Lost on passage.....	462, 463
41—By Wise.	Making appropriations for the support and development of the Iowa State Normal School.	
	Introduced and referred.....	105
	* Indefinitely postponed.....	1343
42—By Wright.	Relating to dower, and additional to section 3366 of the Code of 1897.	
	Introduced and referred.....	105
	Reported unfavorably.....	292
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43—By Cummings.	To regulate the employment of child labor and to provide for the enforcement thereof, additional to chapter 8, title XXI of the Code.	
	Introduced and referred.....	105
	Reported favorably.....	215
	S. F. 56, substituted for.....	431
	Petitions relative to.....	253, 255
	271, 272, 312, 335, 381	
44—By Buckingham.	To amend section 2340 of the Code, relating to damage done by dogs.	
	Introduced and referred.....	109
	Recalled and re-referred.....	122
	Reported and re-referred.....	377
	Reported.....	382
	Passed.....	461, 462
	Passed Senate.....	1345
	Enrolled.....	1369
	Signed.....	1369
	Sent to the Governor.....	1371
45—By Cassel.	To amend section 2158 of the Code, relating to the right of way of telegraph and telephone companies on public roads.	
	Introduced and referred.....	109
	Reported unfavorably.....	382
	Indefinitely postponed.....	383
46—By Coburn.	Appropriating money for the benefit of the Cherokee State Hospital.	
	Introduced and referred.....	109, 110
	Indefinitely postponed.....	1030

\* Erroneously printed H. F. No. 241.

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47—By Colclo. To amend section 2775 of the Code of 1897 of the state of Iowa, relating to the course of study in public schools so as hereafter to read as follows.		53—By Harris. To amend sections 1106, 1109 and 1119 of the Code of 1897, and to repeal section 1120 of the code of 1897, and to enact a substitute therefor, relating to the form of the official ballot, to the printing thereof, and to the manner of marking the same by the voter.	
Introduced and referred.....	110	Introduced ..... 110	
Reported with amendments	219	Referred ..... 111	
218, 219	264	Reported unfavorably ..... 649	
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290, 311, 312, 335, 347	371, 395, 434, 534, 567		
48—By Cummings. To amend section 648 and section 651 of the Code, relating to election and appointment of city officers in cities of the second class.		54—By Hart. Prohibiting insurance companies, other than life, from taking notes in payment of the premiums or assessments, payable at a place other than in the county of the residence of the insured or where the property insured is located, and providing penalties for the violation thereof.	
Introduced and referred.....	110	Introduced and referred.....	111
Reported unfavorably .....	204	Reported unfavorably .....	950
Indefinitely postponed .....	204	Indefinitely postponed .....	951
Petition relative to .....	243		
49—By Davie. To amend section 686 of the Code, relating to the publication of ordinances.		55—By Head. To require administrators, executors and guardians to file certificate of the 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, amendment of chapter 2, title XVII, of the Code, relating to wills and letters of administration.	
Introduced and referred.....	110	Introduced and referred.....	111
Reported with amendments....	176	Reported unfavorably .....	148
Amended .....	259	Indefinitely postponed .....	171
Lost on passage .....	260		
50—By English. To amend section 5256 of the Code, relating to clerks of grand juries, and providing for the appointment and the compensation thereof.		56—By Head. Providing for the filing of certified copies of the will of any deceased resident of this state, and of the original record of probate thereof in any other county in which property affected by such will is situated, amendatory of chapter 2, title XVII, of the Code, relating to wills and letters of administration.	
Introduced and referred.....	110	Introduced and referred.....	111
Reported .....	219	Reported unfavorably .....	148
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Passed Senate .....	391	Petition relative to .....	335
Enrolled .....	921, 922		
Signed .....	924		
Sent to the Governor .....	964	57—By Lowrey. Making an appropriation for the payment of certain costs which were incurred by reason of the intervention of the State of Iowa in certain suits originally commenced in the district court of Humboldt county, Iowa.	
51—By Freeman. Amending section 4011 of the code, relating to the exemption of the personal earnings of non-resident debtors who are the heads of families.		Introduced and referred.....	111
Introduced and referred.....	110	Reported and re-referred.....	150
Reported unfavorably .....	272	Reported .....	193
Indefinitely postponed .....	272	Passed .....	199
52—By Hambleton. Against docking horses.		Amended and passed Senate.....	890
Introduced and referred.....	110	House concurred .....	894, 895
Reported unfavorably by majority .....	560		
Substitute reported by minority .....	561		
Minority report adopted .....	618		
Substitute adopted and passed .....	619, 620		
Passed Senate .....	889		
Enrolled .....	922		
Signed .....	924		
Sent to the Governor .....	964		
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Signed .....	964
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58—By Lundt. To repeal all of chapter 53 of the Twenty-ninth General Assembly and to amend sections 1535, 1553 and 1554 of the Code, in relation to the working of roads and highways.	
Introduced .....	111
Referred .....	112
Withdrawn .....	359
59—By Mattes. To prohibit shooting live birds from traps, and providing a penalty for the violation thereof.	
Introduced and referred.....	112
Reported .....	205
Amended and passed.....	264, 265
Title amended .....	265
Amended and passed Senate..	428
House concurred .....	455
Enrolled .....	476, 477
Signed .....	478
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Petitions relative to, 214, 236	
242, 243, 252, 254, 255	
290, 311, 312, 335, 347	
371, 395, 434, 534, 567	
60—By Mattes. To appropriate money in aid of the quarterly conferences of the chief executive officers of the institutions under the management of the Board of Control of the state institutions.	
Introduced and referred.....	112
Reported .....	218
Passed .....	281, 282
Passed Senate .....	579
Enrolled .....	635, 636
Signed .....	636
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61—By Mattes. To appropriate money for the inspection of county and private institutions wherein insane persons are kept.	
Introduced and referred.....	112
Reported .....	117
Passed .....	137, 138
Amended and passed Senate..	441
House concurs .....	454
Enrolled .....	476, 477
Signed .....	478
Sent to the Governor .....	488
62—By Morris. To amend section 2159 of the Code, relating to the placing of telegraph and telephone poles.	
Introduced and referred.....	112
Reported unfavorably .....	204
Indefinitely postponed .....	204
63—By Stanbery. To amend section 2406 of the Code, relating to sale of intoxicating liquors, to actions and withdrawal of same without leave of court.	
Introduced and referred.....	112
Reported .....	220
Re-referred .....	234
Reported unfavorably .....	272
Indefinitely postponed .....	272

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64—By Buckingham. To amend section 431 of the Code of Iowa, 1897, relative to the Soldiers' Relief Commission.	
Introduced and referred.....	118
Reported with amendment....	194
Amended and passed .....	197, 198
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65—By DeLano. To amend section 3505 of the Code of 1897, relating to the grounds for changing the place of trial in civil actions and to add subdivision 6 thereto.	
Introduced .....	118
Referred .....	119
Reported unfavorably; minority favorably .....	313
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66—By Doran. Relating to contracts limiting the liability of railway companies in the transportation of property and additional to section 2074 of the Code of 1897.	
Introduced and referred.....	119
Withdrawn .....	1162
67—By Dow. To limitate the time for foreclosure of mortgages and to prevent said mortgages being a lien on real estate described therein, after the expiration of fifteen years after maturity of the whole debt secured by said mortgage.	
Introduced and referred.....	119
Reported unfavorably .....	149
Indefinitely postponed .....	171
68—By Dow. To amend section 1376 of the Code, relative to the assessment of taxes.	
Introduced and referred.....	119
69—By Dow. To amend section 881 of the Code, relative to condemnation and purchase of land for sewer outlets and for sewer and garbage disposal plants.	
Introduced and referred.....	119
Reported with amendments....	900
Amended and passed 933, 934	
Title amended .....	985
Amended and passed Senate..	1276
House concurs .....	1291, 1292
Enrolled .....	1330, 1332
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Sent to the Governor .....	1356
70—By Hambleton. Authorizing cities and towns to levy a tax for the purpose of erecting public buildings and purchasing grounds for the same.	
Introduced and referred.....	119
Reported with amendments....	375
Amended and passed .....	447-449
Amended and passed Senate..	556
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Signed .....	636
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71—By Jacobson. Providing for the payment of claims due persons who, during the war of the rebellion, performed services in the organization of state militia.		79—By Stanbery. Authorizing cities and towns to purchase, establish, maintain and operate sewage and garbage disposal plants.	
Introduced .....	119	Introduced and referred .....	121
Referred .....	120	* Reported unfavorably .....	901
Withdrawn .....	259	Indefinitely postponed .....	901
72—By Laird. To repeal section 1 of chapter 128 of the acts of the Twenty-ninth General Assembly, and to enact a substitute therefor, relating to compulsory education.		80—By Stanbery. For the better protection of birds and their nests and eggs.	
Introduced and referred .....	120	Introduced and referred .....	121
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Consideration deferred .....	977	81—By Stanbery. Repealing section 738 of the Code.	
Withdrawn .....	1050	Introduced and referred .....	121
73—By McAllister. To amend chapter 6 of title III of the Code, relating to superior courts, their jurisdiction, the number of jurors in said courts and the times and manner of drawing the same; repealing section 273 of the Code, relating to judgments of said courts and enacting a substitute in lieu thereof; and repealing chapter 10 of the acts of the Twenty-eighth General Assembly, relating to changes of venue from said courts.		Recalled and re-referred .....	146
Introduced and referred .....	120	Reported unfavorably .....	901
Reported unfavorably .....	175	Indefinitely postponed .....	901
Indefinitely postponed .....	183	82—By Stanbery. To amend section 716 of the Code, relative to the levy for fire fund.	
74—By Prevo. To require common carriers of persons to provide bulletin boards in all passenger depots, and to keep posted thereon the belated trains and the approximate time of their arrival.		Introduced and referred .....	121
Introduced and referred .....	120	Reported unfavorably .....	375
Reported unfavorably .....	472	Indefinitely postponed .....	375
Indefinitely postponed .....	472	83—By Stanbery. Providing for the placing and maintenance of switch lights on main track switches of steam railroads, providing for the colors to be used therein, and imposing penalties for the violation thereof.	
75—By Sankey. In relation to insurance.		Introduced and referred .....	121
Introduced and referred .....	120	Reported unfavorably .....	274
Reported unfavorably .....	356	Indefinitely postponed .....	274
Indefinitely postponed .....	356	84—By Teter. To repeal section 4914 of the Code and for the enactment of a substitute therefor; and for the amendment of chapter 8 of title XXIV of the Code, relative to offenses against the rights of suffrage.	
76—By Sankey. In relation to private banks.		Introduced and referred .....	121
Introduced and referred .....	120	Withdrawn .....	237
Reported unfavorably .....	376	85—By Wise. To amend chapter 5, title V, of the Code, relative to the purchase and construction of water-works.	
Indefinitely postponed .....	376	Introduced and referred .....	122
77—By Sankey. To legalize the election for the incorporation of the town of Le Roy, Decatur county, Iowa.		Reported unfavorably .....	901
Introduced and referred .....	120	Indefinitely postponed .....	901
Reported .....	148	86—By Wise. To provide for the construction of sewers by incorporated towns.	
Passed .....	159, 160	Introduced and referred .....	122
Passed Senate .....	182	Reported unfavorably .....	901
Enrolled .....	275	Indefinitely postponed .....	902
Signed .....	287	87—By Cassel. To amend the laws of Iowa concerning insurance other than life by repealing section 1742 and substituting therefor the following.	
Sent to the Governor .....	303	Introduced and referred .....	123
78—By Sankey. In relation to text-books in the public schools of the State of Iowa.		Reported unfavorably .....	355
Introduced and referred .....	121	Indefinitely postponed .....	355
Reported unfavorably .....	295	88—By Frudden. To amend title XVII, chapter 9, of the Code of Iowa, with reference to procedure in courts of original jurisdiction.	
Indefinitely postponed .....	295	Introduced and referred .....	123
		Reported unfavorably .....	216
		Indefinitely postponed .....	233



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89—By Frudden. To amend sections 3705 and 3708 of the Code of Iowa with reference to instructions to juries.	
Introduced and referred.....	128
Reported .....	216
Indefinitely postponed .....	233
90—By Frudden. To amend section 3704 of the Code, relating to arguments of attorneys.	
Introduced and referred.....	128
Reported .....	216
Indefinitely postponed .....	233
91—By Frudden. To amend section 3301 of the Code of Iowa, in relation to costs of bonds of administrators or executors.	
Introduced and referred.....	129
Reported .....	215
Indefinitely postponed .....	233
Reconsidered and re-referred .....	240
Reported unfavorably .....	293
Indefinitely postponed .....	293
92—By Greene. To amend section 4011, chapter 3, title XIX, of the Code of 1897, State of Iowa, relating to personal earnings.	
Introduced and referred.....	129
Reported favorably by majority .....	291, 292
Reported unfavorably by minority .....	292
Recommendations of minority substituted for committee report .....	332, 333
Indefinitely postponed .....	333
Petitions relative to.....	192, 242
243, 253, 254	
271, 291, 312	
320, 321, 322	
93—By Hollembeak. To amend subdivision 1 of section 1528, and section 1530, chapter 2, title VIII, supplement of 1902 to the Code.	
Introduced and referred.....	129
Recalled and re-referred .....	131
Reported unfavorable .....	356
Indefinitely postponed .....	356
94—By Jepson. To amend section 2297, title XII, chapter 2, of the Code, relating to the liability of estates of insane persons and certain relatives of insane persons for certain fees, costs and expenses.	
Introduced and referred to Committee on Judiciary.....	129
95—By Jepson. To amend section 1538, title VIII, chapter 2, of the Code, relating to the compensation of township trustees.	
Introduced and referred.....	129
Reported unfavorable .....	473
Indefinitely postponed .....	473
96—By Lamkin. Providing for the re-recording of instruments in which errors have been made in recording.	
Introduced and referred.....	129
Recalled and re-referred.....	163
Reported .....	220
Amended .....	230, 231
Re-referred .....	231

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Substitute reported .....	381
Substitute adopted and passed .....	401, 402
Passed Senate .....	939
Enrolled .....	962, 963
Signed .....	964
Sent to the governor .....	969
97—By McAllister—To regulate the right of suffrage, and punishment of refusal or negligence to exercise same.	
Introduced .....	129
Referred .....	130
Withdrawn .....	322
98—By Greeley. To repeal section 2674, chapter 4, title XIII, of the Code of Iowa; also such portion of section 1, chapter 152, of the acts of the Twenty-eighth General Assembly as provides an annual appropriation of \$25,000 for repairs, general improvements, current expenses and additional support for the college; and such portion of section 1, chapter 183, of the acts of the Twenty-ninth General Assembly as provides an annual appropriation of \$35,000 for additional support fund for the college; and to enact a substitute therefor providing for a levy of a special tax of three-tenths of a mill on the dollar upon the assessed valuation of the taxable property of the state, for repairs, general improvements, current expenses, and support of the Iowa State College of Agriculture and Mechanics Arts.	
Introduced and referred to Committee on Ways and Means .....	132
Petitions relative to .....	487, 559
99—By McNie. Making appropriations for the College for Blind at Vinton, Iowa.	
Introduced and referred.....	133
Indefinitely postponed.....	1030
100—By Cummings. Appropriating money for the benefit of the Iowa Soldiers' Home at Marshalltown.	
Introduced and referred.....	133
Indefinitely postponed.....	1030
101—By Head. To empower boards of supervisors, township trustees, city and town councils to buy or condemn land for gravel and other material to improve roads, public highways, streets and alleys.	
Introduced and referred.....	133
Withdrawn .....	1022
102—By Wright. To protect employees in garnishment cases.	
Introduced and referred.....	133
Reported with amendment...	186
Amended and passed .....	279, 280
Passed Senate .....	440
Enrolled .....	476, 477
Signed .....	478
Sent to the Governor .....	488

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103—By Hambleton. Authorizing the establishment and maintenance of hospitals by boards of supervisors, in their respective counties, either with or without the aid of hospital associations, and authorizing such boards to receive and accept aid and donations from them and providing for the management and control thereof, and the manner of raising funds to pay the expense of same.	
Introduced and referred.....	133
Withdrawn .....	322
104—By Hambleton. To amend section 2247 of the Code, relating to the expense of supporting the poor.	
Introduced and referred.....	133
Recalled and re-referred .....	163
Reported unfavorably .....	291
Indefinitely postponed .....	291
105—By Calderwood. To prohibit the keeping of children in poor houses, and to provide for their removal therefrom to and support in state institutions.	
Introduced and referred.....	134
Recalled and re-referred .....	163
Reported with amendments.....	384
Amendments adopted .....	385
Passed .....	420
106—By Langan. To legalize the incorporation of the town of Lost Nation, Clinton county, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town.	
Introduced and referred.....	134
Reported .....	150
Passed .....	160, 161
Passed Senate .....	182
Enrolled .....	275
Signed .....	287
Sent to the Governor .....	303
107—By Kennedy. To amend section 227 of the supplement to the Code, relating to judicial districts.	
Introduced and referred.....	134
Reported with amendments.....	474
Amended and passed.....	646-648
Motion to reconsider filed.....	652
Motion to reconsider lost.....	766
Senate indefinitely postponed .....	946
108—By Kennedy. To amend section 5716 of the Code, relating to the compensation of officers and employes of the state penitentiaries.	
Introduced and referred.....	134
Reported favorably .....	384
Indefinitely postponed .....	514
109—By Carstensen. To amend section 2474 of the Code of Iowa of 1897, relating to the reporting of accidents to employes.	
Introduced and referred.....	134
Reported with amendments.....	298
Amended .....	342
Re-referred .....	343
Reported and re-referred .....	570

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Substitute reported (H. F. 407) .....	774
(For further reference see H. F. 407.)	
110—By Maben. To amend section 3496 of the Code, relating to the place of bringing action on written contracts.	
Introduced and referred.....	134
Reported unfavorably .....	149
Indefinitely postponed .....	172
111—By Leech. To amend section 2564, chapter 16, title XII, of the Code, relating to the meetings of the State Board of Health.	
Introduced and referred.....	135
Reported erroneously printed, H. F. 112.....	301
Amended and passed .....	316, 317
Title amended .....	317
Passed Senate .....	725
Enrolled .....	823
Signed .....	825
Sent to the Governor .....	899
112—By Committee on Military. Making an appropriation for the Iowa National guard.	
Introduced and referred.....	135
Reported .....	217, 218
Passed .....	231
Amended and passed Senate.....	378
House concurs .....	388, 389
Enrolled .....	477
Signed .....	478
Sent to the governor .....	488
113—By Peet. Appropriating money for the benefit of the penitentiary at Anamosa.	
Introduced and referred.....	135
Indefinitely postponed .....	1030
114—By Jones. Providing for the registration of births and deaths, the compilation of vital statistics, and the supervision of local boards of health.	
Introduced and referred.....	135
Reported unfavorably .....	302
Indefinitely postponed .....	302
115—By Whiting. To legalize the organization of the independent school district of Soldier, Monona, Iowa, and the acts of its board of directors.	
Introduced and referred.....	135
Reported .....	148
Passed .....	158, 159
Senate passed substitute .....	279
House concurs .....	309, 310
Enrolled .....	336, 337
Signed .....	339
Sent to the Governor .....	337
116—By Hart. Providing for the compiling of a roster of Iowa soldiers, sailors and marines of the war of the rebellion and the Spanish-American war.	
Introduced and referred.....	142
Substitute reported .....	675
Re-referred .....	677
Substitute re-reported .....	773
Substitute adopted .....	843-845
Amended and passed.....	845, 846
Senate indefinitely postpones.....	1199

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117—	By Summers. To establish and maintain a sanitarium for the treatment and cure of persons afflicted with tuberculosis.	
	Introduced and referred	142
	Reported with amendments	302
	Re-referred	302
	Reported with amendments	298
	Amended	819
	Made special order	947
	Amended and passed	971
	Amended and passed Senate	1283
	House concurs	1295, 1296
	Enrolled	1330, 1333
	Signed	1334
	Sent to Governor	1357
118—	By Crose. Appropriating money for the benefit of the Clarinda State Hospital and permitting the use of a sum appropriated by the Twenty-ninth General Assembly for a shop building and for equipping the same.	
	Introduced and referred	142
	Indefinitely postponed	1030
119—	By Wright. To appropriate money for the use of the trustees of the charity fund of Boulder Lodge Sanitarium for Consumptives, at Ft. Dodge, Iowa.	
	Introduced and referred	143
	* Withdrawn	990
120—	By Wright. To provide for the location and construction of levees, ditches, drains, the changing of water courses and the organization of drainage districts, providing for the assessment and collection of the costs and expenses of the same, and issuing bonds therefor, and the legalizing and validating of proceedings heretofore had under the drainage laws of this state, and for the repeal of sections 1939-1966, inclusive, of chapter 2, title X, of the Code of Iowa, and amendments thereto.	
	Introduced and referred	143
	Withdrawn	1051
121—	By Stoltenberg. To protect deserving wives and minor children against non-support by husbands.	
	Introduced and referred	143
	Reported unfavorably	215
	Indefinitely postponed	233
122—	By Kennedy. Appropriating money for the benefit of the penitentiary at Ft. Madison.	
	Introduced and referred	143
	Indefinitely postponed	1030
	Omitted from list of bills indefinitely postponed on said page.	
123—	By Conn. To repeal chapter 139 of the laws of the Twenty-eighth General Assembly, relative to the cutting of weeds on the public roads, and to enact a substitute therefor.	

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	Introduced	143
	Reported unfavorably	659
	Indefinitely postponed	660
124—	By Welden. Appropriating money for the benefit of the Industrial School for Boys and authorizing the use of the sum appropriated by the Twenty-eighth General Assembly for changing the old heating station, for a new store house and cold storage.	
	Introduced	143
	Referred	144
	Indefinitely postponed	1030
125—	By Cheney. To amend section 3305 of the Code, relating to limitation of time for granting letters of administration on estates of decedents.	
	Introduced and referred	144
	Recalled and re-referred	163
	Reported	194
	Amended and passed	198, 199
	† Senate indefinitely postponed	323
126—	By Flenniken. To amend section 2512 of the supplement to the Code, relating to the appointment by the Dairy Commissioner of a deputy and assistants, and fixing their compensation.	
	Introduced and referred	144
	Recalled and re-referred	168
	Reported with amendment	1090
	Withdrawn	1090
127—	By Mattes. Appropriating money to pay express, freight and cartage.	
	Introduced and referred	144
	Reported	194
	Passed	208
	Amended and passed Senate	318
	House concurs	329, 330
	Enrolled	358
	Signed	359
	Sent to the Governor	378
128—	By Calderwood. Applying to sections 1872, 1873, 1874, 1876, 1877, 1881 of the code, to persons, firms and associations doing a banking business.	
	Introduced and referred	144
	Reported unfavorably	376
	Indefinitely postponed	376
129—	By Coburn. Relating to the use of streets and highways by automobiles or similar motor vehicles.	
	Introduced and referred	144
	Withdrawn	339
130—	By Buchanan. Defining the crime of larceny in the night time from buildings or farms, lots and other enclosures and providing punishment therefor.	
	Introduced and referred	144
	Substitute reported	351
	Substitute adopted	369
	Passed	370, 371
	Passed Senate	1277
	Enrolled	1329, 1332
	Signed	1334
	Sent to the Governor	1356

\* Erroneously printed H. F. No. 198.  
 † Erroneously printed "Passed Senate."

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131—By Buckingham. To amend sections 2503, 2505, 2506, 2507, 2508 and 2509 of the code of Iowa, relating to the inspection of petroleum products.		Signed .....	589
Introduced and referred.....	145	Sent to the Governor.....	609
Recalled and re-referred.....	163	139—By Bealer. To amend section 1850, chapter 10, title IX, paragraph 4, relating to investment of funds of savings banks.	
Withdrawn .....	240	Introduced and referred.....	152
132—By Willson. Making an appropriation for the erection of a monument in Elm Grove Cemetery, Washington, Ia., in remembrance of Timothy Brown, a revolutionary soldier, and providing the method of such erection.		Reported .....	296
Introduced and referred.....	145	Passed .....	314, 315
Reported .....	218	Title amended.....	315
Passed .....	280, 281	Senate fails to pass.....	978
133—By Teachout. Appropriating money for the benefit of the Industrial School for Girls at Mitchellville.		140—By Chassell. To amend chapter 5 of title IV of the laws of Iowa, relating to the compensation of county recorders.	
Introduced and referred.....	145	Introduced and referred.....	152
Indefinitely postponed.....	1030	Reported .....	219
134—By Teachout. To amend section 2823-a and 2823-e of the code, in relation to compulsory education.		Passed .....	229, 230
Introduced and referred.....	145	Title amended .....	230
Reported, unfavorably.....	927	Senate passed substitute.....	617
Indefinitely postponed.....	927	House concurs .....	639, 640
135—By Teachout. Making provision for the support of the Industrial School for Girls at Mitchellville.		Enrolled .....	679
Introduced and referred.....	145	Signed .....	686
Reported with amendment.....	353	Sent to the Governor .....	710
Amended and passed.....	390, 391	141—By Chassell. Making an appropriation for the department of agriculture for the purpose of erecting a permanent fire-proof building for agricultural, horticultural and dairy exhibits.	
Passed Senate.....	1159	Introduced and referred.....	152
Enrolled .....	1225, 1227	Reported and re-referred.....	219
Signed .....	1270	Reported .....	354
Sent to the Governor.....	1286	Passed .....	510
136—By Spaulding. Relating to the examination of party or officers, directors, superintendent or managing agents of corporations, at instance of adverse party.		Passed Senate .....	945
Introduced and referred.....	145	Enrolled .....	1110, 1111
Reported unfavorably.....	294	Signed .....	1134
Indefinitely postponed.....	294	Sent to the Governor .....	1152
137—By Temple. 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.		142—By Christianson. Relating to motor vehicles, regarding their registration, defining and limiting their use of the public highways and prescribing penalties for the violation thereof.	
Introduced and referred.....	146	Introduced and referred.....	152
Reported unfavorably.....	823	Reported with amendments.....	376
Indefinitely postponed.....	823	Amendments adopted.....	376
138—By Chassell. To amend chapter 64 acts of the Twenty-seventh General Assembly, relating to the protection of game fish.		Amended and passed.....	431, 432
Introduced and referred.....	146	Title amended.....	432
Reported .....	205	Passed Senate.....	1191
Passed .....	210	Enrolled .....	1329, 1331
Amended and passed Senate.....	555	Signed .....	1334
House concurs.....	553, 554	Sent to the Governor .....	1355
Enrolled .....	574, 575	143—By Dashiell. To amend section 4791 of the code of 1897.	
		Introduced and referred.....	152
		Reported unfavorably.....	175
		Indefinitely postponed.....	183
		144—By English. To provide for the examination of insurance companies.	
		Introduced and referred.....	152
		Substitute reported.....	465
		Considered .....	492
		Substitute adopted.....	494
		Passed .....	494, 495
		Passed Senate.....	578
		Enrolled .....	635, 636
		Signed .....	636
		Sent to the Governor.....	639

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145—By English. To provide for the consolidation of life insurance companies or the reinsurance of the risks of such companies with or by other companies authorized by the laws of the state to transact such business within the state and providing a plan for such consolidation or re-insurance.	
Introduced .....	152
Referred .....	153
Substitute reported. 296, 297, 298	
Substitute adopted and passed .....	410, 413
Amended and passed Senate.....	854
House concurs.....	869, 870
Enrolled .....	962, 963
Signed .....	964
Sent to the Governor .....	968
146—By Geneva. Relating to the taxing of mortgages and mortgaged real estate.	
Introduced and referred .....	153
Reported unfavorably .....	373
Indefinitely postponed .....	373
147—By Geneva. To exempt certain property from taxation.	
Introduced and referred .....	153
Reported unfavorably .....	291
Indefinitely postponed .....	291
148—By Harris. Relating to registration of voters.	
Introduced and referred .....	153
Reported with amendment.....	300
Amended .....	341
Lost on passage .....	341, 342
149—By McAllister. To repeal section 1333 or that part of it which relates to the taxation of the premiums of life insurance policies.	
Introduced and referred.....	153
Withdrawn .....	183
150—By McClurkin. To amend section 586 of the code of Iowa as amended by the acts of the Twenty ninth General Assembly.	
Introduced and referred.....	153
Reported .....	373
Amended and passed.....	420, 421
Title amended.....	421
Bill amended by unanimous consent .....	421
Amended and passed Senate.....	1188
House concurs .....	1215, 1216
Enrolled .....	1329, 1331
Signed .....	1334
Sent to the Governor .....	1355
151—By McClurkin. To amend section 2773 of the code* of Iowa relating to common schools.	
Introduced and referred.....	153
Reported unfavorably.....	295
Indefinitely postponed .....	295
152—By Teachout. To prevent wrongs to children and dumb animals and to establish a bureau of child and animal protection.	
Introduced and referred.....	154
Reported unfavorably .....	215
Indefinitely postponed.....	234

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153—By Jepson. To amend section 1641 of the code, relating to ownership of real property by corporations organized in this or any other state for pecuniary profit.	
Introduced and referred.....	154
Reported .....	174
Passed .....	181, 182
Amended and passed Senate.....	324
House concurs.....	330, 331
Enrolled .....	358
Signed .....	359
Sent to the Governor.....	378
154—By Bealer. To amend section 2810 of the code, in reference to paying over school taxes by county treasurer.	
Introduced and referred .....	165
Reported with amendments.....	570
Amendments adopted.....	571
Passed .....	696, 697
155—By Carden. Appropriating money for the benefit of the Mount Pleasant State Hospital.	
Introduced and referred.....	165
Indefinitely postponed.....	1030
156—By Dashiell. For the relief of the grantees of Frederick M. Stumbo and for the purpose of having a patent issued in his name for a certain tract of land.	
Introduced and referred.....	165
Reported .....	186
Passed .....	200
Reconsidered .....	201
Amended .....	201
Passed .....	202
Passed Senate .....	307
Enrolled .....	336, 337
Signed .....	339
Sent to the Governor.....	337
157—By Dashiell. To amend section 3141 of the code of Iowa, relating to the issuance of marriage licenses, and establishing the office of Director of Marriage Reform, and to provide for the maintenance of such office.	
Introduced and referred.....	166
Reported unfavorably.....	357
Indefinitely postponed .....	357
158—By Head. To amend section 2403 of the code of Iowa, relating to the sale of intoxicating liquors by permit holders.	
Introduced and referred.....	166
Reported with amendments.....	382
Amendments adopted.....	382, 403
Withdrawn .....	461
159—By Jepson. Making an appropriation for the Woman's and Baby's Home at Sioux City, Iowa.	
Introduced and referred.....	166
Reported .....	374
Passed .....	399, 400
Amended and passed Senate.....	946
House concurs.....	966, 967
Enrolled .....	1021
Signed .....	1026
Sent to the Governor.....	1082

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160—By McNie. To amend section 5715 of the code, relating to compensation for non-resident pupils in the College for the Blind.	
Introduced and referred.....	166
Reported with amendments.....	175
Amended and passed.....	179, 180
Title amended.....	180
(No record of message from Senate.)	
Enrolled .....	336, 337
Signed .....	339
Sent to the Governor.....	337
161—By McNie. To amend section 2724 of the code, relating to compensation for non-resident pupils in the School for the Deaf.	
Introduced and referred.....	166
Reported with amendment.....	174
Amended and passed.....	180, 181
Passed Senate.....	306
Enrolled .....	336, 337
Signed .....	339
Sent to the Governor.....	337
162—By Springer. Appropriating money for the benefit of the Independence State Hospital.	
Introduced and referred.....	166
Indefinitely postponed.....	1030
163—By Washburn. Making appropriations for buildings, repairs and contingent expenses for the Institution for Feeble-Minded at Glenwood, Iowa.	
Introduced .....	166
Referred .....	167
Indefinitely postponed.....	1030
164—By Weeks. To amend section 2382 of the code of Iowa, relating to the sale of intoxicating liquors by the permit holders.	
Introduced and referred.....	167
Reported .....	355
Amended and passed.....	400, 401
Title amended.....	401
165—By Chassell. To repeal section 1 of chapter 32, acts of the Twenty-seventh General Assembly and to enact a substitute therefor, relating to the vocation of peddlers, defining the same and fixing a tax therefor.	
Introduced and referred.....	167
Reported .....	273, 274
Passed .....	286
Senate passes substitute.....	979
House concurs .....	1046, 1047
Enrolled .....	1226, 1228
Signed .....	1270
Sent to the Governor.....	1287
166—By Buckingham. To repeal sections 1940, 1941, and 1946 of the code, and to provide acts in lieu thereof.	
Introduced and referred.....	176
Recalled and referred.....	189
Withdrawn .....	1196
167—By Davie. To amend section 1306 of the code as amended and substituted by chapter 41 of laws of the Twenty-eighth General Assembly, relative to the erection of waterworks in cities and towns.	

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Introduced .....	176
Referred .....	177
Reported unfavorably.....	299
Indefinitely postponed.....	300
168—By Greeley. Regulating primary elections.	
Introduced and referred.....	177
Reported unfavorably.....	1085
Indefinitely postponed.....	1085
169—By Hanna. To amend section 1530, chapter 2 title VIII of the supplement to the code of Iowa in relation to the levy of a county road fund.	
Introduced and referred.....	177
Reported without recommendation .....	372
Considered and amended.....	421, 422
Lost on passage.....	423
Motion to reconsider filed.....	423
Motion to reconsider prevailed .....	777
Passed .....	777, 778
Senate indefinitely postpones .....	1200
170—By Harris. To provide for the appointment of State Marshals and their deputies for the enforcement of the laws pertaining to the sale of intoxicating liquors, and prescribing their duties, fees and compensation.	
Introduced and referred.....	177
Reported unfavorably.....	1018
Indefinitely postponed.....	1018
171—By Hart. To amend section 3447 of the code, in relation to the limitation of actions.	
Introduced and referred.....	177
Withdrawn .....	322
172—By Head. To repeal sections 3167-3169 of the code, and to enact substitutes therefor.	
Introduced and referred.....	177
Reported .....	215
Passed .....	262, 263
Passed Senate .....	322
Enrolled .....	358
Signed .....	359
Sent to the Governor.....	378
173—By Leech. To provide for the establishment and maintenance of a bacteriological laboratory and for the appointment of a director thereof. (Additional to chapter 16, title XII.)	
Introduced and referred.....	177
Reported with amendments.....	534
Referred .....	535
Reported .....	629
Amended .....	842
Lost .....	843
Motion to reconsider filed.....	855
Motion to reconsider prevailed .....	941
Amended .....	941
Referred .....	942
Substitute reported.....	1019
Substitute considered.....	1118
Substitute for substitute offered and adopted.....	1119, 1120
Explanation of objections.....	1120
Withdrawn .....	1120
Petition relative to.....	1012
174—By Martin. To amend section 1304, sub-division 7 of the code supplement.	
Introduced and referred .....	178

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Substitute reported .....	535
Lost on passage .....	621, 622
Motion to reconsider pre- vailed .....	622
Amended and passed .....	622, 623
175—By Martin. Appropriating money for the benefit of the School for the Deaf at Council Bluffs, Iowa. Introduced and referred .....	178
Indefinitely postponed .....	1030
176—By Stanbery. Repealing chap- ter 85, acts of the Twenty- seventh General Assembly of the State of Iowa, and amending section 2734 of the code, relating to the qualifications of county superintendents. Introduced and referred .....	178
Withdrawn .....	234
177—By Teachout. To amend sec- tion 770 of the code, re- lating to viaducts and ap- proaches thereto. Introduced and referred .....	178
Withdrawn .....	322
178—By Harris. Referring to no- tice of dissolution of pri- vate corporations. Introduced and referred .....	187
Substitute reported and adopted .....	1185
Passed .....	1272
179—By Harris. To provide for the erection and mainten- ance of town clocks by townships. Introduced and referred .....	187
Reported unfavorably .....	661
Indefinitely postponed .....	661
180—By Morris. To amend sec- tion 441 of the code relat- ing to number of official papers. Introduced and referred .....	187
Reported with amendment .....	326
Amended .....	365
Lost on passage .....	365, 366
Motion to reconsider filed.....	369
Motion to reconsider pre- vailed .....	509
Amended and re-referred.....	509
Reported with amendments.....	594, 595
Amended and passed.....	712, 713
Title amended .....	714
Amended and passed Senate.....	1042
House concurs.....	1044
Enrolled .....	1110, 1111
Signed .....	1134
Sent to the Governor.....	1152
181—By Offill. To amend section 2551 of the supplement to the code of Iowa, relating to the protection of game. Introduced and referred .....	188
Reported unfavorably .....	301
Indefinitely postponed.....	301
182—By Offill. To amend section 1304 of the supplement to the code of Iowa, relative to exemptions of property from taxation. Introduced and referred.....	188
Recalled and re-referred.....	190
Reported unfavorably .....	535
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183—By Stoltenberg. Amending section 2287 of the code in relation to the return of patients escaped from hospitals for the insane. Introduced and referred.....	188
Reported with amend- ment .....	372, 373
Amended and passed.....	449, 450
Passed Senate .....	491
Enrolled .....	574, 575
Signed .....	589
Sent to the Governor.....	609
184—By Teachout. Making an ap- propriation for the Bene- dict Home, Des Moines, Iowa. Introduced and referred.....	188
Reported with amend- ment .....	353, 354
Amended and passed.....	391
Motion to reconsider filed....	404
Motion to reconsider pre- vailed .....	455
Passed .....	456
Passed Senate .....	945
Enrolled .....	1021
Signed .....	1026
Sent to the Governor.....	1082
185—By Wright. In relation to common carriers, additional to section 2074 of the code. Introduced and referred.....	188
Reported .....	355
Passed .....	392
Passed Senate .....	1157
Enrolled .....	1226, 1228
Signed .....	1270
Sent to the Governor .....	1287
186—By Bealer. Providing for the erection of suitable monuments to ex-Govern- or Wm. M. Stone and General George A. Stone. Introduced and referred.....	195
Reported with amendments....	217
Amended and passed.....	232, 233
Title amended .....	233
187—By Bixby. To prevent the adulteration, misbranding and imitation of foods; to change the name of the office "State Dairy Com- missioner" to that of "State Food and Dairy Commissioner" and to de- fine his duties. Introduced and referred.....	195
Reported unfavorably .....	659
Indefinitely postponed .....	659
188—By Buchanan. To regulate civil service of cities. Introduced and referred.....	195
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189—By Calderwood. To repeal section 2477 of the code, relating to the expenses of the Bureau of Labor Sta- tistics and to enact in lieu thereof the following: Introduced and referred.....	195
Reported .....	298
Lost on passage.....	456, 457
Motion to reconsider filed....	469
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Re-referred .....	512
Substitute reported .....	573

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Substitute adopted and passed	650, 651	tracts, and the collection of property road tax.	
Amended and passed Senate	1231	Introduced and referred	196
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Enrolled	1368	Substitute reported by minority	505, 506
Signed	1369	Made special order	522
Sent to the Governor	1370	Minority report adopted	
190—By Chassell. To amend title VII, chapter 4, of the code, and chapter 37, acts of the Twenty-seventh General Assembly, and chapter 57, acts of the Twenty-eighth General Assembly, and chapter 63, acts of the Twenty-ninth General Assembly, providing that part of the collateral inheritance taxes collected by the state shall be paid to the counties from whence they are collected.		Substitute adopted	561, 562
Introduced	195	Amended	562, 563
Referred	196	Made special order	563
Recalled and re-referred	267	Amended and ordered engrossed	642-645
Reported	516	Reported engrossed	693
Amended and passed	604	Passed	693, 694
Senate indefinitely postponed	890	Senate indefinitely postponed	947
191—By McAllister. To amend section 1333 of the code so that certain insurance companies be relieved from the payment of two and one-half per cent tax upon gross premiums derived from insuring the lives of citizens of Iowa.		196—By Cobb. To legalize the action of the school board of the independent district of Clearfield, Taylor county, Iowa, relating to the levy of school taxes in 1904.	
Introduced and referred	196	Introduced and referred	205
Reported unfavorably	662	Reported unfavorably	325
Indefinitely postponed	662	Indefinitely postponed	325
192—By McElrath. To amend section 403 of the code, relating to the funding and refunding outstanding county indebtedness.		197—By Cobb. To amend sections 2389 and 2387 of the code, relative to the sale of intoxicating liquors by permit holders.	
Introduced and referred	196	Introduced and referred	206
Recalled and re-referred	541	Substitute reported	428
Reported	569	Substitute considered and adopted	523, 524
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193—By Maben. To amend section 3656 of the code, relating to the time of trying appeal cases in contested elections.		198—By DeLano. To require all railroads doing business in the state of Iowa to transport all persons over the age of twelve years at the rate of two cents per mile, and all persons between the ages of two and twelve years at the rate of one cent per mile, from all points within the state to prevent every distinction in the passenger rates within the state; to prohibit the issuance or use of free passes, free transportation, rebate contracts, or other devices for making discriminations in passenger rates within the state; and to provide punishment for the violation thereof.	
Introduced and referred	196	Introduced and referred to committee on Railroads and Commerce	206
Reported	273	199—By Doran. Relating to the safety of the traveling public by requiring corporations operating railroads in the state of Iowa to employ none but adult persons as signalmen or telegraph operators who receive and deliver orders or operate signals for the movement of trains.	
Passed	285	Introduced and referred	206
Passed Senate	440	Reported unfavorably	519
Enrolled	477	Report not adopted	519, 520
Signed	478	Indefinitely postponed	645, 646
Sent to the Governor	483		
194—By Martin. To amend section 2573 of the code relating to the enforcing of the rules and regulations of the Board of Health.			
Introduced and referred	196		
Reported and re-referred	535		
Reported	568		
Passed	588, 589		
195—By Chassell. To amend chapter 53, acts of the Twenty-ninth General Assembly, relative to the election of township trustees, the election, duties and compensation of road superintendents, the division and consolidation of road dis-			



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200—By Flenniken. To amend chapter 123 of the acts of the Twenty-ninth General Assembly which is included in section 2738 of the supplement to the code in relation to publication of reports.	
Introduced and referred.....	206
Reported .....	293
Indefinitely postponed .....	293
201—By Geneva. To repeal part of section 1561, chapter 2 of the code, pertaining to guide boards.	
Introduced and referred.....	206
Withdrawn .....	408
202—By McAllister. To amend the present road law of the state of Iowa.	
Introduced and referred.....	207
Reported unfavorably .....	383
Indefinitely postponed .....	383
203—By McCreary. To amend section 2584 of the Code, relative to State Pharmacy Commission.	
Introduced and referred .....	207
Reported unfavorably .....	574
Indefinitely postponed .....	574
204—By Mattes. Appropriating money for the inspection of county and private institutions in which insane persons are kept, and associations, societies and homes receiving friendless children.	
Introduced and referred.....	207
Reported with amendment.....	217
Amended and passed .....	260, 261
Amended and passed Senate..	579
House concurs .....	591, 592
Enrolled .....	636
Signed .....	636
Sent to the Governor.....	639
205—By Mott. To amend section 1530 of the code supplement of 1902 relating to the county road fund.	
Introduced and referred.....	207
Reported unfavorably .....	356
Indefinitely postponed .....	356
206—By Stanbery. Granting to cities and towns authority to regulate construction of buildings.	
Introduced and referred .....	207
Reported unfavorably .....	299
Indefinitely postponed .....	299
207—By Stanbery. Authorizing cities and towns to levy a tax for the purpose of erecting public buildings and procuring grounds for the same.	
Introduced and referred.....	207
Reported unfavorably .....	902
Indefinitely postponed .....	902
208—By Whiting. Making an appropriation for the use of the Board of Control in making an exhibit of State Institutions at the Louisiana Purchase Exposition.	
Introduced and referred .....	207
Reported unfavorably .....	354
Indefinitely postponed .....	354

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209—By Chassell. To amend section 1692 of the code relating to premium notes and the commencement of business by mutual fire insurance companies.	
Introduced and referred .....	208
Reported .....	437
Lost on passage .....	548
210—By Cheney. To amend section 4481 of the code in relation to place of bringing action, and a taxation of costs therein.	
Introduced and referred .....	221
Reported .....	292
Amended and passed .....	315, 316
Passed Senate .....	1158
Enrolled .....	1225, 1227
Signed .....	1270
Sent to the Governor .....	1286
211—By English. Providing for the completion of the historical, memorial and art building, and the acquisition of the real estate hereinafter described, and making an appropriation therefor.	
Introduced and referred.....	221
Reported .....	773
Amended and passed .....	846, 847
Passed Senate .....	945
Enrolled .....	1021
Signed .....	1026
Sent to the Governor.....	1082
212—By Greeley. To repeal section 2566 and section 2567 of the Code, relating to registration of births and deaths, and to enact in lieu thereof the following.	
Introduced and referred .....	221
Reported unfavorably .....	534
Indefinitely postponed .....	534
213—By Greeley. 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; to create a board of state examiners therefor, and prescribe the powers and duties of such board.	
Introduced and referred .....	221
Reported unfavorably .....	573
214—By Hambleton. To amend section 1 of chapter 20 of the acts of the Twenty-seventh General Assembly, relative to the levy on fire fund.	
Introduced and referred .....	222
Reported .....	375
Considered and amended .....	458, 459
Indefinitely postponed .....	459, 460
215—By Military Committee. For the erection of a monument at the site of the Confederate military prison at Andersonville, Georgia, in commemoration of the patriotism, suffering and martyrdom of the Iowa soldiers who were imprisoned and died in such military prison, and creat-	

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	ing a commission to have charge of the erection thereof and providing an appropriation therefor.
	Introduced and referred ..... 222
	Reported ..... 438
	Passed ..... 511, 512
	Amended and passed Senate 1028
	House concurs ..... 1047, 1048
	Enrolled ..... 1226, 1227
	Signed ..... 1270
	Sent to the Governor ..... 1286
216—By Hart.	To repeal sections 2212, 2213 and 2214 of the code and amendments thereto, and to enact substitutes therefor, and to amend section 2178 of the code relating to the militia.
	Introduced and referred ..... 222
	Substitute reported ..... 536
	Re-referred ..... 541
	* Substitute reported with amendments ..... 707
	Substitute amended ..... 802
	Substitute adopted ..... 802, 807
	Amended and passed ..... 807, 809
	Amended and passed Senate ..... 1174
	House concurs ..... 1179, 1180
	Enrolled ..... 1330, 1332
	Signed ..... 1334
	Sent to the Governor ..... 1356
217—By Jepson.	To amend section 482 of the code, relating to duties of the county treasurer.
	Introduced and referred ..... 222
	Reported unfavorably ..... 293
	Indefinitely postponed ..... 294
218—By McCullouch.	To regulate the sale of patent medicines containing narcotic or any alcoholic preparations.
	Introduced and referred ..... 222
	Reported unfavorably ..... 660
	Indefinitely postponed ..... 660
219—By Offall.	To repeal section 1075 of the code of Iowa as amended by section 1, of chapter 53 of the acts of the Twenty-Ninth General Assembly; section eleven hundred thirty (1130) of the code of Iowa as amended by section 2, of chapter 53 of the acts of the Twenty-ninth General Assembly; section fifteen hundred twenty-eight (1528) of the Code as amended by section 3, chapter 53 of the acts of the Twenty-ninth General Assembly; section 1533 of the code as amended by section 5, chapter 57 of the acts of the Twenty-ninth General Assembly; section fifteen hundred forty-two (1542) of the Code as amended by section 8, chapter 53 of the acts of the Twenty-ninth General Assembly; section fifteen hundred forty-five of the Code as amended by section 9, chapter 53 of the

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	acts of the Twenty-ninth General Assembly; section fifteen hundred fifty-one (1551) of the Code as amended by section 11, chapter 53 of the acts of the Twenty-ninth General Assembly; section fifteen hundred forty-four (1554) of the code as amended by section 13 chapter 53 of the acts of the Twenty-ninth General Assembly; section forty-eight hundred eight (4808) of the code as amended by section 16, chapter 53 of the acts of the Twenty-ninth General Assembly; section fifteen hundred thirty-two (1532) of the code as amended by section 4, chapter 53 of the acts of the Twenty-ninth General Assembly; section fifteen hundred forty (1540) of the code as amended by section 6, chapter 53 of the acts of the Twenty-ninth General Assembly; section fifteen hundred forty-one of the code as amended by section 7, chapter 53 of the acts of the Twenty-ninth General Assembly; section fifteen hundred forty-six (1546) of the code as amended by section 10, chapter 53 of the acts of the Twenty-ninth General Assembly; section fifteen hundred fifty-three (1553) of the code as amended by section 12, chapter 53 of the acts of the Twenty-ninth General Assembly; fifteen hundred sixty-seven (1567) of the code as amended by section 14, chapter 53 of the acts of the Twenty-ninth General Assembly; and section 18 of the acts of the Twenty-ninth General Assembly and enact substitutes therefor, and to repeal sections 15 and 17 of the acts of the Twenty-ninth General Assembly, relative to the duties of township trustees; the election, qualification, duties, compensation and payment of road supervisors; to the duties of the township clerk and assessor; road districts, and the levy and collection of road tax.
	Introduced ..... 222
	Referred ..... 223
	Withdrawn ..... 692
220—By Powers.	To provide for the manufacture of binding twine in the state prisons in Iowa.
	Introduced and referred ..... 223
	Reported unfavorably ..... 1017
	Made a special order ..... 1080
	Considered ..... 1115
	Indefinitely postponed ..... 1116
	Explanation of vote ..... 1116

\* Erroneously printed H. F. No. 218.

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221—By Skinner.	To appropriate money for the use of the League of Iowa Municipalities, and regulating its expenditure.	
	Introduced and referred .....	224
	Reported with amendment.....	300
	Re-referred .....	300
	Reported .....	373
	Amended .....	458
	Indefinitely postponed .....	458
222—By Welden.	Defining the duties of clerks of district courts in cases of suspension or revocation of the license of an attorney or counselor at law to practice.	
	Introduced and referred .....	224
	Reported with amendment.....	273
	Amended and passed.....	284, 285
	Passed Senate .....	440
	Enrolled .....	477
	Signed .....	478
	Sent to the Governor.....	488
223—By Whiting.	Legalizing the Iowa State Poultry Association, to define certain duties of said association, to make an annual appropriation therefor, and fixing a penalty for the misappropriation of any of the money hereby granted.	
	Introduced and referred .....	224
	Reported unfavorably .....	353
	Indefinitely postponed .....	353
224—By Stanbery.	Repealing chapter 85 of the acts Twenty-seventh General Assembly of the state of Iowa, and section 2734 of the Code and enacting a substitute therefor, relating to the qualifications of county superintendents.	
	Introduced and referred .....	224
	Reported unfavorably .....	488
	Indefinitely postponed .....	488
225—By Cummings.	Amending section 1709 and 1710 of the Code, relating to insurance other than life.	
	Introduced and referred .....	224
	Reported unfavorably .....	1056
	Indefinitely postponed .....	1056
226—By Lowry.	To repeal section 1832 of the Code as amended by chapter 47, acts of the Twenty-seventh General Assembly and providing a substitute therefor.	
	Introduced and referred .....	238
	Recalled and re-referred .....	245
	Reported .....	437
	Passed .....	481, 482
	Title amended .....	482
	Amended and passed Senate .....	854
	House concurs .....	869
	Enrolled .....	962
	Signed .....	964
	Sent to the Governor.....	968
227—By Bealer.	Regulating appointments, employment and removals in the public departments, and upon public works in the state of Iowa, and the counties, cities and towns thereof.	
	Introduced and referred .....	238
	Reported .....	357

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	Amended and passed .....	415, 416
	Amended and passed Senate .....	617
	House concurs .....	640, 641
	Enrolled .....	679
	Signed .....	686
	Sent to the Governor.....	710
228—By Conn.	To amend section 1457 of the Code, relative to the bonds of county treasurers.	
	Introduced and referred .....	238
	Reported unfavorably .....	272
	Indefinitely postponed .....	272
229—By Lundt.	To amend section 1538 of the Code, in relation to the compensation of township clerks.	
	Introduced and referred .....	239
	Reported unfavorably .....	356
	Indefinitely postponed .....	356
230—By Buckingham.	To amend chapter 11, title XII of the Code, relating to the inspection of petroleum products.	
	Introduced and referred .....	239
	Substitute reported .....	903, 907
	Senate file No. 76 substituted for .....	997
231—By Teachout.	Amending section 771 of the Code, as amended by section 1, chapter 43, acts of the Twenty-ninth General Assembly, relating to construction of viaducts.	
	Introduced and referred.....	245
	Reported unfavorably .....	518
	Indefinitely postponed .....	519
232—By Peter.	To repeal section 1145 of the Code, and for the enactment of a substitute therefor, relative to the canvass of votes.	
	Introduced and referred .....	246
	Reported .....	292
	Lost on passage .....	308, 309
233—By McNie.	Amending section 4963 of the code, by adding thereto the provision that gambling devices may, under certain conditions, be seized by officers without a warrant.	
	Introduced and referred.....	246
	Reported unfavorably .....	294
	Indefinitely postponed .....	294
234—By Wright.	To repeal section 2213 of the supplement of the Code of Iowa, relating to compensation of officers and soldiers of the Iowa National Guard, and to enact a substitute therefor.	
	Introduced and referred.....	246
	Reported unfavorably .....	357
	Indefinitely postponed .....	357
235—By Wright.	For the relief of the grantees of Charles M. Downs, and for the purpose of having a patent issued in the name of George S. Stall and Frances E. Stall for a certain tract of land.	
	Introduced and referred.....	246
	Reported .....	272
	Passed .....	283, 284
	Passed Senate .....	427
	Enrolled .....	477, 478
	Signed .....	478
	Sent to the Governor .....	488

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236—By Wise. To provide for trust companies, state banks and savings banks acting as court officer, amending section 1889 of the Code.	
Introduced and referred .....	246
Reported unfavorably .....	293
Indefinitely postponed .....	293
237—By Bailey. For the protection of subscribers to papers and publications.	
Introduced and referred .....	258
Reported unfavorably .....	294
Indefinitely postponed .....	294
238—By Summers. Empowering the Governor to execute a quitclaim deed to right and title claim and interest of the state of Iowa in lot four (4) of section seven and south part of lot three (3) of section seven (7), township seventy (70) north of range eleven (11) west of the fifth principal meridian.	
Introduced and referred .....	258
Reported .....	273
Passed .....	282, 283
Passed Senate .....	363
Enrolled .....	385
Signed .....	388
Sent to the Governor .....	396
239—By Lowrey. Relating to real estate and additional to chapter 5, title XIV of the Code.	
Introduced and referred .....	258
Reported unfavorably .....	436
Indefinitely postponed .....	436
240—By Greeley. Making appropriations to the Iowa State College of Agriculture and Mechanic Arts.	
Introduced and referred .....	258
Indefinitely postponed .....	1843
Petitions relative to .....	487, 559
241—By Martin. To authorize the granting to the Council Bluffs, Tabor & Southern Electric Railway company, its successor or assigns, a right of way through lands owned by the state of Iowa and used by the school for the Deaf at Council Bluffs, Iowa.	
Introduced and referred .....	258
Reported with amendments .....	324
Amended and passed .....	331, 332
Passed Senate .....	363
Enrolled .....	385, 386
Signed .....	388
Sent to the Governor .....	396
242—By Hart. Requiring common carriers to issue passes to live stock shippers and regulating the issuance and use thereof and providing penalties for violation of the provisions of this act.	
Introduced and referred .....	259
Withdrawn .....	318
243—By Pritchard. To require common carriers to issue free transportation to owners shipping live stock, additional to chapter 7, title X of the code, relating to the regulation of common carriers.	

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Introduced and referred .....	259
Reported unfavorably .....	630
Indefinitely postponed .....	631
244—By Kendall. To repeal section 41-a of the supplement to the Code, the same being also chapter 2 of the acts of the Twenty-seventh General Assembly, relating to the statutes and to enact a substitute therefor.	
Introduced .....	275
Passed .....	276
Substitute adopted and passed Senate .....	379
House concurs .....	409
Enrolled .....	477, 478
Signed .....	478
Sent to the Governor .....	488
245—By Harris. To legalize the issuing of bonds to the amount of \$3,300 by the incorporated town of Deep River, Poweshiek county, Iowa.	
Introduced and referred .....	276
Substitute reported .....	325, 326
Substitute adopted and passed .....	366, 367
Passed Senate .....	1042
Enrolled .....	1110, 1111
Signed .....	1134
Sent to the Governor .....	1152
246—By Wise. To validate and legalize tax sales and tax deeds of certain real estate by the treasurer of Black Hawk county, Iowa.	
Introduced and referred .....	276
247—By O'fall. Relating to the payment by the state of premiums of surety companies on the bond of the state treasurer and deputy state treasurer and to the payment into the state fund of all interest from state money loaned or deposited in banks.	
Introduced .....	276
Referred .....	277
Recalled and re-referred .....	306
Reported with amendment .....	959, 960
Amended and passed .....	1006, 1008
Title amended .....	1008
Amended and passed Senate .....	1092
House concurs .....	1105, 1106
Enrolled .....	1225, 1227
Signed .....	1270
Sent to the Governor .....	1286
248—By Skinner. To repeal section 479 of the Code of Iowa relating to county auditors and to enact a substitute therefor.	
Introduced and referred .....	277
Reported with amendments .....	677
Amended and passed .....	760, 761
Title amended .....	761
Passed Senate .....	1028
Enrolled .....	1110, 1111
Signed .....	1134
Sent to the Governor .....	1152
249—By McDole. To amend section 2552 of chapter 15 of the Code, relative to the protection of fish and game.	
Introduced and referred .....	277
Reported with amendment .....	377

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Amended and passed .....	513
Passed Senate .....	547
Enrolled .....	574, 575
Signed .....	589
Sent to the Governor .....	609
250—By McDole. To amend section 2546, of chapter 15, of the Code, as amended by section 6 of chapter 103 of the acts of the Twenty-ninth General Assembly (section 2546 of the Code supplement.)	
Introduced and referred .....	277
Recalled and re-referred .....	306
Reported .....	572
Indefinitely postponed .....	572
251—By Teter. To confer jurisdiction over the gypsum mines of this state on the state mine inspectors, and providing for the enforcement of chapter 9, of title XII, of the Code, in reference thereto.	
Introduced and referred .....	277
Withdrawn .....	542
252—By Jacobson. Providing for the relief of Lieut. A. C. Ferren and appropriating money for that purpose, whereas, Lieut. A. C. Ferren was during the war of the rebellion appointed by the governor and adjutant-general of this state, under the provisions of the statutes then in force, to organize the militia of Decorah township, Winneshek county, Iowa, and, whereas, the said Lieut. A. C. Ferren in pursuance of said appointment performed certain services in the organization of a company of militia, in said township, county and state, and for such services has never received any compensation.	
Introduced .....	277
Referred .....	278
Reported unfavorably .....	354
Indefinitely postponed .....	355
253—By Teter. To repeal sections 4914, 4918 and 4919, of the Code, and for the enactment of substitutes therefor, and for the repeal of section 1136 of the Code, and for the amendment of chapter 8, of title XXIV of the Code, relative to offenses against the rights of suffrage.	
Introduced and referred .....	278
Reported unfavorably .....	1085
Indefinitely postponed .....	1085
254—By Committee on Telegraph, Telephone and Express. Providing the manner in which telegraph and telephone companies shall report for assessment purposes, amendatory to Code sections Nos. 1328 and 1329.	
Introduced and passed on file .....	278
Passed .....	339

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Passed Senate .....	725
Enrolled .....	823, 824
Signed .....	825
Sent to the Governor .....	899
255—By Bixby. Relating to road tax and amending sections 1383 and 1533 of the Code.	
Introduced and referred .....	278
Reported .....	473
Passed .....	498, 499
Passed Senate .....	1283
Enrolled .....	1329, 1332
Signed .....	1334
Sent to the Governor .....	1355
256—By Committee on Insurance. To provide for consolidation or re-insurance of the risks of fraternal beneficiary societies with or by other societies or organizations, and providing a plan therefor.	
Introduced .....	303
Passed .....	409, 410
Passed Senate .....	853
Enrolled .....	962, 963
Signed .....	964
Sent to the Governor .....	968
257—By Weeks. To amend section 1533, chapter 2, of the supplement to the Code of Iowa, relative to the appointment of township superintendents of roads and collecting road tax.	
Introduced and referred .....	304
Reported unfavorably .....	383
Indefinitely postponed .....	383
258—By Temple. For an act to amend chapter 14, of title XIII of the Code, relating to the system of common schools and the incurring of indebtedness for school-house purposes.	
Introduced and referred .....	305
Reported substitute .....	352
Substitute adopted and passed .....	413, 415
Passed Senate .....	786
Enrolled .....	962, 963
Signed .....	964
Sent to the Governor .....	968
259—By Gregory. To amend section 2582 of the Code and provide for the registering without examination physicians registered in other states.	
Introduced and referred .....	305
Reported favorably .....	474
Senate file 178 substituted for .....	551
260—By Gregory. To amend section 2564 of the Code as amended by section 2564 of the Code supplement relating to appointment of physicians on the State Board of Health.	
Introduced and referred .....	305
Reported .....	474
Passed .....	529, 530
Senate indefinitely postponed .....	767
261—By Koontz. Making appropriations for the State University of Iowa.	
Introduced and referred .....	305
Indefinitely postponed .....	1343

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262—By McElrath. To amend section 902 of the Code, relating to the collection of municipal taxes and special assessments by county treasurers.		269—By Hart. To amend section 3447 of the Code, relative to the limitations of actions.	
Introduced and referred.....	305	Introduced and referred.....	327
Reported favorably .....	349	Reported unfavorably .....	373
Indefinitely postponed .....	419	Indefinitely postponed.....	373
263—By Teachout. To prevent wrongs to children and dumb animals, and to furnish a bureau of child and animal protection.		270—By Freeman. To amend section 590 of the Code relative to township trustees and the compensation they shall receive.	
Introduced and referred.....	305	Introduced and referred.....	327
Reported and re-referred.....	377	Reported .....	351
Reported unfavorably .....	517	Passed .....	367, 368
Indefinitely postponed .....	517	Senate indefinitely postpones .....	530
264—By Harris. To repeal section 479 of the Code of Iowa, relating to the compensation of county auditors, and to enact a substitute therefor; also to amend section 481 of the Code, relating to the compensation of deputy auditors and auditors' clerks.		271—By Summers. To regulate the practice of psychiopathy, amendatory to title XII, chapter 17, of the Code, relating to the practice of medicine.	
Introduced and referred.....	314	Introduced and referred.....	327
Reported unfavorably .....	678	Reported without recommendation .....	764
Indefinitely postponed .....	678	Indefinitely postponed.....	842
265—By Maben. A bill for an act making appropriation to return to the State Board of Veterinary Medical Examiners of Iowa, money paid by them into the treasury of the state.		Motion to reconsider filed.....	870
Introduced and referred.....	314	Motion to reconsider lost, .....	1002, 1003
Reported .....	520	Petition relative to .....	371
Re-referred .....	522	272—By Skinner. Prohibiting persons not members of secret societies or other fraternal organizations from wearing the badge or uniform of such orders or fraternal organizations and prescribing the penalties for the violation of the same.	
Withdrawn .....	870	Introduced and referred.....	327
266—By Hart. Requiring common carriers to issue passes to live-stock shippers and regulating the issuance and use thereof, and providing penalties for violation of the provisions of this act.		Reported unfavorably .....	350
Introduced and referred .....	314	Indefinitely postponed .....	350
Substitute reported .....	629	273—By Jepson. To amend section 700 of the Code relating to powers of cities and towns.	
Substitute adopted .....	686, 687	Introduced and referred.....	327
Amended and passed .....	687, 689	Reported .....	374
Amended and passed Senate.....	1028	Passed .....	402, 403
House concurs .....	1045, 1046	274—By Martin. To expedite the collection of taxes on property withheld from assessment.	
Enrolled .....	1226, 1228	Introduced and referred .....	328
Signed .....	1270	Reported unfavorably .....	407
Sent to the Governor .....	1287	Indefinitely postponed .....	407
267—By Clary. To define and limit the defense of suicide in life insurance cases, additional to chapter 8, title IX, of the Code, relating to life insurance companies and associations.		275—By Chassell. To amend chapter seven of title X, of the Code, relating to the regulation of carriers by railway.	
Introduced .....	326	Introduced and referred.....	338
Referred .....	327	276—By McAllister. Appropriating money for the benefit of the Soldiers' Home at Marshalltown.	
Reported .....	571	Introduced and referred.....	338
Re-referred .....	580	Indefinitely postponed .....	1030
Reported unfavorably .....	995	277—By Robinson. Relating to the meandered lake beds in the state and authorizing the executive council to survey, lease or, sell the same.	
Indefinitely postponed .....	995	Introduced and referred.....	338
268—By Weeks. To provide for the appointment of public examiners and fixing compensation thereof, and providing for a uniform system of keeping the books of county treasurers.		Reported with amendment.....	438
Introduced and referred.....	327	Amended .....	546
Recalled and re-referred.....	388	Re-referred .....	547
Reported unfavorably .....	439	Substitute reported .....	816-819
Indefinitely postponed .....	439	Reinstated on the calendar.....	819
		Considered .....	883
		Substitute adopted .....	884-886

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Amended and passed.....	886, 887
Title amended .....	887
Passed Senate .....	1230
Enrolled .....	1330, 1333
Signed .....	1334
Sent to the Governor .....	1337
278—By Boland, by request. Providing for paying Mrs. Maggie J. Edwards damages for personal injuries suffered by her at the State College of Agriculture and Mechanic Arts. Introduced and referred.....	338
Withdrawn .....	996
279—By Weeks. To provide for the establishment of a board of good roads and drainage commissioners for the state of Iowa, and defining their compensation, duties and term of office. Introduced and referred.....	360
Reported unfavorably .....	383
Indefinitely postponed .....	383
280—By Cassel. To amend section 770 of the Code, relating to viaducts and approaches thereto. Introduced and referred.....	360
Reported unfavorably .....	1184
Indefinitely postponed .....	1185
281—By Hanna. Relating to fish and game and making appropriation for the fish and game commission of the state of Iowa. Introduced and referred.....	360
Substitute reported .....	707
Substitute adopted .....	809
Passed .....	810
Amended and passed senate .....	1157
House concurs .....	1164
Enrolled .....	1329, 1331
Signed .....	1334
Sent to the Governor.....	1355
282—By Dashiell. To amend section 422 of the Code of Iowa, relative to the powers of boards of supervisors by adding thereto subdivision 23, providing for certain reports from members of said boards. Introduced and referred.....	360
Reported unfavorably .....	437
Indefinitely postponed .....	437
283—By Stoltenberg. To amend section 835 of the Code relating to refunding the cost of pavement removed by street railway companies. Introduced and referred.....	361
Reported .....	439
Amended and passed .....	498
Amended and passed Senate.....	1305
House concurs .....	1313, 1314
Enrolled .....	1368
Signed .....	1369
Sent to the Governor .....	1370
284—By Frudden. To make an appropriation for the Dubuque Rescue Home, at Dubuque, Iowa. Introduced and referred.....	361
Reported .....	374
* Lost .....	398, 399
Motion to reconsider filed.....	404
Motion to reconsider prevailed .....	457

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Passed .....	457, 458
Passed Senate .....	946
Enrolled .....	1021, 1022
Signed .....	1026
Sent to the Governor .....	1082
285—By Carstensen. To amend section 2448 of the Code, relating to the sale of intoxicating liquor under the mulct law. Introduced and referred.....	361
Reported unfavorably .....	1018
Indefinitely postponed .....	1019
286—By Carstensen. To amend section 5002 of the Code, relation to allowing minors in billiard rooms, saloons, etc. Introduced and referred .....	361
Reported unfavorably .....	678
Indefinitely postponed .....	679
287—By Dashiell. Authorizing the publication and sale and directing the purchase of the laws of Iowa, relating to township officers other than justices of the peace and constables. Introduced and referred.....	361
Reported unfavorably .....	661
Indefinitely postponed .....	661
288—By Lundt. To amend sections 1532 and 1551 of the supplement to the Code relating to the working of roads and highways. Introduced and referred.....	361
Withdrawn .....	692
289—By Greene. To amend section 1528, supplement of the Code, relating to powers and duties of trustees. Introduced and referred.....	361
Reported unfavorably .....	521
Indefinitely postponed .....	521
290—By McCreary. To amend section 1952 of the Code, relating to petitions for draining, ditching and leveling land subject to overflow, and changing water courses. Introduced .....	361
Referred .....	362
Reported unfavorably .....	1235
Indefinitely postponed .....	1235
291—By Springer. To amend sections 738 and 739 of the Code, relating to sewers in towns and smaller cities. Introduced and referred.....	362
Reported favorably .....	764
Withdrawn .....	1005
292—By DeLano. To amend section 1562 of the supplement to the Code, relating to the destruction of Canada thistles. Introduced and referred.....	362
Reported unfavorably .....	995
Indefinitely postponed .....	995
293—By Carden. To indemnify Charles H. Tribby for damages caused by sewage from the State Hospital for the insane at Mount Pleasant, Iowa. Introduced and referred .....	362
Substitute reported .....	658, 659
Substitute adopted .....	781
Passed .....	782

\* Erroneously printed "Passed House."

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294—By McClurkin. For the protection of Chautauqua Associations, for the appointment by them of special police officers, and to fix penalties for the violation of the rules of such associations.		Introduced and referred.....	387
		Reported .....	520
		Re-referred .....	564
		Reported .....	706
		Passed .....	778, 779
295—By Cummings. To amend the law as it appears in section 2606-b of the supplement to the Code in regard to the pension money of the members of the Iowa Soldiers' Home.		301—By Bealer. To appropriate money for the purchase of Camp McClellan at Dav- enport, Iowa, in conjunc- tion with the city of Dav- enport, and to provide for its improvement as a pub- lic park and its preserva- tion as a place of historic and patriotic interest.	
Introduced and referred.....	386	Introduced and referred.....	387
Reported unfavorably .....	437	Reported with amendments .....	951, 952
Indefinitely postponed .....	437	Amended and passed.....	998, 1000
		Explanation of vote .....	1000
		Petition relative to .....	759, 772
296—By Koontz. Providing for placing a statue in bronze of Samuel J. Kirkwood, ex-Governor of Iowa, in the national statuary hall in the capitol building at Washington, D. C., and appropriating money to pay therefor.		Enrolled .....	813, 857, 897, 898
Introduced and referred.....	386	Signed .....	925, 953, 959, 993
Reported .....	560	302—By Temple. To amend sec- tion 212 of the Code, re- lating to the salary of the assistant attorney general, and fixing his compensa- tion.	
Passed .....	606, 607	Introduced and referred.....	387
Passed Senate .....	617	Reported .....	408
Enrolled .....	679	Passed .....	522, 523
Signed .....	686	Passed Senate .....	787
Sent to the Governor .....	710	Enrolled .....	823, 824
		Signed .....	825
		Sent to the Governor .....	809
297—By Koontz. Making appro- priations to the State Historical Society of Iowa.		303—By Head. Requiring private banks and private banks to make and publish semi- annual statements, amend- atory to chapter 12, title XI of the Code.	
Introduced and referred.....	386	Introduced and referred.....	387
Reported .....	658	Reported unfavorably .....	1055
Passed .....	782, 783	Indefinitely postponed .....	1055
Passed Senate .....	1155		
Enrolled .....	1226, 1228	304—By Wise. To repeal section 2078 of the Code, and en- act a substitute therefor, and providing for the clas- sification of railways.	
Signed .....	1270	Introduced and referred.....	387
Sent to the Governor .....	1287	Reported .....	395
		Passed .....	464
298—By Carstensen. To regulate the hours of labor of em- ployes of street and inter- urban railways, and to pro- vide for the safety and protection of said em- ployes and the public.		Amended and passed Senate .....	787
Introduced and referred.....	386	House concurs .....	788, 789
Reported unfavorably .....	996	Enrolled .....	962, 963
Indefinitely postponed .....	996	Signed .....	964
Petition relative to .....	559	Sent to the Governor .....	969
300—By Bixby. To legalize the acts of the board of supervisors of Delaware county, Iowa, relating to the levying of a tax for the support of the poor, and legalizing the tax so levied.		305—By Wise. Requiring railway and other corporations owning real estate to re- port the same to the ex- ecutive council for assess- ment, and amending section 1334 of the Code, and chapter 58, acts of the Twenty-ninth General As- sembly.	
Introduced and referred.....	387	Introduced .....	387
Reported unfavorably .....	408	Referred .....	388
Indefinitely postponed .....	408	Reported .....	396
300—By Wyland, by request. To indemnify H. W. Tapley for loss sustained by him by reason of the loss of valuable coins taken from the State Historical build- ing and making an appro- priation therefor.		Passed .....	463, 464
		Amended and passed Senate.....	891
		House concurs .....	893, 894
		Enrolled .....	962, 963
		Signed .....	964
		Sent to the Governor .....	968



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306—By Teachout. To amend chapter 133 of the acts of the Twenty-ninth General Assembly relating to friendless children.	
Introduced and referred .....	388
Reported .....	475
Passed .....	484, 485
Title amended .....	485
307—By Bealer. A bill for an act authorizing the Executive Council to sell the property known as the "State Square," being block 27 in Stewart's Addition to the city of Des Moines, Iowa, and use the proceeds of the sale in the purchase of other property.	
Introduced and referred .....	388
Reported .....	438
Passed .....	481
Passed Senate .....	686
Enrolled .....	823, 824
Signed .....	825
Sent to the Governor .....	899
308—By Hart. Creating a commission to ascertain and identify the exact location of the Battle of White Stone Hill and the position of the Iowa troops engaged in such battle, and defining the duties and making an appropriation for the expense of such commission.	
Introduced and referred .....	397
Reported .....	614
Lost on passage .....	698, 699
Motion to reconsider filed.....	703
Motion to reconsider prevailed .....	779
Passed .....	779, 780
309—By Hart. To amend section 3474 of the supplement to the Code, by repealing a portion thereof and for the enactment of a new section additional to and amendatory of chapter 4, title XVIII of the Code, and of the supplement to the Code, relative to place of bringing suit upon official and judicial bonds.	
Introduced and referred.....	397
Substitute reported .....	406, 407
Substitute amended and adopted .....	479, 480
Passed .....	480, 481
310—By Shaffer. Amendatory of chapter 5-a of title III of the supplement to the Code, relating to appointment of trustees by district court to manage, control and invest cemetery funds.	
Introduced and referred.....	397
Substitute reported .....	503
Substitute adopted and passed .....	526, 527
Amended and passed Senate .....	1276
House concurred .....	1294
Enrolled .....	1329, 1332
Signed .....	1334
Sent to the Governor .....	1356

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311—By McNie to re-open the Industrial Home for the Male Blind at Knoxville, Iowa, and to provide rules for the government of the same and to repeal chapter 10, title XIII of the Code, and all acts inconsistent with this act.	
Introduced and referred.....	406
Withdrawn .....	1026
312—By Wise. To regulate the removal of persons sick with infectious and contagious diseases from one city, town or township to another city, town or township. Additional to chapter 16, title XII of the Code.	
Introduced and referred.....	406
Substitute reported .....	980
Substitute adopted and passed .....	1032-1034
Passed Senate .....	1336
Enrolled .....	1368
Signed .....	1369
Sent to the Governor .....	1371
313—By Committee on Schools and Text-Books. A bill for an act providing for the closing of schools and for the transportation of children to adjoining rural schools.	
Introduced and referred.....	429
Amended .....	524
Lost on passage .....	525
314—By Davie, by request. To compensate Frank J. Young for money paid out and services rendered while State Oil Inspector.	
Introduced and referred.....	429
Reported and re-referred.....	520
Reported .....	658
Passed .....	768
Motion to reconsider filed.....	801
Recalled from the Senate.....	801
Returned by the Senate.....	832
Motion to reconsider prevailed .....	852
Indefinitely postponed .....	852
315—By Hambleton. To amend section 2232 of the Code, relative to county expense.	
Introduced and referred.....	429
Reported .....	475
Passed .....	552, 553
316—By Jacobson. Repealing chapter 18, title XXI, of the Code, and enacting a substitute therefor, relative to change of names.	
Introduced and referred.....	429
Reported with amendments.....	471
Amended and passed .....	495, 496
Title amended .....	496
Amended and passed Senate.....	1028
House concurs .....	1048, 1049
Enrolled .....	1110, 1111
Signed .....	1134
Sent to the Governor .....	1153
317—By Weeks. To amend section 4011 of the Code, relating to the exemption from liability for debt for personal earnings.	
Introduced and referred.....	429
Reported with amendment.....	517
Amended .....	666-668
Passed .....	669

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318—By Weeks. To enable the state of Iowa to sell and dispose of all drained or reclaimed inland meandered lake beds and other lands.			
Introduced and referred.....	429	Introduced and referred.....	452
Recalled and re-referred.....	546, 547	Reported unfavorably.....	950
Substitute reported.....	655	Indefinitely postponed.....	950
Substitute adopted and passed	720-724		
Passed Senate.....	1027	325—By Teter. To legalize the incorporation of the town of Hamilton, Marion county, Iowa, the election of its officers, and ordinances passed and all official acts of the council of said town.	
Enrolled.....	1111, 1112	Introduced and referred.....	452
Recalled by Senate.....	1123	Reported.....	502
Request for recall granted.....	1134	Amended and passed.....	528
Adoption of report of committee on enrolled bills re-considered.....	1134	Amended and passed Senate.....	1155
Amended and passed Senate.....	1156	House concurs.....	1163
House concurs.....	1162, 1163	Enrolled.....	1226, 1228
Enrolled.....	1226, 1228	Signed.....	1270
Signed.....	1270	Sent to the Governor.....	1287
Sent to the Governor.....	1287		
319—By English. To amend section 1788 of the Code, relative to stipulated premium and assessment life insurance associations.		326—By Crose. To amend section 2576, chapter 17, title XII, of the Code, relating to State Board of Medical Examiners.	
Introduced and referred.....	430	Introduced and referred.....	453
Reported.....	571	Reported unfavorably.....	660
Passed.....	695, 696	Indefinitely postponed.....	660
Passed Senate.....	891		
Enrolled.....	922	327—By Robinson. To amend section 1759 of the Code supplement, relating to mutual fire, tornado and hail storm insurance companies.	
Signed.....	924	Introduced and referred.....	453
Sent to the Governor.....	964	Substitute reported.....	1013
		Substitute adopted.....	1112, 1113
		Lost on passage.....	1113, 1114
320—By Nichols. To amend section 2771 of the Code in relation to filling vacancies in school offices.		328—By Teachout. To amend section 852 of the supplement to the Code, and sections 853 and 858 of the Code, relating to park commissioners, their powers and duties.	
Introduced and referred.....	439	Introduced and referred.....	453
Reported unfavorably.....	487	Reported.....	519
Indefinitely postponed.....	487	Passed.....	583, 584
		Amended and passed Senate.....	1324
		House concurs.....	1326, 1327
		Enrolled.....	1368
		Signed.....	1369
		Sent to the Governor.....	1370
321—By McCulloch. To regulate the sale of patent medicines containing narcotic or any alcoholic preparations.		329—By Teachout. To amend section 560 of the Code relating to township clerk and trustees.	
Introduced and referred.....	440	Introduced and referred.....	453
Reported unfavorably.....	1182	Reported.....	661
Indefinitely postponed.....	1183	Passed.....	719, 720
		Passed Senate.....	938
		Enrolled.....	962, 963
		Signed.....	964
		Sent to the Governor.....	969
322—By Committee on Appropriations. To appropriate money to pay for metal shelving in the new storage building.		330—By Teachout. To amend section 2261 of the Code, relating to county commissioners of insanity.	
Introduced.....	440	Introduced and referred.....	453
Passed.....	482, 483	Reported unfavorably.....	472
Passed Senate.....	1158	Indefinitely postponed.....	472
Enrolled.....	1225, 1227		
Signed.....	1270		
Sent to the Governor.....	1286		
323—By Hart. To repeal section 4364 of the Code, and for the enactment of a new section additional to and amendatory of chapter 4, title XVIII, of the Code, relative to place of bringing actions to restrain judicial proceedings and enforcement of judgments.		331—By Committee on Insurance. To provide for the examination of fraternal beneficiary associations.	
Introduced and referred.....	440	Introduced.....	467
Reported.....	816	Passed.....	495
Lost on passage.....	859, 860	Passed Senate.....	579
		Enrolled.....	636
		Signed.....	636
		Sent to the Governor.....	639
324—By McCulloch. To legalize the official acts of Harry C. Wright, a notary public in and for Wayne county.			

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332—By Doran. Defining the duties of railroad companies in the shipment and transportation of live stock.			
Introduced and referred	469	granting of such licenses to persons who have obtained decree of divorce.	
Reported unfavorably	631	Introduced and referred	476
Minority recommend passage	631	Reported unfavorably	504
Majority report adopted	631	Indefinitely postponed	504
Indefinitely postponed	631	338—By Powers. To amend section twenty-two hundred and ninety-seven (2297) of the Code, making certain persons liable for the support of insane relatives.	
Motion to reconsider prevailed	632	Introduced and referred	489
Withdrawn	1050	Reported unfavorably	569
Petitions relative to	533, 559	Indefinitely postponed	570
567, 594, 611, 612, 625		339—By Cummings. To authorize the city of Marshalltown to construct and maintain a sewer through land of the state, used by the Iowa Soldiers' Home.	
628, 629, 652, 653, 669		Introduced and referred	489
671, 672, 673, 705, 759		Reported	560
772, 813, 814, 856, 897		Passed	605, 606
958, 993, 1012		Passed Senate	685
333—By Wright. Requiring common carriers to make joint tariff rates on live stock transported to slaughter houses.		Enrolled	922
Introduced and referred	475	Signed	924
334—By Skinner, by request. To appropriate the sum of six thousand dollars (\$6,000) for the relief of Ernest L. Ireland, on account of injuries received while in the employ of the state of Iowa, in the construction of a state building, and directing the manner of payment of such appropriation.		Sent to the Governor	964
Introduced and referred	476	340—By Cummings. To provide for the payment of costs and expenses which accrue from the care and investigation of persons found to be insane in counties in which they do not have a legal settlement.	
Reported unfavorably	995, 996	Introduced and referred	489
Indefinitely postponed	996	Reported	568
335—By Flenniken. To legalize certain actions of the board of supervisors of Clayton county, Iowa, relating to the purchase of land.		Passed	607
Introduced and referred	476	Passed Senate	891
Reported	502	Enrolled	922
Passed	529	Signed	924
Passed Senate	938	Sent to the Governor	964
Enrolled	1110, 1111	341—By Cassel. To provide for the erection, control and supervision of fire escapes to public buildings.	
Signed	1134	Introduced and referred	489
Sent to the Governor	1153	Reported unfavorably	1055
336—By Olson. To legalize the acts and proceedings of the Brookfield Creamery Association of Worth county, Iowa, and legalize the title to the real estate acquired by such creamery association, and to authorize its incorporation under the provisions of chapter one (1), of title IX (9), of the Code, and of the supplement to the Code.		Indefinitely postponed	1055
Introduced and referred	476	342—By Lundt. To amend section twenty-one hundred and sixteen (2116) of the Code, in relation to the duty of railroads to transport.	
Reported	502	Introduced and referred	489
Passed	527	Reported unfavorably	674
Amended and passed Senate	1091	Indefinitely postponed	674
House concurs	1107, 1108	343—By Lundt, by request. To amend section twenty-two hundred and sixty-one (2261) of the Code, relating to county commissioners of insanity.	
Enrolled	1368	Introduced and referred	489
Signed	1369	Reported unfavorably	504
Sent to the Governor	1370	Indefinitely postponed	504
337—By Crose. To amend section thirty-one hundred and forty-one (3141), chapter one (1), title XIV (14), of the Code, relating to the granting of marriage licenses, and regulating the		344—By Lundt. To amend section four hundred and sixty-nine (469) of the Code, in relation to the compensation of the boards of supervisors.	
		Introduced and referred	490
		Reported with amendments	677
		Amended	768, 769
		Lost on passage	769, 770
		Motion to reconsider filed	801
		Motion to reconsider lost	1005

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345—By Buchanan. To regulate civil service in certain cities of the first and second class.		352—By Mattes. In relation to objectionable advertisements in the vicinity of public school buildings.	
Introduced and referred.....	490	Introduced and referred.....	507
Reported unfavorably .....	902	Reported .....	559
Indefinitely postponed .....	902	Amended and passed .....	608, 609
346—By Cheney. To amend section one thousand five hundred and thirty-three (1533) of the supplement to the Code, in relation to the duties of township trustees.		Amended and passed Senate.....	1232
Introduced and referred.....	490	House concurs .....	1293
* Reported .....	521	Enrolled .....	1330, 1332
Amended and passed .....	641, 642	Signed .....	1334
347—By Hambleton. To amend section 2479-a of the supplement to the Code, relating to mines and mining.		Sent to the Governor .....	1356
Introduced .....	496	353—By Mott. To amend sections fifty-five (55), fourteen hundred and nineteen (1419), fourteen hundred and forty-one (1441), fourteen hundred and ninety-five (1495), eighteen hundred and forty-two (1842), eighteen hundred and forty-three (1843), twenty-three hundred and eighty-eight (2388), thirty hundred and seventy-four (3074), thirty-one hundred and nine (3109), thirty-one hundred and thirty-one (3131), thirty-two hundred and eighty-four (3284), and forty-four hundred and seventy-four (4474) of the Code, and the law which appears as section sixteen hundred and eighteen (1618) of the supplement to the Code, relating to the publication of legal notices.	
** Passed .....	496, 497	Introduced and referred.....	508
Amended and passed Senate.....	509	Reported .....	709
House concurs .....	510, 511	Amended and passed .....	784, 785
Enrolled .....	574, 575	Passed Senate .....	1230
Signed .....	589	Enrolled .....	1329, 1331
Sent to the Governor .....	609	Signed .....	1334
348—By Wright. Providing for the appointment of a commission to re-locate the School for the Deaf, and authorizing the Board of Control of State Institutions to purchase land and erect buildings and other improvements for said school, and to use furniture, machinery and other property now at the school in Council Bluffs in the new institution, and making an appropriation for land, buildings and improvements.		Sent to the Governor .....	1355
Introduced and referred.....	506	354—By Greene. To reorganize the congressional districts of the state.	
Reported unfavorably .....	1017	Introduced and referred to Committee on Congressional Districts .....	508
Indefinitely postponed .....	1017	355—By Nichols. To amend sections 2739, 2757, 2764, 2765, 2769, 2773, 2785, 2793 and 2801 of the Code, relating to the school year, regular meeting of school boards, school census and the annual reports of school officers.	
349—By Langan. To provide for a uniform contract or policy of fire insurance to be made and used in this state by all insurance companies taking fire risks on property within this state.		Introduced and referred.....	521
Introduced and referred.....	507	Reported .....	927
Withdrawn .....	1133	Passed .....	975, 976
350—By Mattes. To legalize the incorporation of the town of Wall Lake, Sac county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.		Senate indefinitely postponed.....	1092
Introduced and referred.....	507	356—By Robinson. To provide for the establishment of a board of good roads and drainage commissioners for the state of Iowa, and defining the method and terms of their employment by counties and townships, and their compensation, duties and terms of office.	
Reported .....	570	Introduced .....	521
Passed .....	585, 586	Referred .....	522
Passed Senate .....	946	Reported unfavorably .....	632
Enrolled .....	1021, 1022	Indefinitely postponed .....	632
Signed .....	1026	Petitions relating to.....	625, 653
Sent to the Governor .....	1082		
351—By Bailey. To provide for the coloring of kerosene and coal oil, and providing a penalty for the violation thereof, and making it a misdemeanor to color gasoline the same color.			
Introduced and referred.....	507		
Reported unfavorably .....	908		
Indefinitely postponed .....	908		

\* Erroneously printed H. F. No. 246.

\*\* Erroneously printed H. F. No. 340.

H. F.	Page.
357—By Summers. To provide for the registration of trained or graduate nurses and for the issuance of certificates thereto, and to make it a misdemeanor for any person to advertise or profess to be a trained nurse without having first been registered as provided herein.	
Introduced and referred.....	545
Reported unfavorably .....	764
Indefinitely postponed .....	764
358—By Kling. To legalize the incorporation of the town of Persia, Harrison county, Iowa, the election of its officers, the passages of its ordinances and resolutions, and all acts done by the council of said town.	
Introduced and referred.....	545
Reported .....	568
Passed .....	584, 585
Passed Senate .....	1156
Enrolled .....	1225, 1227
Signed .....	1270
Sent to the Governor .....	1286
359—By McNie. To amend section 2575 of the Code, relating to expenses of the State Board of Health.	
Introduced and referred.....	564
Reported favorably .....	709
Withdrawn .....	852
360—By Cobb, by request. To amend section 2388 of the Code.	
Introduced and referred.....	564
Reported unfavorably .....	634
Indefinitely postponed .....	634
361—By Clary. To repeal chapter 150 of the acts of the Twenty-ninth General Assembly and sections 4999-e, 4999-f, 4999-g, 4999-h, 4999-i, 4999-j of the supplement to the Code, and enact in lieu thereof the following: "relative to the 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, additional to chapter 10 of title XXIV of the Code, relating to offenses against the public health."	
Introduced and referred.....	564
Reported .....	569
Amended and passed.....	825-828
Amended and passed Senate..	946
House concurs .....	967, 968
Enrolled .....	1110, 1112
Signed .....	1134
Sent to the Governor .....	1153
362—By Wright. To amend section 2 chapter 41, of the Twenty-eighth General Assembly, relating to the amount of indebtedness which incorporated towns and cities of the second class may incur for the purpose of erecting water-	

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works and a system of sewers.	
Introduced and referred.....	575
Reported .....	613
Passed .....	701, 702
Amended and passed Senate..	1026
House concurs .....	1045
Enrolled .....	1111, 1112
Signed .....	1134
Sent to the Governor .....	1153
Petition relative to .....	763
363—By McAllister, by request. To amend section 2541 of the Code, relating to the sale of intoxicating liquors.	
Introduced and referred.....	576
Withdrawn .....	1179
364—By English. Relating to the hours of labor of railway employes and limiting the same, additional to chapter 5, title X, of the Code.	
Introduced and referred.....	576
Reported .....	709
Passed .....	783, 784
Senate indefinitely postpones..	978
Petition relative to .....	959
365—By Dashiell. To amend section 738 of the Code in relation to sewers in towns and small cities.	
Introduced and referred.....	576
Reported unfavorably .....	902
Indefinitely postponed .....	902
366—By Buckingham. To legalize the election held in the incorporated town of Alta, Buena Vista county, Iowa, on the 30th day of March, 1903, and the proposition submitted at said election for the purpose of erecting and maintaining a hot water heating plant for municipal purposes in the town of Alta, Buena Vista county, Iowa.	
Introduced .....	576
Referred .....	577
Reported with amendment.....	614
Amended and passed.....	694, 695
Passed Senate .....	1157
Enrolled .....	1225, 1227
Signed .....	1270
Sent to the Governor .....	1286
367—By Hambleton. To amend section 1129 of the Code, relative to expense of elections.	
Introduced and referred.....	577
Reported with amendment.....	649
Amended and passed.....	702, 703
Recalled from the Senate.....	870
Returned by Senate .....	940
368—By Carstensen. Amending section 2114 of the Code of 1897, providing for reports of accidents by railroad companies.	
Introduced and referred.....	577
Reported .....	820
Passed .....	860, 861
369—By Conn. Forbidding a person or company from procuring any unpublished or undedicated dramatic or musical composition and providing for punishment for violation hereof.	
Introduced and referred.....	577
Reported unfavorably .....	612
Indefinitely postponed .....	612

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370—By Head.	To protect individual liberty, to prohibit any persons from doing certain acts to intimidate, coerce or otherwise interfere with any person, firm or corporation engaged in or carrying on any lawful occupation, profession, business or public service in a lawful manner, and to provide penalties for its violation.		
	Introduced .....	Introduced and referred.....	601
	Referred .....	Reported with amendments .....	775, 776
	Reported unfavorably .....	Amended and passed .....	849, 850
	Indefinitely postponed .....	Senate indefinitely postpones.....	1305
371—By Jones.	To create a highway commission for the state of Iowa, and defining the duties of same.	376—By Temple.	To amend section 2579 of the Code, relating to the practice of medicine.
	Introduced and referred.....		Introduced .....
	Reported .....		(No record of reference in Journal.) .....
	Amended and passed .....		Reported .....
	Passed Senate .....		Passed .....
	Enrolled .....	377—By Kendall.	Authorizing the governor to deliver up and remove to any state or territory of the United States, any person found within this state charged with the commission of treason or felony against such state or territory, who is not extraditable under the laws of the United States, and amending sections fifty-one hundred and sixty-nine (5169), fifty-one hundred and seventy (5170), fifty-one hundred and seventy-two (5172), fifty-one hundred and seventy-three (5173), fifty-one hundred and eighty (5180), and fifty-one hundred and eighty-one (5181), of the Code, relating to fugitives from justice.
	Signed .....		Introduced .....
	Sent to the Governor .....		Passed on file .....
372—By McAllister.	To amend chapter 6, of title III, of the Code, relating to superior courts, the number of jurors in said courts and the times and manner of drawing the same; repealing section 273 of the Code, relating to judgments of said courts, and enacting a substitute in lieu thereof; and repealing chapter 10 of the acts of the Twenty-eighth General Assembly, relating to changes of venue from said courts.		Considered and referred.....
	Introduced and referred.....		Reported unfavorably .....
	Reported unfavorably .....		Indefinitely postponed .....
	Indefinitely postponed .....	378—By Bixby.	To legalize the acts of the board of supervisors of Delaware county relating to the levying of a tax for the support of the poor, and legalizing the tax so levied.
373—By McAllister.	To amend section 2685 of the Code, relative to the admission of children to the Orphans' Home and Home for Destitute Children, located at Davenport.		Introduced .....
	Introduced and referred.....		Referred .....
	Substitute reported .....		Reported .....
	Substitute adopted .....		Passed .....
	Passed .....		Passed Senate .....
374—By Hart.	To amend sections 430 and 433 of the Code, relative to the power and duty of boards of supervisors with regard to indigent soldiers, sailors and marines.		Enrolled .....
	Introduced .....		Signed .....
	Referred .....		Sent to the Governor .....
	Reported .....	379—By Offill.	To protect persons and property from danger and injury from automobiles, motor cycles or motor vehicles upon public highways.
	Passed .....		Introduced and referred.....
	Amended and passed Senate.....		Reported unfavorably .....
	House concurs .....		Indefinitely postponed .....
	Enrolled .....	380—By Sankey, by request.	To abolish the board of Railroad Commissioners and repeal sections 2111, 2112, 2113, 2114, 2115, 2117, 2118, 2119, 2120, and 2121 of the Code.
	Signed .....		Introduced and referred.....
	Sent to the Governor .....		Reported and re-referred.....
375—By Hart.	To amend sections 2601 and 2606 of the Code, relative to qualifications for admission to the State Soldiers' Home.		Reported unfavorably .....
	Introduced and referred.....		Indefinitely postponed .....

H. F.	Page.	H. F.	Page.
381—By Hart.	To amend section 4807 of the Code, making it a crime to maliciously injure or destroy any electric motor, electric light, gas or water plant, or any apparatus connected therewith.	Motion to reconsider pre- vailed .....	970
	Introduced and referred.....	Indefinitely postponed .....	970
	Substitute reported.....653,	386—By Sankey. To prevent any fire insurance company from insuring any property for a greater sum than the actual cash value thereof, and providing penalties for violation of the provisions thereof.	
	Substitute adopted and passed .....	Introduced and referred.....	635
	* Passed Senate .....	Reported unfavorably .....	1056
	Enrolled .....	Indefinitely postponed .....	1056
	Signed .....	387—By Gregory. To amend section 2538-i of the supplement to the Code, and provide for registering with- out examination veteri- naries registered in other states or in foreign coun- tries.	
	Sent to the Governor .....	Introduced and referred.....	635
382—By Skinner. Making it a crime to wilfully take any electric current, gas or water, from the wires, me- ters, pipes or any appar- atus of any electric light, electric motor, gas or wa- ter plant with intent to defraud. (Additional to chapter 5, title XXIV, of the Code.)	610	Reported .....	660
	Reported .....	Passed .....	920
	Passed .....	Enrolled .....	1331, 1333
	Title amended .....	Signed .....	1334
	Passed Senate .....	Sent to the governor .....	1357
	Enrolled .....	388—By Hart. To amend chapter 4, of title X, of the Code, relative to the condemna- tion of property for pub- lic use.	
	Signed .....	Introduced and referred.....	662
	Sent to the Governor .....	Reported unfavorably .....	994
383—By Temple. To amend section 860 of the supplement to the Code, as the same is found in said section of the Code and the supple- ment thereto, relating to the creation and improve- ment of parks, in towns and cities having a popula- tion of twelve thousand five hundred and less.	610	Indefinitely postponed .....	994
	Reported .....	389—By Teter. To provide for the approval of policies or contracts of life insurance companies contemplated by chapter 6, of title IX, of the Code.	
	Passed .....	Introduced and referred.....	662
	Amended and passed Senate.....	Reported with amendment.....	903
	House concurs .....	Amended and passed .....	935, 936
	Enrolled .....	Amended and passed Senate.....	1189
	Signed .....	House concurs .....	1216, 1217
	Sent to the Governor .....	Enrolled .....	1329, 1331
384—By Clary, by request. To li- cense and regulate and de- fine business of factors and brokers of real estate in Iowa, and to require them to give a bond to the state of Iowa for the benefit of their principals, and to prescribe a penalty for the violation of any of the pro- visions of this act.	626	Signed .....	1334
	Reported .....	Sent to the Governor .....	1355
	Passed .....	390—By Carden. Relating to the practice of veterinary medicine and surgery.	
	Amended and passed Senate.....	Introduced and referred.....	682
	House concurs .....	Reported unfavorably .....	1235
	Enrolled .....	Indefinitely postponed .....	1235
	Signed .....	391—By Lamkin. To define certain powers of the county su- perintendents in relation to teachers.	
	Sent to the Governor .....	Introduced and referred.....	682
385—By Skinner. To amend section 2230 of the Code, relat- ing to overseer of the poor.	634	Reported unfavorably .....	926
	Referred .....	Indefinitely postponed .....	926
	Reported unfavorably .....	392—By Clary. To amend section 2449 of the Code, relating to statement of consent that mulct law be put in operation.	
	Indefinitely postponed .....	Introduced and referred.....	682
	385—By Skinner. To amend section 2230 of the Code, relat- ing to overseer of the poor.	Reported unfavorably .....	1183
	Introduced and referred.....	Indefinitely postponed .....	1183
	Reported .....	393—By English. To provide for the licensing of agents of insurance companies and associations.	
	Passed .....	Introduced and referred.....	683
	Recalled from the Senate.....	Reported with amendment.....	902
	Motion to reconsider filed.....	Amended and passed .....	920, 921
	Returned by Senate .....	Passed Senate .....	1188
		Enrolled .....	1226, 1228
		Signed .....	1270
		Sent to the Governor .....	1287

\* Erroneously printed H. F.  
No. 387.





H. F.	Page.
406—By Calderwood. 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 under special charter.	
Introduced and referred.....	766
Reported unfavorably .....	1054
Indefinitely postponed .....	1055
407—By Committee on Labor. To repeal section 2474 of the Code, relating to the reporting of accidents to employes and to enact in lieu thereof the following.	
Introduced and passed on file .....	776
Lost on passage .....	847
408—By Committee on Appropriations. To appropriate money to extend the east wings of the old flag cases in the state house.	
Introduced and passed on file .....	776
Passed .....	850, 851
409—By Hambleton. To compensate C. H. Hare for money paid out and services rendered while State Oil Inspector.	
Introduced and referred.....	776
Withdrawn .....	852
410—By Weeks. To amend section 491 of the Code, relating to salaries of deputy treasurers.	
Introduced and referred.....	776
Passed Senate .....	1276
Reported .....	908
Lost on passage .....	932, 933
411—By Manning. Authorizing cities and towns to issue water and light bonds, or either, and providing for the payment thereof.	
Introduced and referred.....	811
Withdrawn .....	977
412—By Manning. To amend section 446 of the Code.	
Introduced and referred.....	812
Withdrawn .....	977
413—By McCulloch. To amend the law as it appears in section 2589 of the supplement to the Code, relating to examinations for registration as pharmacists.	
Introduced and referred.....	824
Reported unfavorably .....	1182
Indefinitely postponed .....	1182
414—By Jepson. To legalize the acts of the voters of the school corporations within this state at the annual meetings thereof where such voters have attempted to exercise the powers given by section 2749 of the Code, when no notice of the propositions acted upon by them was given in the manner provided in such section.	
Introduced and referred.....	824
Reported with amendment .....	926, 927
Amended and passed.....	973-975

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415—By Weeks. To provide uniform rates for telephone service in cities, towns and villages.	
Introduced and referred.....	825
Reported unfavorably .....	1219
Indefinitely postponed .....	1220
416—By Hanna. To legalize the incorporation of the town of Titonka, Kossuth county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town.	
Introduced and referred.....	825
Reported .....	948
Passed .....	973
Passed Senate .....	1157
Enrolled .....	1226, 1228
Signed .....	1270
Sent to the Governor .....	1287
417—By Manning. To compel receipt and transmission of telephone communications on and over telegraph lines.	
Introduced and referred .....	825
Reported unfavorably .....	1220
Indefinitely postponed .....	1220
418—By Jones. To require the registration of births and deaths in Iowa.	
Introduced and referred .....	853
Reported .....	980
Passed .....	1030, 1031
Passed Senate .....	1189
Recalled by Senate (erroneously printed S. F. 418)	
.....	1232
Request granted .....	1270
Amended and passed Senate.....	1335
House concurs .....	1342, 1343
Enrolled .....	1369
Signed .....	1369
Sent to the Governor .....	1371
419—By Hart. Additional to and amendatory of chapter 6 of title XIII of the Code and to the law as found in said title, and chapter of the supplement to the Code relative to sale of intoxicating liquors.	
Introduced and referred .....	857
Reported unfavorably .....	1018
Indefinitely postponed .....	1018
420—By Cummings. Relating to corporations for pecuniary profit, and repealing section 1610, 1618 and 1637 of the Code, and enacting substitutes therefor.	
Introduced and referred .....	857
Reported .....	1014
Amended and passed.....	1114, 1115
421—By Prevo. To repeal sections 777 and 770 of the supplement to the Code, and to enact substitutes therefor, relating to the construction of temporary and permanent sidewalks and to provide a sidewalk fund therefor.	
Introduced .....	857
Referred .....	858
Reported unfavorably .....	1184
Indefinitely postponed .....	1184

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422—By McClurkin. To amend chapter 2, title X of the Code of Iowa, relating to levees heretofore constructed in or through two or more counties, the appointment of a commissioner therefor, and the repair and improvement thereof, and the raising of funds for such repairs.	858	Introduced and passed on file	923
Introduced and referred.....	1057	Amended and passed.....	1076, 1077
Reported .....	1196	427—By committee on insurance. To amend the law as it appears in section 1766 of the Code, relating to the examination and expenses of state mutual insurance associations.	
Withdrawn .....	1196	Introduced and passed on file	924
423—By Crose. Authorizing the appointment of policemen at certain state institutions.		Amended and passed.....	1100, 1101
Introduced and referred.....	871	428—By Buckingham. To amend section 4625 of the Code.	
Reported .....	981	Introduced and referred .....	924
Passed .....	1010, 1011	Reported unfavorably .....	950
Passed Senate .....	1322	Indefinitely postponed .....	950
Enrolled .....	1368	429—By Teter. Authorizing the executive council of the state to pay the costs and attorneys fees in certain cases brought in Marion county to revoke fraudulent naturalization papers, and to pay the costs incurred by the state in the case of the State vs. Wm. McFarland and others.	
Signed .....	1369	Introduced and referred .....	924
Sent to the Governor.....	1371	Reported .....	951
424—By Wise. Empowering the Governor to execute quitclaim deeds to all right, title and interest of the state of Iowa in and to lot 6 of block 8, lot 8 of block 14, lot 6 of block 15, and lot 2 of block 35, all in Railroad Addition to Cedar Falls, Iowa.		Referred .....	977
Introduced and referred.....	923	Substitute reported .....	1207
Reported .....	948	Substitute adopted .....	1284
Passed .....	972	Passed .....	1285
Passed Senate .....	1274	Passed Senate .....	1328
Enrolled .....	1367	Enrolled .....	1368
Signed .....	1369	Signed .....	1369
Sent to the Governor.....	1370	Sent to the Governor.....	1371
425—By Kling. To provide for the regulations of persons, firms, companies, partnerships, associations or corporations, other than building and loan associations and insurance companies and associations, which issue, place, sell or otherwise engage in the business of handling certificates, memberships, shares, contracts, debentures, bonds, stocks, tontine contracts, or other investments, securities or agreements of any kind or character, on the partial payment or installment plan, prescribing the terms and conditions upon which such persons, firms, companies, partnerships, associations or corporations shall be permitted to do business within this state.		430—By Springer. To legalize the incorporation of the town of Quasqueton, Buchanan 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.	
Introduced and referred.....	923	Introduced and referred .....	930
Reported with amendments .....	1056, 1057	Reported .....	948
Amended and passed.....	1123, 1124	Passed .....	985, 986
Passed Senate .....	1305	Passed Senate .....	1155
Enrolled .....	1368	Enrolled .....	1225, 1227
Signed .....	1369	Signed .....	1270
Sent to the Governor.....	1370	Sent to the Governor.....	1286
426—By committee on insurance. To amend the law as it appears in section 1806 of the supplement of the Code, relating to the investment of funds of insurance companies and associations.		431—By Cassel. To amend the law as found in sections fifteen hundred and twenty-eight (1528) and fifteen hundred and fifty-four (1554) and twenty-five hundred and seventy-one (2571) of the supplement to the Code, relative to the annual meeting of township trustees and of local boards of health.	
Introduced and passed on file	923	Introduced and referred.....	930
Amended and passed.....	1076, 1077	Reported unfavorably .....	1020
427—By committee on insurance. To amend the law as it appears in section 1766 of the Code, relating to the examination and expenses of state mutual insurance associations.		Indefinitely postponed .....	1020
Introduced and passed on file	924	432—By committee on appropriations. To make appropriations for construction, repair, improvement and contingent funds for state institutions under the state board of control.	
Amended and passed.....	1100, 1101	Introduced and passed on file	930
428—By Buckingham. To amend section 4625 of the Code.		Referred .....	996
Introduced and referred .....	924	Reported .....	1017
Reported unfavorably .....	950	Amended and passed .....	1028, 1030
Indefinitely postponed .....	950	Passed Senate .....	1188
429—By Teter. Authorizing the executive council of the state to pay the costs and attorneys fees in certain cases brought in Marion county to revoke fraudulent naturalization papers, and to pay the costs incurred by the state in the case of the State vs. Wm. McFarland and others.		Enrolled .....	1329, 1331
Introduced and referred .....	924	Signed .....	1334
Reported unfavorably .....	950	Sent to the Governor.....	1355
Indefinitely postponed .....	950		

HOUSE BILLS.

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H. F.	Page.
433—By Teter of Marion, by request. To repeal section two thousand one hundred and sixty-one (2161) of the Code and to enact a substitute in lieu thereof, in relation to telegraph and telephone lines.	
Introduced and referred.....	931
Reported unfavorably.....	1219
Indefinitely postponed.....	1219
434—By Calderwood, by request. For an act to grant any and all lands which the state may have in, along, or about the boundary and inland rivers of the state to the owners, to whom they properly belong, of the abutting riparian lands of which they are part if the laws of accretion and reliction are applied thereto, and to provide that all lands hereafter formed in, along or about said rivers, which would, except for this act, become the property of the state, shall become instead the property of the owner of the abutting riparian lands of which they will be part of, the laws of accretion and reliction are applied thereto, in order that all such lands now existing or hereafter formed shall become and be the subject of taxation.	
Introduced and referred.....	931
Reported unfavorably.....	950
Indefinitely postponed.....	950
435—By Hart of Allamakee, by request. To amend section fourteen hundred and fifty-nine (1459) of the Code, relative to the payment of state funds by county treasurers.	
Introduced and referred.....	957
Reported unfavorably.....	959
Indefinitely postponed.....	959
436—By Weeks. To legalize the election of the town council of the incorporated town of Minburn, Dallas county, Iowa, and all the acts thereof during the ten (10) years last passed.	
Introduced.....	981
Referred.....	982
Reported.....	994
Passed.....	1038, 1039
Passed Senate.....	1229
Enrolled.....	1358
Signed.....	1369
Sent to the Governor.....	1370
437—By Head. To amend section 3376 of the Code of Iowa, as to distributive share of surviving spouse as affected by will.	
Introduced and referred.....	982
Reported with amendment.....	1052
Amended and passed.....	1102, 1103
Passed Senate.....	1288
Enrolled.....	1330, 1333
Signed.....	1334
Sent to the Governor.....	1356

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438—By Committee on Representative Districts. To apportion the state into representative districts and declare the ratio of representation.	
Introduced and passed on file.....	982
Passed.....	1031
Amended and passed Senate.....	1283
House refused to concur.....	1295
Senate insists.....	1319
Conference committee appointed.....	*1320, 1324
Report of conference committee.....	1327
House adopted report.....	1346
Senate recedes from amendment.....	1355
Passed Senate.....	1360
Enrolled.....	1369
Signed.....	1369
Sent to the Governor.....	1371
439—By Mattes. Legalizing the acts and proceedings of the council of the incorporated town of Schaller, Iowa, in granting a franchise to the Schaller Gas Light and Fuel company and contracting with said gas light and fuel company for lights, and legalizing the ordinance granting such franchise and the franchise so granted, and the contract made between said town and the Schaller Gas Light and Fuel company, and the levy of a tax by said town to defray the expense of lighting the streets thereof.	
Introduced.....	982
Passed on file.....	985
Reported.....	993
Passed.....	1037, 1038
Enrolled.....	1330, 1332
Signed.....	1334
Sent to the Governor.....	1356
440—By Kennedy. To legalize the acts of the city of Keokuk, Iowa, in improving the alley in block twenty-nine (29) and Fourth, Fifth and Sixth streets from the south line of Main street to the north line of Johnson street, and entering into contract with the Keokuk Construction company for the making of said improvement, and in levying a special tax therefor against the abutting property for the cost of said improvement, and in issuing certificates therefor.	
Introduced and referred.....	1024, 1025
Reported (wrongly printed, S. F. 440).....	1054
Re-referred.....	1100
Reported unfavorably.....	1182
Indefinitely postponed.....	1182

\* Erroneously printed H. F. No. 328

H. F.	Page.	H. F.	Page.
441—By Kennedy. To regulate the levy and collection of special assessments in cities acting under special charter, and repealing section 792-c of the Code supplement, and repealing section 777-a of the Code supplement.	1026 1184 1184		
	Introduced and referred.....		1026
	Reported unfavorably .....		1184
	Indefinitely postponed .....		1184
442—By Chassell. To amend the law as it appears in section 2297 of the Code.	1042 1053 1053		
	Introduced and referred.....		1042
	Reported unfavorably .....		1053
	Indefinitely postponed .....		1053
443—By Cummings. To punish malicious injury to telephone and telegraph wires, additional to section 4807 of the Code, as amended by the acts of the Thirtieth General Assembly.	1043 1121		
	Introduced and passed on file .....		1043
	Withdrawn .....		1121
444—By Committee on Appropriations. Making appropriations to the Iowa State College of Agriculture and Mechanic Arts, the State University and the State Normal School	1074 1200-1203 1202 1337 1369 1371		
	Introduced and passed on file.....		1074
	Amended and passed.....		1200-1203
	Explanation of vote .....		1202
	Passed Senate .....		1337
	Enrolled .....		1369
	Signed .....		1369
	Sent to the Governor .....		1371
445—By Committee on Judiciary. To legalize the acts of Harry C. Wright, a notary public in and for Wayne county, State of Iowa, and the acts of Harry C. Wright, acting defacto as a notary public from July 4, 1900, to December 25, 1902.	1075 1081 1156 1227, 1228 1270 1287		
	Introduced and passed on file .....		1075
	Passed .....		1081, 1081
	Passed Senate .....		1156
	Enrolled .....		1227, 1228
	Signed .....		1270
	Sent to the Governor .....		1287
446—By Committee on Judiciary. Providing for the condemnation of real property for the use of the state.	1075 1104		
	Introduced and passed on file .....		1075
	Passed .....		1104
447—By Carden of Henry. Appropriating money for the relief of L. H. Fenton.	1075 1208		
	Introduced and referred.....		1075
	Reported and re-referred.....		1208
448—By Olson. To legalize the incorporation of the Farmers' Co-Operative Creamery Association of Tenold, Worth county, Iowa, and to legalize the acts and			
			transactions of said association under defective articles of incorporation, and to legalize the title to the real estate acquired by said association and to authorize its re-incorporation and succession to all the rights, privileges, property and assets acquired and possessed under the defective articles of incorporation.
			Introduced .....
			1092
			Referred .....
			1093
			Recalled from committee.....
			1159
			Considered and passed .....
			1160
			Passed Senate .....
			1291
			Enrolled .....
			1367
			Signed .....
			1369
			Sent to the Governor .....
			1370
449—By Bealer. To provide for the disposition of canvas, furniture and other property used temporarily in the Hall of the House of Representatives.			
			Introduced and passed on file .....
			1094
			Amended .....
			1130
			Passed .....
			1131
			Passed Senate .....
			1276
			Enrolled .....
			1330, 1332
			Signed .....
			1334
			Sent to the Governor .....
			1356
450—By Nichols. To establish and maintain pumping stations or plants in levee districts of the state, presenting the method of so doing. Additional to title X (10), chapter two (2) of the Code and Code supplement.			
			Introduced .....
			1094
			Passed on file .....
			1095
			Amended and passed.....
			1129, 1130
			Passed Senate .....
			1276
			Enrolled .....
			1330, 1332
			Signed .....
			1334
			Sent to the Governor .....
			1356
451—By Teachout. Providing for the condemnation of real estate for use of municipal corporations.			
			Introduced .....
			1095
			Considered .....
			1096
			Consideration deferred .....
			1096
			Lost on passage .....
			1133
			Motion to reconsider filed.....
			1151
			Motion to reconsider pre- vailed .....
			1170
			Amended and passed.....
			1170-1172
			Title amended .....
			1172
			Passed Senate .....
			1322
			Enrolled .....
			1368
			Signed .....
			1369
			Sent to the Governor .....
			1370
452—By Manning. To amend section four hundred and three (403) of the Code, relating to county roads.			
			Introduced .....
			1096
			Considered and passed.....
			1096, 1097
			Title amended .....
			1097
			Passed Senate .....
			1251
			Enrolled .....
			1329, 1332
			Signed .....
			1334
			Sent to the Governor .....
			1356

H. F.	Page.	H. F.	Page.
453—By Committee on Retrenchment and Reform. To repeal section thirteen (13) of the Code, and to enact a substitute therefor, relating to the officers and employes of the General Assembly, and fixing their compensation.	1097	Motion to reconsider filed...	1299, 1300
Introduced .....	1097	Motion to reconsider pre-	1300
Amended .....	1236, 1237	vailed .....	1300
Passed .....	1238	Recalled from Senate .....	1317
454—By Calderwood. To amend section twenty-seven hundred and twenty-seven-a-fifty-nine (2727-a 59) of the supplement to the Code, providing for annual reports of county institutions for the care of dependents and defectives.	1121	Passed Senate .....	1317
Introduced and referred .....	1121	Senate refused to return .....	1319
Reported unfavorably .....	1181	Motion not to enroll carried.....	1324, 1325
Indefinitely postponed .....	1181	Lost on passage .....	1324, 1325
455—By Frudden. To provide for the maintenance of a bacteriological laboratory at Iowa City, Iowa, in connection with the medical department of the State University, additional to chapter sixteen (16), title XII, of the Code.	1122	459—By Committee on Appropriations. Making an appropriation to pay the costs of the case of State of Iowa vs. Sioux county.	1186, 1187
Introduced .....	1122	Introduced and placed on	1281, 1282
Amended and passed.....	1192, 1193	calendar .....	1323
Explanation of vote .....	1193	Passed Senate .....	1368
Passed Senate .....	1231	Enrolled .....	1369
Enrolled .....	1330, 1332	Signed .....	1370
Signed .....	1334	Sent to the Governor .....	1370
Sent to the Governor .....	1356	460—By Committee on Retrenchment and Reform. Requiring all boards, commissions, departments and officers of state to turn into the state treasury all fees collected, and to file with the executive council statements of expenses and per diem allowances to be paid by the state, and repealing all acts or parts of acts inconsistent with this act.	1221
456—By Teachout. To amend the law as it appears in section twenty-seven hundred twenty-seven-c (2727-c) of the supplement to the Code, relating to the chief executive officers of the Industrial School, girls' department, at Mitchellville, Iowa.	1177	Introduced and placed on the	1221
Introduced and referred.....	1177	calendar .....	1304
Reported unfavorably .....	1312	Senate file No. 341 substituted	1304
Indefinitely postponed .....	1312	for .....	1304
457—By Buchanan. Requiring a report from the State University, State College of Agriculture and Mechanic Arts, and the State Normal School, and appointing a committee to inspect and report upon said institutions.	1177	461—By Teachout. Authorizing cities over sixty thousand (60,000) inhabitants to levy a tax for the purpose of erecting public buildings and procuring grounds for the same.	1280
Introduced .....	1177	Introduced and placed on	1309, 1310
Placed on calendar .....	1178	calendar .....	1311
Amended .....	1208	Made special order .....	1336
Passed .....	1209	Considered and amended.....	1368
Amended and passed Senate.....	1288		1369
House concurs .....	1301, 1302		1371
Enrolled .....	1367	Passed .....	1310, 1311
Signed .....	1369	Passed Senate .....	1336
Sent to the Governor .....	1369	Enrolled .....	1368
458—By Teachout. To amend section six hundred and forty-six (646) of the Code.	1186	Signed .....	1369
Introduced and placed on	1272, 1273	Sent to the Governor .....	1371
calendar .....	1273	462—To amend the law as it appears in section 203-b of the supplement to the Code, relating to the organization of the supreme court and the salaries and compensation of the judges thereof.	1321
Passed .....	1273	Introduced .....	1321, 1322
Title amended .....	1273	Printed in Journal .....	1322
		Passed on file .....	1323
		Reported .....	1325, 1326
		Lost on passage .....	1352, 1359
		463—By Chassell. To amend section 13 of the code, relating to the employes of the General Assembly and the compensation thereof.	1352
		Introduced and placed on the	1358, 1359
		calendar .....	
		Lost on passage .....	

## HOUSE JOINT RESOLUTIONS.

## No.

- 1—By Kendall. Relating to the selection of additional employes of the Thirtieth General assembly, fixing their compensation and defining their duties. Introduced, 14; considered and passed, 16; passed Senate, 16, 17; enrolled, 56; signed, 56.
- 2—By Temple. Proposing to amend the Constitution of the State of Iowa, relating to the apportionment of senators and representatives in the General Assembly. Introduced and referred, 88; reported, 118; passed, 161, 162; passed Senate, 306; enrolled, 336, 337; signed, 339; sent to the Governor, 337; recalled from the Governor, 362; returned by the Governor, 363; Senate requests return, 508; ordered returned to Senate, 509; Senate amends title, 637; House concurs, 964-966; enrolled, 1226, 1228; signed, 1270; sent to the Governor, 1287.
- 3—By Temple. Relative to empowering Committee on Retrenchment and Reform to employ expert accountant. Introduced, 122; objection raised to consideration, 122; withdrawn, 267.
- 4—By Buchanan. Relative to the duties of the Commissioner of the Bureau of Labor Statistics. Introduced and referred, 167; reported, 176; passed, 200, 201; passed Senate, 441; enrolled, 477, 478; signed, 478; sent to the Governor, 489.
- 5—By English. Relative to the appointment of a committee to purchase a chair and gavel each for the Speaker of the House and the President of the Senate. Introduced, 246; considered and passed, 247, 248; passed Senate, 324; enrolled, 358, 359; signed, 359; sent to the Governor, 378.

## No.

- 6—By Head. Proposing an amendment to the Constitution of the State of Iowa, additional to section 18, article I of said Constitution. Introduced, 603; referred, 604; reported with amendment, 857; amended and passed, 1005, 1006; amended and passed Senate, 1091; House concurs, 1106, 1107; enrolled, 1226, 1228; signed, 1270; sent to the governor, 1287.
- 7—By Cheney. Proposing amendments to the Constitution of Iowa, relating to suffrage and to provide for reference and publication. Introduced and referred, 961; reported unfavorably; minority report, 1049; minority recommendations substituted for committee report, 1099, 1100; lost on passage, 1117, 1118; explanations of vote, 1100, 1118.
- 8—By Carstensen. Proposing the submission of amendments to the Constitution of the State of Iowa, providing for direct legislation. Introduced, 1022; referred, 1024; reported unfavorably, 1121; indefinitely postponed, 1121.
- 9—By Committee on Retrenchment and Reform. Fixing the number and compensation of employes in the department of state at the seat of government. Introduced, 1221; printed in Journal, 1222-1225; placed on calendar, 1225; amended, 1306; passed, 1307; explanation of vote, 1307; amended and passed Senate, 1327; House refuses to concur, 1334; motion to reconsider filed, 1335; motion to reconsider prevailed, 1335; House requests return from Senate, 1335; returned by Senate, 1336; House concurs, 1343, 1344; enrolled, 1369; signed, 1369; sent to the Governor, 1371.

## HOUSE CONCURRENT RESOLUTIONS.

- Appointing committee to invite the Governor to read his message before the joint convention. Offered and adopted, 7, 8; Senate concurs, 13.
- To appoint joint committee to select additional employes. Offered and adopted, 8; Senate concurs, 12.
- To appoint joint committee on arrangements for inauguration of Governor and Lieutenant Governor. Offered and adopted, 8; Senate concurs, 13.
- Relative to holding joint convention to canvass vote for Governor and Lieutenant Governor. Offered and adopted, 9; Senate concurs, 13.

- Directing Secretary of State to furnish members with one copy of the Code supplement. Offered and adopted, 9; amended by unanimous consent, 56; Senate concurs, 57.
- Relative to printing message of Governor in pamphlet form. Offered and adopted, 53; Senate concurs, 55.
- Relative to printing 5,000 additional copies of the 1904 Iowa Official Register. Offered and adopted, 55; Senate concurs, 57.
- Directing Secretary of State to furnish members with copies of session laws of the Twenty-seventh, Twenty-

- eighth and Twenty-ninth General Assemblies. Offered and adopted, 56; Senate concurs, 57.
- Directing Secretary of State to print 10,000 additional copies of 1904 Official Register. Offered and adopted, 97; Senate concurs, 106.
- Relative to printing the inaugural address of Governor Cummins in pamphlet form. Offered and adopted, 84; Senate concurs, 106.
- Relative to holding joint convention to hear explanation of ex-Auditor Frank Merriam and Max Beehler as to fees charged for examining insurance companies. Offered, 90; referred to Committee on Retrenchment and reform, 101.
- To appoint joint committee to draft resolutions on death of ex-Governor Francis M. Drake. Offered and adopted, 102; Senate concurs, 139.
- To appoint joint committee to investigate the advisability of manufacturing binding twine in the state penitentiaries. Offered, 112; amended and adopted, 118; senate concurs, 225.
- Relative to final adjournment. Offered, 113.
- Relative to tendering Governor Cummins sympathy over death of his mother. Offered and adopted, 123; Senate concurs, 138.
- Relative to investigating availability of using the state property at Knoxville for the detention of inebriates. Offered and adopted, 124; Senate concurs, 138.
- Memorializing Iowa members of Congress to secure passage of act relating to salaries of rural letter carriers. Offered, 141; adopted, 165; Senate concurs, 187.
- Relative to printing pocket edition of the House and Senate Rules. Offered and adopted, 182; Senate amends and concurs, 240; House concurs, 266.
- Relative to good roads and drainage. Offered and adopted, 249; Senate concurs, 267.
- Relative to voting machines. Offered and adopted, 328; Senate concurs, 427.
- Memorializing Iowa members of Congress to support bill to set aside the battlefield of White Stone Hill for a park. Offered and adopted, 478, 479.
- Appointing Charles H. Turbett elevator tender in place of John Merrill. Offered and adopted, 490; Senate concurs, 508.
- Authorizing the Secretary of State to fill vacancies among extra clerks in the document room. Offered and adopted, 637; Senate concurs, 767.
- Relative to final adjournment. Offered, 711; amended and adopted, 777; motion to reconsider filed, 777; motion to reconsider prevailed, 1159; amended and adopted, 1159; motion to reconsider filed, 1180; motion to reconsider prevailed, 1285; amended and adopted, 1285.
- To appoint joint committee to investigate site of Iowa School for the Deaf at Council Bluffs. Offered and adopted, 692; Senate amends and concurs, 767; House concurs, 771.
- Relative to holding joint convention to elect certain officers. Offered and adopted, 712; Senate concurs, 767.
- To appoint joint committee to consider advisability of consolidating courses of study at the State University and Agricultural College. Offered, 858.
- Relative to conditional pardon for W. P. Glyndon. Offered, 1086; lost, 1136, 1137.
- Relative to conditional pardon for Sarah Kuhn. Offered, 1086; adopted, 1172, 1173; Senate refuses to concur, 1319.
- Relative to conditional pardon for Frank Hall. Offered, 1087; adopted, 1135, 1136; Senate concurs, 1189.
- Directing the Secretary of State to furnish copies of Code, Code supplement and session laws of the Thirtieth General Assembly to certain clerks of the House and Senate. Offered and adopted, 1159; Senate concurs, 1190.
- Relative to inspection of gypsum mines of Iowa. Offered, 1187; adopted, 1220; Senate concurs, 1323.
- Relative to certain clerks remaining after adjournment to close up business of their offices. Offered, 1234; adopted, 1235; Senate amends and concurs (no record of message from senate); house concurs, 1294.
- Directing the Secretary of State to furnish Temple of Clarke with a copy of Code and Code supplement to replace ones lost. Offered and adopted, 1271; Senate concurs, 1336.
- Directing Secretary of State to print 5,000 copies of the drainage laws of the state. Offered and adopted, 1291; Senate concurs, 1336.

## SENATE BILLS.

S. F.	Page.	S. F.	Page.
1—To appropriate \$8,000 or so much thereof as may be necessary to pay the extraordinary expense caused by the fire in the capitol, and the temporary repair of the Hall of the House of Representatives.		Received .....	1156
Received .....	53	Placed on calendar .....	1165
Passed .....	53, 54	Passed .....	1238, 1239
Enrolled and signed .....	56	Enrolled .....	1338
2—To amend section 113 of the Code, and to provide for securing to the state interest on public funds.		Signed .....	1344
Received .....	225	16—Substitute for. To promote the public health convenience and welfare by leveeing, ditching and draining lands of the state, and providing for the establishment of levee districts, and providing for the construction of ditches, drains and water courses.	
Referred .....	240	Received .....	1123
Reported .....	674	Placed on calendar .....	1137, 1138
Passed .....	770, 771	Substituted for H. F. 36.....	1193
Enrolled .....	899	Considered and passed.....	1193, 1195
Signed .....	924	Enrolled .....	1338
4—Substitute for. To provide for indeterminate sentences and to authorize the Board of Control of State Institutions to adopt and enforce rules for paroling and for the government of paroled persons.		Signed .....	1344
Received .....	1041	17—To amend section 2783 of the Code, relating to the textbooks in the public schools and use of contingent funds.	
Referred .....	1043	Received .....	197
Reported unfavorably .....	1183	Referred .....	212
Indefinitely postponed .....	1183	Reported .....	294
6—Making an appropriation for the purchase of land for the use of the Iowa Soldiers' Orphans' Home.		Passed .....	307, 308
Received and referred .....	114	Enrolled .....	326
Reported .....	117	Signed .....	329
Passed .....	124	19—(Substitute for)—To amend the law as same appears in section 1618 of the Code supplement, relating to the publication of the notice of the renewal of corporations.	
Enrolled .....	151	Received .....	616
Signed .....	163	Referred .....	626
8—Substitute for. Legalizing the resolutions, acts and proceedings of the city council and the city officers in the city of Dubuque, relating to the improvement of streets and alleys in said city.		Reported unfavorably .....	814
Received .....	279	Indefinitely postponed .....	814
Referred .....	287	25—Making an appropriation for the Fish and Game Warden of the State of Iowa, to cover a deficit and provide for the expenses of the warden to July 1, 1904.	
Reported .....	350	Received and referred .....	139
Passed .....	364	Reported .....	150
Enrolled .....	452	Passed .....	170, 171
Signed .....	453	Enrolled .....	186
11—Repealing section eighteen hundred and seventy-one of the Code, relating to the examination of banks, and enacting a substitute therefor.		Signed .....	202
Received .....	889	28—Making an appropriation to defray the expenses of the inaugural ceremonies.	
Referred .....	892	Received and referred .....	114
Reported unfavorably .....	1055	Reported .....	117
Indefinitely postponed .....	1055	Passed .....	124
15—Substitute for. To amend section 1946 of the Code, relating to the appointment, assessment, levy, re-assessment, re-levy and collection of taxes therefor, and issuance of drainage bonds, and to amend section 1946 of the Code.		Enrolled .....	151
		Signed .....	163
		31—To amend section 4768 of the Code, relating to the punishment for the crime of assault with intent to commit murder.	
		Received .....	155
		Referred .....	156
		Recalled and considered.....	168
		Passed .....	169
		Enrolled .....	187
		Signed .....	202



S. F.	Page.
34—(Substitute for)—A bill for an act to amend section 2405 of the Code, relating to the sale of intoxicating liquors and abatement of nuisance.	
Received .....	530
Referred .....	532
Reported .....	1014
Passed .....	1127, 1128
Enrolled .....	1185
Signed .....	1191
36—Providing for the establishment, location, erection and operation for a state hospital for dipsomaniacs, inebriates and for those addicted to the excessive use of narcotics, and providing for its support and for the discipline of persons committed to it and for the repeal of all laws inconsistent herewith.	
Received .....	685
Referred .....	691
Reported .....	951
Passed .....	990, 991
Motion to reconsider filed.....	992
Motion to reconsider laid on table .....	997, 998
Motion to reconsider lost.....	1009, 1010
Enrolled .....	1090
Signed .....	1104
37—(Substitute for)—A bill for an act to make immediately available funds appropriated under provision of chapter 179, laws of the Twenty-ninth General Assembly.	
Received .....	154
Referred .....	156
Reported .....	193
Passed .....	210, 211
Enrolled and signed .....	245
40—(Substitute for)—To amend section 2823-a of chapter 14-a of the supplement to the Code, in relation to the duties of parents and guardians to children, with reference to the length of time they shall attend school during each school year and when that time shall commence.	
Received .....	686
Referred .....	691
Reported with amendment.....	1011
Amended and passed.....	1035-1037
Senate concurs .....	1075
Enrolled .....	1153
Signed .....	1162
45—Relating to the construction of permanent sidewalks and providing for the assessment and collection of the cost thereof.	
Received .....	531
Placed on calendar .....	532
Considered and passed.....	581, 582
Enrolled (erroneously printed S. F. 65) .....	638
Signed .....	649
47—To amend section 5256 of the Code, relating to the appointment of clerks of grand juries.	

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Received .....	224
Referred .....	234
Reported unfavorably .....	350
Indefinitely postponed .....	350
55—To amend section 354 of the Code, in relation to compensation of jurors.	
Received and referred .....	156
Reported with amendment.....	174
Amended and passed.....	173, 179
Senate concurs .....	197
Enrolled .....	195
Signed .....	202
56—To regulate the employment of child labor and to provide for the enforcement thereof. Additional to chapter 8, title XXI, of the Code.	
Received .....	307
Referred .....	309
Reported .....	377
Considered .....	430
Amended .....	431
Made special order .....	431
Considered and amended.....	441-446
Lost on passage .....	446, 447
Motion to reconsider lost.....	447
Petition relative to.....	335
57—Relative to the inheritance of a child born after the making of a will, repealing section 3279 of the Code and amending section 3276 of the Code.	
Received .....	155
Referred .....	168
Reported .....	1014
Passed .....	1126, 1127
Enrolled .....	1186
Signed .....	1191
58—To amend section 4820, relating to the disturbance of certain domestic animals by discharge of fire-arms.	
Received .....	267
Referred .....	287
Reported unfavorably .....	350
Indefinitely postponed .....	350
62—To amend sections 728 and 730 of the Code, relating to library trustees and library treasurer and to legalize the maintenance and control under joint ownership and control of cities and towns and institutions of learning.	
Received .....	1027
Referred .....	1043
Reported .....	1109
Passed .....	1196, 1197
Enrolled .....	1311
Signed .....	1314
63—To amend section 1538, relating to compensation of township trustees in certain cases, payable out of township road fund.	
Received .....	266
Referred .....	286, 287
Reported with amendment.....	678
Amended and lost .....	829, 830
64—Relating to investigation of complaints as to management and treatment of inmates of county and private institutions in which insane persons are kept	

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and of children cared for by associations and societies contemplated by section 10, chapter 133, of the acts of the Twenty-ninth General Assembly.		90—(Substitute for)—To establish a juvenile court and to regulate the treatment and control of dependent, neglected and delinquent children.	
Received .....	318	Received .....	831
Referred .....	328	Referred .....	855.
Reported favorably .....	475	Reported (erroneously printed H. F. 90) .....	1013
Indefinitely postponed .....	552	Made special order .....	1078.
65—To appropriate \$4,500, or so much thereof as shall be necessary, to pay additional employes of the Thirtieth General Assembly.		Passed .....	1169, 1170
Received .....	155	Enrolled .....	1186.
Referred .....	156	Signed .....	1191
Reported .....	193	99—Making an appropriation for the purchase of 30,000 Railroad Commissioners' official maps, to be distributed by members of the General Assembly and railroad commissioners.	
Passed .....	211, 212	Received .....	250.
Enrolled and signed .....	245	Referred .....	266.
66—(Substitute for)—To amend the law appearing as section 2451 of the Code, relating to the sale of intoxicating liquors.		Reported .....	354
Received .....	1027	Passed .....	392, 393.
Referred .....	1043	Motion to reconsider filed .....	393
Reported unfavorably .....	1123	Motion to reconsider prevailed .....	418
Indefinitely postponed .....	1183	Amended and passed .....	418.
Petition relative to .....	1012	Title amended .....	419.
67—(Substitute for)—To amend section 2515 of the Code, relating to the appointment by dairy commissioners of a deputy and assistants, and fixing their compensation.		Senate concurs .....	531
Received .....	685	Enrolled .....	452, 550.
Referred .....	691	Signed .....	453, 551
Reported .....	815	104—Making an appropriation for the purchase of a permanent headquarters for I. N. G.	
Passed .....	931, 932	Received .....	1191
Enrolled and signed .....	1022	Referred .....	1195.
76—(Substitute for)—To repeal the law as it appears in sections 2503, 2505, 2506, 2507, 2508, 2509 of the Code, in relation to the inspection of petroleum products.		Reported .....	1206.
Received .....	945	Passed .....	1277, 1278
Referred .....	956	Enrolled .....	1337.
Recalled from committee 996, .....	997	Signed .....	1344.
Substituted for H. F. 230.....	997	105—To legalize the action of the Independent School District of West Des Moines, Polk county, Iowa, in voting bonds at an election held on the 10th day of March, 1902, and legalizing said bonds.	
Passed .....	997	Received .....	168
Enrolled .....	1090	Considered and passed .....	188, 189.
Signed .....	1104	Enrolled .....	221
78—To amend sections 3705 and 3708 of the Code, with reference to instructions to juries.		Signed .....	245.
Received .....	317	109—(Substitute for) repealing chapter 85, acts of the Twenty-seventh General Assembly of the State of Iowa, and amending section 2734 of the Code, relating to the qualifications of county superintendents.	
Referred .....	328	Received .....	307
Reported unfavorably .....	349	Referred .....	309
Indefinitely postponed .....	349	*Reported unfavorably .....	487
86—To empower boards of supervisors, township trustees and town councils to buy or condemn land for gravel and other materials to improve roads, public highways, streets and alleys.		Indefinitely postponed .....	487
Received .....	666	112—To provide for the construction of sewers by incorporated towns.	
Referred .....	685	Received .....	766.
Reported .....	814	Referred .....	771
Lost .....	862, 863	Reported .....	821
Motion to reconsider prevailed .....	1003	Amended and passed .....	863, 864.
Passed .....	1004	Senate concurs .....	947
Enrolled .....	1154	Enrolled and signed .....	970.
Signed .....	1162		

\*Erroneously printed, House File No. 109.

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118—	To repeal section 738 of the Code.	
	Received .....	766
	Referred .....	771
	Reported with amendments...	821
	Amended and passed .....	864, 865
	Title amended .....	865
	Senate concurs .....	947
	Enrolled and signed .....	970
124—	(Substitute for) to amend section 2382 of the Code of Iowa, relating to the sale of intoxicating liquors by permit holders.	
	Received .....	854
	Referred .....	854
	Reported .....	1011
	Passed .....	1034, 1035
	Enrolled .....	1090
	Signed .....	1104
134—	(Substitute for) to amend section 4807 of the Code with reference to defining an offense of malicious mischief and trespass.	
	Received .....	578
	Referred .....	589
	Reported unfavorably .....	653
	Indefinitely postponed .....	653
142—	(Substitute for) to authorize Executive Council to have surveyed and to convey an island newly formed by accretion in the Mississippi river, off the southwest portion of Green Bay township, being township 69 north 3, west 5th P. M. in Lee county, Iowa.	
	Received .....	786
	Referred .....	788
	Reported .....	929
	Passed .....	988, 989
	Enrolled .....	1041
	Signed .....	1050
146—	(Substitute for) to amend section 5716 of the Code, and provide for the classification and payment of turnkeys and guards of the penitentiaries.	
	Received .....	491
	Referred .....	500
	Recalled .....	513
	Considered .....	514
	Passed .....	514
	Enrolled .....	550
	Signed .....	551
148—	(Substitute for) to amend chapter 123 of the acts of the Twenty-ninth General Assembly, relative to the publication of reports.	
	Received .....	1154
	Placed on calendar .....	1165
	Passed .....	1203, 1204
	Enrolled .....	1311
	Signed .....	1314
149—	(Substitute for) to amend section 732 of the Code.	
	Received .....	1091
	Referred .....	1105
	Reported .....	1109
	Passed .....	1197, 1198
	Enrolled .....	1311
	Signed .....	1314
151—	To amend section 2816 of the Code, in relation to reversion of school house sites.	
	Received .....	937
	Reported .....	956

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	Reported .....	1217
	Considered .....	1285
	Indefinitely postponed .....	1286
152—	To amend section 4884 of the Code, relating to the punishment of sheriffs or other officers for receiving bribes.	
	Received .....	939
	Referred .....	956
	Reported unfavorably .....	1016
	Indefinitely postponed .....	1016
155—	(Substitute for) making an appropriation to reimburse certain officers, teachers and employes of the Iowa School for the Deaf, for the loss of wearing apparel and other property by fire at said school on the ninth day of May, 1902.	
	Received .....	665
	Referred .....	684
	Reported .....	705
	Passed .....	867, 868
	Enrolled .....	960
	Signed .....	970
156—	To amend sections 5663, 5669 and 5616 of the Code as amended, to repeal section 5711 thereof and to provide for the appointment of assistant deputy wardens for the penitentiaries.	
	Received .....	1288
	Placed on calendar .....	1298, 1299
	Passed .....	1303, 1304
	Enrolled .....	1337
	Signed .....	1344
157—	Relating to the bringing in to any penitentiary, reformatory or industrial school of the state or in to any buildings or grounds appurtenant thereto of certain drugs, intoxicating liquors, weapons or articles designed to aid escapes.	
	Received .....	323
	Referred .....	329
	Reported .....	384
	Passed .....	403, 404
	Enrolled .....	452
	Signed .....	453
158—	To amend sections 2540 and 2551, chapter 15, Code supplement, relative to protection of fish and game.	
	Received .....	491
	Referred .....	500
	Reported with amendment .....	572
	Amended and passed .....	580, 581
	Senate concurs .....	664
	Enrolled .....	692
	Signed .....	712
159—	(Substitute for) to appropriate money to reimburse the ex-commissioners of pharmacy for the State of Iowa and their attorneys for moneys paid by them and expenses incurred in the enforcement of law.	
	Received .....	665
	Referred .....	684
	Reported .....	706
	Passed .....	887, 888
	Enrolled .....	969
	Signed .....	970

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165—Amending section 2803 of the Code, in reference to attending school in another corporation.		Received .....	547
Received .....	889	Referred .....	556
Referred .....	892	Recalled and placed on calendar .....	1217
Reported .....	926	Considered .....	1302
Indefinitely postponed .....	926	Lost .....	1303
Recalled from Senate (erroneously printed H. F. 165)	1036	188—To amend section 641 of the Code, in relation to changing the number of wards in cities, or altering or changing the boundaries thereof.	
Returned by Senate .....	1042	Received .....	322
Objections made to filing motion to reconsider .....	1080	Referred .....	345
Motion to permit filing motion to reconsider lost .....	1080	Reported unfavorably .....	632
168—To amend section 1570 of the Code, relating to the trimming of hedges along the public highway.		Minority report favorable .....	633
Received .....	531	Committee report adopted .....	690, 691
Referred .....	531	Indefinitely postponed .....	691
Reported unfavorably .....	675	189—To amend section 771 of the Code as amended by section 1, chapter 43, of the acts of the Twenty-ninth General Assembly, relating to construction of viaducts.	
Indefinitely postponed .....	675	Received .....	491
169—To amend section 403 of the Code, relating to funding and refunding outstanding county indebtedness.		Referred .....	499
Received .....	939	Reported .....	518
Referred .....	955	Passed .....	582, 583
Reported unfavorably .....	1016	Enrolled .....	638
Indefinitely postponed .....	1016	Signed .....	649
Motion to reconsider prevailed .....	1036	190—Relating to the release of liens on attached property (amendatory of chapter 1, title XIX of Code, relating to attachments.)	
Re-referred .....	1036	Received .....	491
Reported .....	1053	Referred .....	500
Passed .....	1128, 1129	Reported .....	569
Enrolled .....	1186	Passed .....	587, 588
Signed .....	1191	Enrolled .....	638
174—Granting to cities and towns authority to regulate the construction of buildings.		Signed .....	649
Received .....	555	193—To confer jurisdiction over the gypsum mines of the state, on state mine inspectors, and providing for enforcement of chapter 9, title XII in reference thereto.	
Referred .....	556	Received .....	318
Reported unfavorably .....	571	Referred .....	329
Indefinitely postponed .....	572	Reported with amendment .....	534
176—Relating to actions on lost bills, bonds, promissory notes and instruments in writing.		Amended .....	534
Received .....	318	Re-referred .....	621
Referred .....	328	Reported with amendments .....	661
Reported unfavorably .....	349	Amended .....	830, 831
Indefinitely postponed .....	349	Lost on passage .....	841, 842
178—(Substitute for) To amend section 2582, XII, chapter 17 of the Code relating to granting certificates to practice medicine by reciprocity with other states.		196—(Substitute for) To amend section 2546 of chapter 15 of the Code as amended by section 6 of chapter 103 of the acts of the Twenty-ninth General Assembly. Section 2546 of Code supplement.	
Received .....	490	Received .....	548
Referred .....	499, 500	Referred .....	556
Substituted for H. F. No. 259	551	Reported .....	572
Recalled from committee .....	551	Passed .....	648, 649
Passed .....	551, 552	Enrolled .....	765
Enrolled and signed .....	615	Signed .....	771
180—To amend section 4134 of chapter 2, title XX of Code in relation to procedure in supreme court.		197—To authorize the granting to Council Bluffs, Tabor & Southern Electric Railway company, its successors and assigns, a right of way through lands owned by state of Iowa and used by the School for the Deaf at Council Bluffs, Iowa.	
Received .....	427		
Referred .....	430		
Reported .....	436		
Re-referred .....	551		
Reported .....	613		
Passed .....	714, 715		
Enrolled .....	765		
Signed .....	771		
184—To provide for the classification of teachers' certificates and to limit the number thereof.			

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Received .....	324
Referred .....	329
*Reported unfavorably .....	408
Indefinitely postponed .....	408
*Erroneously printed S. F. No. 97.	
200—Making twenty thousand dollars (\$20,000) additional appropriation for the Iowa exhibit at the Louisiana Purchase Exposition at St. Louis and amendatory of the law as it appears in chapter one hundred and ninety-five (195) of the acts of the Twenty-ninth General Assembly.	
Received and referred .....	363
Reported .....	374
Passed .....	389, 390
Enrolled .....	439
House recalls bill from Senate .....	461
Motion to reconsider filed .....	469
Returned by Senate .....	485
Motion to reconsider prevailed .....	542
Re-referred .....	542
Senate recalls bill .....	564
Recalled from committee and returned to Senate .....	580
Amended and passed Senate .....	637
House concurs .....	663
Motion to reconsider prevailed .....	664
Read first and second time .....	664
Consideration deferred .....	664
Passed .....	700, 701
Enrolled .....	765
Signed .....	771
204—To legalize certain actions of the board of supervisors of Crawford county, Iowa, relating to the purchase of land.	
Received .....	323
Referred .....	329
Reported .....	350
Passed .....	368, 369
Enrolled .....	452
Signed .....	453
205—To amend chapter 93 of the acts of the Twenty-eighth General Assembly.	
Received .....	617
Referred .....	627
Reported .....	929
Passed .....	989, 990
Enrolled .....	1041
Signed .....	1050
206—(Substitute for) To amend section 1626 of title IX, chapter 1 of the Code, and to determine the right to vote shares of corporate stock when the same has been pledged or levied upon under attachment or other proceeding.	
Received .....	428
Referred .....	430
Substitute reported .....	503
Substitute adopted .....	555
Passed .....	558, 559
Senate concurs .....	664
Enrolled .....	692
Signed .....	712
207—Providing for disposition of property of state used at the Louisiana Purchase Exposition and to appro-	

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private money for that purpose.	
Received .....	579
Referred .....	589
Reported .....	615
Passed .....	699, 700
Enrolled .....	765
Signed .....	771
210—To amend sections 2437 and 2438 of the Code relating to mulct tax.	
Received .....	427
Referred .....	430
*Reported .....	504
Passed .....	554
Enrolled and signed .....	615
*Erroneously printed H. F. No. 210.	
215—Making an appropriation to provide for an existing deficit in the contingent fund in the supreme court.	
Received .....	441
Referred .....	454
Reported .....	518
Passed .....	586, 587
Enrolled .....	638
Signed .....	649
217—Defining duties and powers of secretary of state with reference to state documents and other state publications, and amending section 126 of the Code.	
Received .....	427
Referred .....	430
Reported .....	471
Amended .....	483
Passed .....	484
Senate concurs .....	509
Enrolled .....	550
Signed .....	551
218—Making an appropriation to return to the state board of veterinary medical examiners of Iowa, money paid by them into the treasury of the state.	
Received .....	665
Referred .....	684
*Reported .....	706
Passed .....	866, 867
Enrolled .....	969
Signed .....	970
*Erroneously printed S. F. 213.	
222—To amend section 511 of the supplement to the Code, relating to fees to be collected by the sheriff in certain cases.	
Received .....	1190
Placed on calendar .....	1195
Considered .....	1239, 1271
Laid on table with amendment .....	1271
223—To amend section 2691 of the Code and to repeal section 2692 of the Code and enact a substitute therefor relating to the support of the Iowa Soldiers' Orphans' Home.	
Received .....	665
Referred .....	684
Reported .....	705
Passed .....	810, 811
Enrolled .....	899
Signed .....	924

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225—To amend section 1467 of the Code, relating to the collection of collateral inheritances.		243—Amending section 1129 of the Code, relating to elections and the payment of expenses thereof.	
Received .....	616	Received .....	616
Referred .....	626	Referred .....	626
Reported .....	959	Reported .....	815
Passed .....	1032	Passed .....	866
Enrolled .....	1091	Enrolled .....	969
Signed .....	1104	Signed .....	970
226—To repeal section 5685 of the Code, also chapter 137, laws of the Twenty-eighth General Assembly, and to enact in lieu thereof a section providing for the disposition of the gate receipts of the state penitentiaries.		253—Authorizing the executive council of the state to grant the right of way to the Chicago, Anamosa & Northern Railway Company, over and across the east half of the southwest quarter of section 34, township 85, range 4 west of the fifth P. M.	
Received .....	724	Received .....	890
Referred .....	726	Referred .....	893
Reported .....	995	Reported .....	929
Passed .....	1039, 1040	Passed .....	1001, 1002
Enrolled .....	1153	Enrolled .....	1090
Signed .....	1162	Signed .....	1104
230—Relating to islands in the waters of the state and authorizing the executive council to sell or lease the same.		254—In regard to supervisor districts.	
Received .....	725	Received .....	890
Referred .....	726	Referred .....	893
Reported .....	1232	Reported unfavorably .....	994
Passed .....	1234	Indefinitely postponed .....	994
Enrolled .....	1338		
Signed .....	1344	256—To authorize and empower the Governor of Iowa to relinquish and re-convey to the United States certain lands in Dickinson county Iowa.	
231—Relating to the distribution of the Code and the supplement thereto.		Received .....	831
Received .....	832	Referred .....	854
Referred .....	855	Recalled from committee (erroneously printed H. F. 256) .....	871
Reported (erroneously printed H. F. 231) .....	949	Passed .....	881
Passed .....	987, 988	Enrolled .....	969
Enrolled .....	1041	Signed .....	970
Signed .....	1050	263—(Substitute for) To amend section 2510-a chapter 16 title XII of the supplement to the Code, and to repeal section 2570-B of the same chapter and title, relating to the payment of expenses of local boards of health in restricting the spread of infectious diseases.	
235—(Substitute for) Amending chapter 62, acts of Twenty-ninth General Assembly, providing for the taxation of freight lines and equipment companies.		Received .....	939
Received .....	853	Referred .....	956
Referred .....	855	Reported .....	1015
Reported .....	1232	Passed .....	1078, 1079
Passed .....	1233	Enrolled .....	1153
Enrolled .....	1338	Signed .....	1162
Signed .....	1344	265—To protect the property of public libraries and reading rooms.	
239—To deprive the rights of owners and proprietors of land in respect to surface waters.		Received .....	725
Received .....	1323	Recalled by Senate .....	726
Passed on file .....	1326	Request for return granted .....	726
Passed .....	1328	Received .....	786
Enrolled .....	1367	*Referred .....	788
Signed .....	—	Reported .....	822
241—To amend and add to the statute as set out in section 2551 of the supplement to the Code and make it unlawful to trap, shoot, or kill any quail before the 1st day of January, 1906.		Passed .....	883
Received .....	616	Enrolled and signed .....	970
Referred .....	626		
Reported unfavorably .....	822		
Indefinitely postponed .....	822		

\* (Erroneously printed S. F.No. 266.)

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266—To amend sections 728, 729, 731 of the Code, relating to the appointment of library trustees, their powers and duties.	
Received .....	937
Referred .....	953
Reported (Erroneously printed H. F. No. 266) .....	1110
Re-referred .....	1112
Reported unfavorably .....	1239
Indefinitely postponed .....	1239
269—(Substitute for) to amend section 3504 of the Code, in relation to grounds for a change of place of trial in any civil action.	
Received .....	979
Referred .....	992
Reported unfavorably .....	1016
Indefinitely postponed .....	1016
279—Appropriating annually \$750 to assist in defraying the expenses of the headquarters, department of Iowa, Grand Army of the Republic, at Des Moines, Iowa.	
Received .....	478
Referred .....	500
Reported .....	518
Passed .....	620, 621
Enrolled .....	638
Signed .....	649
280—(Substitute for) To amend sections 851 and 861, chapter 9 of the Code, relating to parks and park commissioners.	
Received .....	1027
Referred .....	1043
Reported .....	1054
Passed .....	1101, 1102
Enrolled .....	1154
Signed .....	1162
281—To encourage the use of wagons with wide tires on public highways.	
Received .....	831
Referred .....	855
Reported unfavorably .....	960
Indefinitely postponed .....	960
283—To provide for the appointment by boards of supervisors of examiners for county offices, defining the qualifications and duties and limiting the compensation thereof, and providing a uniform system of keeping the books of county treasurers and county auditors.	
Received .....	724
Referred .....	726
Reported unfavorably .....	949
Indefinitely postponed .....	949
293—To amend section 3656 of the Code, relating to trials in equity cases.	
Received .....	937
Referred .....	955
Reported unfavorably .....	1015
Indefinitely postponed .....	1015
295—(Substitute for)—To amend section 1571 of the Code, relating to steam engines on public roads.	
Received .....	938
Referred .....	955

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Reported .....	960
Passed .....	1008, 1009
Enrolled .....	1090
Signed .....	1104
296—To amend section 999 of the Code, relating to the condemnation of land by cities under special charter.	
Received .....	937
Referred .....	956
Reported unfavorably .....	1301
Indefinitely postponed .....	1301
298—To repeal subdivision 4 of section 394 of the Code and to enact a substitute therefor, relating to the levy of taxes for library purposes.	
Received .....	1190
Referred .....	1195
Reported .....	1314
Passed .....	1314, 1315
Enrolled .....	1337
Signed .....	1344
300—(Substitute for)—Relating to offenses by persons in this state attempted to be consummated or consummated elsewhere than within the borders of this state, and to offenses by persons out of this state attempted to be consummated or consummated within this state.	
Received .....	979
Referred .....	992
Substitute reported .....	1052
Adopted and passed .....	1131, 1132
Senate refuses to concur .....	1200
House insists and asks conference committee .....	1218
Conference committee appointed .....	1235, 1274
301—To repeal the law as it appears in sections 1875 and 1876 of the Code, relating to the appointment, compensation and expense of bank examiners.	
Received .....	1190
Placed on calendar .....	1195
Passed .....	1211, 1212
Enrolled .....	1311
Signed .....	1314
302—(Substitute for)—Providing the method of certifying the assessment of telephone and telegraph companies.	
Received .....	832
Referred .....	855
Reported .....	1020
Passed .....	1077, 1078
Enrolled .....	1154
Signed .....	1162
303—(Substitute for)—Providing for the filing with county auditors of maps of telephone and telegraph lines of several counties of the state.	
Received .....	978
Referred .....	991, 992
Reported .....	1020
Passed .....	1079, 1080
Enrolled .....	1154
Signed .....	1162

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304—Making an appropriation of \$5,000.00 for chemical fire extinguishers.	
Received .....	1042
Referred .....	1043
Reported (erroneously printed H. F. 304) .....	1333
Indefinitely postponed .....	1333
307—Defining the powers of the educational examiners, relative to the issuance of state certificates and fixing the fees thereof.	
Received .....	888
Referred .....	892
Reported .....	928
Lost .....	1000, 1001
Motion to reconsider filed .....	1026
Motion to reconsider prevailed .....	1174
* Made special order .....	1100
Amended and lost .....	1175
310—A bill for an act to authorize cities to protect lots, lands and property within their limits from danger and damage from floods and high water by deepening, widening, straightening, altering or changing and otherwise improving water courses within their limits and by constructing levees, embankments and other works, and to provide for the levy of special assessment and other taxes and the issuance of bonds and certificates to defray the expenses of such improvements, additional to chapters 7 and 8, of title V, of the Code.	
Received .....	786
Referred .....	787, 788
Reported .....	822
Amended .....	865
Made special order .....	865
Consideration deferred .....	871
Amended and passed .....	882
Senate concurs .....	940
Enrolled and signed .....	970
313—Appropriating the sum of \$7,500 to be paid to Charles B. Fountain, Harold Fountain and Amil Hoch.	
Received .....	1156
Referred .....	1165
Reported .....	1206
Passed .....	1212, 1213
Enrolled .....	1311
Signed .....	1314
316—To create a state board of education and prescribe its duties, and make an appropriation therefor.	
Received .....	1115
Printed in Journal .....	1138
Made special order .....	1138
Referred .....	1176
Reported unfavorably .....	1204
Indefinitely postponed .....	1204
317—Providing for the appointment of a state agent and defining his duties and making an appropriation therefor.	
Received .....	1158
Referred .....	1179
Reported .....	1205
Passed .....	1213, 1214
Enrolled .....	1311
Signed .....	1314

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318—To provide for the disposition of unclaimed money left by deceased inmates of state institutions.	
Received .....	1283
Considered .....	1297
Passed .....	1298
Enrolled .....	1337
Signed .....	1344
320—To amend section 2727-a of the supplement to the Code, in regard to the employment of architect by the Board of Control of State Institutions.	
Received .....	979
Referred .....	992
Reported .....	1014
Passed .....	1040, 1041
Enrolled .....	1154
Signed .....	1162
322—To amend section 403 of the Code, relating to county boards.	
Received .....	1027
Referred .....	1043
Reported unfavorably .....	1053
Indefinitely postponed .....	1053
325—Making an appropriation to defray the mileage and the expenses of the members of the various visiting committees.	
Received .....	1174
Referred .....	1179
Reported .....	1205
Passed .....	1214, 1215
Enrolled .....	1311
Signed .....	1314
328—To appropriate \$1,000 to Wm. Redden.	
Received .....	1154
Placed on calendar .....	1168
Referred .....	1196
Reported .....	1206
Passed .....	1209, 1210
Enrolled .....	1311
Signed .....	1314
329—Providing for the condemnation of real property for use of the state.	
Received .....	1159
Placed on calendar .....	1165
Passed .....	1210, 1211
Enrolled .....	1311
Signed .....	1314
333—To legalize ditches, drains, water courses, drainage districts, drainage bonds and proceedings in reference thereto.	
Received .....	1158
Placed on calendar .....	1167
Referred .....	1270
Reported unfavorably .....	1274
Indefinitely postponed .....	1274
335—To legalize the acts of the board of directors and authorize the issuing of \$10,000 in school building School District of Center Point, in Washington town-bonds in the Independent ship, Linn county, Iowa.	
Received .....	1158
Referred .....	1169
Reported .....	1181
Passed .....	1191, 1192
Enrolled .....	1312
Signed .....	1314

\* Erroneously printed H. F. No. 307.



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336—To empower the Executive Council to authorize the location, construction, maintenance and operation of an electric line of railway over, upon and across certain lands belonging to the State of Iowa.	
Received .....	1157
Placed on calendar .....	1168
Passed .....	1198, 1199
Enrolled .....	1312
Signed .....	1314
337—To legalize all the acts and proceedings of the town of Mapleton, Monona county, Iowa, relative to the construction of permanent sidewalks.	
Received .....	1231
Passed .....	1288, 1289
Enrolled .....	1337
Signed .....	1344
338—Repealing chapter 8, title II, of the Code, and enacting in lieu thereof a substitute providing for the taking of the census and making an appropriation therefor.	
Received .....	1190
Referred .....	1195
Reported .....	1206
Passed .....	1275
Enrolled .....	1338
Signed .....	1344
339—Making an appropriation for the restoration and repair of the capitol building on account of damages caused by the fire therein, and for the purpose of providing for needed additional repairs upon said building.	
Received .....	1199
Referred .....	1215
Reported .....	1317
Ordered printed in Journal and placed on calendar .....	1317
Amended .....	1345
Passed .....	1346
Motion to reconsider filed .....	1353
Motion to reconsider prevailed .....	1353
Amended and passed .....	1353, 1354
Senate refuses to concur .....	1363
House insists .....	1363, 1364
House recedes as to paragraph 1 .....	1364
Conference committee appointed .....	1364
Report of conference committee .....	1365
Senate adopts report .....	1364
House adopts report .....	1365, 1366

\* Erroneously printed 349.

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Passed .....	1366
Senate concurs .....	1369
Enrolled .....	1371
Signed .....	1372
340—To legalize the election of town officers elected on March 28, 1904, for the incorporated town of Weldon, Decatur county, Iowa.	
Received .....	1230
Considered and passed .....	1296, 1297
Enrolled .....	1337
Signed .....	1344
341—Requiring all boards, commissions, departments and officers of state to turn into the state treasury all fees collected, and to file with the Executive Council statements of expense and per diem allowances to be paid by the state and repealing all acts or parts of acts inconsistent with this act.	
Received .....	1273
Placed on calendar .....	1299
Passed .....	1304, 1305
Enrolled .....	1337
Signed .....	1344
342—Amending the law as it appears in section 2536 of the supplement to the Code, making appropriation for carrying on the work of the veterinary surgeon.	
Received .....	1283
Considered and passed .....	1289, 1290
Enrolled .....	1337
Signed .....	1344
343—Amending section 2727-a-1, chapter 11-b of the supplement to the Code.	
Received .....	1344
Indefinitely postponed .....	1346
344—To make appropriations for the payment of state and judicial officers, state and other expenses.	
Received .....	1347
Passed on file .....	1352
Passed .....	1354
Enrolled .....	1367
* Signed .....	1369
345—To provide for the general levy for state purposes for the years 1904 and 1905.	
Received .....	1360
Referred .....	1360
Reported .....	1360
Passed .....	1361
Enrolled .....	1367
Signed .....	1369

## SENATE JOINT RESOLUTIONS.

No.

- 1—Proposing to amend the constitution of the state of Iowa, so as to provide for biennial elections. Received, 225; referred, 241; reported, 298; passed, 343, 344; explanations of votes, 344, 345; enrolled, 452; signed, 453.
- 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 proposing amendments to the constitution of the United States of America, as provided in article 5 of said constitution. Received, 547; referred, 556; reported, 634; passed, 716; enrolled, 824; signed, 825.

No.

- 6—Providing for the appointment of a committee to investigate the workings of the indeterminate sentence and Elmira reformatory system and making an appropriation of \$500 therefor. Received, 1231; placed on calendar, 1298; passed, 1315, 1316; enrolled 1337; signed, 1344; committee appointed, 1359, 1360.
- 7—Providing for the appointment of a joint committee to investigate the system of management and affairs of the state educational institutions of Iowa, and for the payment of the expenses of such investigation and defining the powers of the committee. Received, 1229; passed, 1279, 1280; enrolled, 1337; signed, 1344; committee appointed, 1359, 1360.

## SENATE CONCURRENT RESOLUTIONS.

- To appoint joint committee to visit St. Louis, inspect Iowa building, examine accounts of Louisiana Purchase Exposition; Commission and report to the Thirtieth General Assembly. Received, 54; house concurs, 55.
- Relative to adjournment during period of repair work on house chamber. Received, 55; house concurs, 55.
- To appoint joint committee to investigate the cost of repairing the damages caused by the fire. Received, 106; house concurs, 115.
- To appoint joint committees to visit state institutions. Received, 155; house concurs, 167.
- Memorializing Iowa members of Congress to aid in securing appropriations for improving Missouri and Des Moines rivers. Received, 250; referred, 266; reported unfavorably, 708; indefinitely postponed, 708.
- Relative to improvement of upper Mississippi river. Received, 307; referred, 309; reported unfavorably, 708; indefinitely postponed, 709.
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Authorizing the executive council to prepare the historical exhibit of Iowa for shipment to St. Louis. Received, 1229; house concurs, 1295.

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